

Officer's Report

Application Number	HGY/2023/0587
Type	Lawful development: Proposed use
Location	65 Cranley Gardens, Hornsey, London, N10 3AB
Proposal	Certificate of lawfulness for proposed loft extension including: hip to gable extension, rear dormer and front rooflights.
Case Officer	James Mead
Valid Date	28/02/2023
Applicant	Mr Ben Ponniah
Agent	Mr Chris Ellerbeck

RECOMMENDATION

Permitted Development

1. RECOMMENDATION

GRANT CERTIFICATE.

2. RELEVANT PLANNING HISTORY

- No relevant planning history.

3. DETAILS OF PROPOSAL

This application seeks a lawful development certificate for a loft extension, including: the erection of a hip to gable roof extension, the installation of a rear dormer and the insertion of front rooflights.

4. 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.

5. ANALYSIS/ASSESSMENT OF THE APPLICATION

Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

A lawful development certificate for the erection of a hip to gable roof extension and the installation of a rear dormer can be issued if the proposal meets all the criteria under The Town and Country Planning (Generally Permitted Development) (England) Order 2015 – Schedule 2, Part 1, Class B 'The enlargement of a dwellinghouse consisting of an addition or alteration to its roof'.

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

B.1

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

b) any part of the dwellinghouse would not, as a result of the works, exceed the height of the highest part of the existing roof;
Complies.

c) any part of the dwellinghouse would not, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;
Complies.

d) the cubic content of the resulting roof space would not exceed the cubic content of the original roof space by more than—
(i) 40 cubic metres in the case of a terrace house, or
(ii) 50 cubic metres in any other case;
Complies.

e) it would not consist of or include—
(i) the construction or provision of a verandah, balcony or raised platform, or
(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;
Complies – It is noted that the proposal includes the removal of a chimney. This has been found to equate to permitted development under Class G.

f) the dwellinghouse is not on article 2(3) land.;
Complies.

g) the dwellinghouse was not built under Part 20 of this Schedule (construction of new dwellinghouses).; or
Complies.

h) the existing dwellinghouse has not been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).
Complies.

B.2

a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
Complies.

b) the enlargement must be constructed so that—
(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—
aa. the eaves of the original roof are maintained or reinstated; and
bb. the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and
Complies.

- c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must 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.
- N/A.

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

A lawful development certificate for the installation of front rooflights can be issued if the proposal meets all the criteria under The Town and Country Planning (Generally Permitted Development) (England) Order 2015 – Schedule 2, Part 1, Class C ‘Any other alteration to the roof of a dwellinghouse’.

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

C.1

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

b) the alteration would not protrude more than 0.15 metres 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.; or

Complies.

e) the dwellinghouse was not built under Part 20 of this Schedule (construction of new dwellinghouses).
Complies.

C.2

Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be—

- (a) obscure-glazed; and
 - (b) 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.
- N/A.

6.0 SUMMARY AND CONCLUSION

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

7.0 RECOMMENDATION

Grant Certificate.

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.