

Officer's Report

Application Number	HGY/2023/0470
Type	Lawful development: Proposed use
Location	41 Queens Avenue, Hornsey, London, N10 3PE
Proposal	Certificate of lawfulness for proposed insertion of one rooflight on the rear slope of the main roof.
Case Officer	Daniel Kwasi
Valid Date	17/02/2023
Applicant	Rachel and William Montgomery
Agent	- ConForm Architects

RECOMMENDATION

Permitted Development

PLANNING AND ENFORCEMENT HISTORY

The planning history of the site has been taken into account when coming to this decision.

DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness for proposed insertion of 1no. rooflight on the rear slope of the main roof. The site is in the Muswell Hill Conservation Area and it is not within the curtilage of a nationally listed building but it is locally listed.

RELEVANT PLANNING LEGISLATION

The application has been made under section 192 of the Town and Country Planning Act 1990 and relevant amendments. This not a planning application but instead the applicant seeks confirmation that the proposed development is lawful. As such, the impact of the proposed development of the neighbour's amenities or the character of the area cannot be taken into consideration for this submission.

ANALYSIS/ASSESSMENT OF THE APPLICATION

Class C: Any other alteration to the roof of a dwellinghouse

A certificate of lawfulness for proposed insertion of a rooflight on the rear slope of the main roof can be issued if the proposal meets all the criteria under The Town and Country Planning (Generally Permitted Development) (England) Order 2015 – Part 1, Class C 'Any other alteration to the roof of a dwellinghouse'.

The current proposal will be assessed against these requirements as follows:

Class C.1. Requirement

a) permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Complies

b) The alteration would not protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.

Complies

c) It would not result in the highest part of the alteration being higher than the highest part of the original roof.

Complies

d) It would not consist of or include—

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

Complies

Development is permitted by Class C subject to the following conditions.

C.2. Conditions

Any window located on a roof slope forming a side elevation of the dwellinghouse shall be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Complies

CIL APPLICABLE

The increase in internal floor area would not exceed 100sqm and therefore the proposal is not liable for the Major's CIL charge.

SUMMARY AND CONCLUSION

The proposed development constitutes permitted development by virtue of Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) Order 2015 and is considered to be lawful.

RECOMMENDATION

Grant Certificate as Permitted Development

In pursuance of their powers under the above Acts and Order the London Borough of Haringey as local planning Authority hereby CERTIFY that the above proposal described by the applicant constitutes PERMITTED DEVELOPMENT and is therefore LAWFUL.