

Officer's Report

Application Number	HGY/2022/3547
Type	Lawful development: Proposed use
Location	36, Connaught Gardens, London, N10 3LB
Proposal	Certificate of lawfulness for the proposed erection of a rear dormer extension.
Case Officer	Oskar Gregersen
Valid Date	13/10/2022
Applicant	Emma Keyse
Agent	Ms Elli Farrant

RECOMMENDATION

Permitted Development

PLANNING HISTORY

The planning history of the site has been taken into account when coming to this decision. It is noted that planning permission has already been granted for the erection of a two-storey side and single-storey rear extension including the gabling of the house's existing hipped roof and the insertion of three rooflights to the front. (Ref: HGY/2022/2308). This application seeks a dormer extension to the rear of the extended original roof. Although the hip to gable extension of the original roof has already been granted permission, the volume of this extension must be taken into account when assessing any further extension under Class B, Part 1, Schedule 2 of the GPDO. The roof over the approved two-storey side extension does not come under Class B as it overhangs an original outer wall of the house. This additional roof space does not therefore take up any of the property's Class B permitted volume.

RELEVANT PLANNING LEGISLATION

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

ANALYSIS/ASSESSMENT OF THE APPLICATION

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

A certificate of lawfulness for a rear dormer extension 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 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:

(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 height of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the highest part of the roof of the existing dwellinghouse.

Complies

(c) The enlarged part of the dwellinghouse would not 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

(ii) 50 cubic metres in any other case;

Complies:

Volume of hip to gable extension (approved under HGY/2023/2308:

$9.36(w) \times 3.43(h) \times 4.06(\text{ext. ridge}) / 6 = 21.72 \text{ m}^3$

Proposed dormer volume:

$5.59(w) \times 2.80(h) \times 3.55(d) / 2 = 27.78 \text{ m}^3$

Total = 49.5 m³

Limit is 50 m³ for a semi-detached property.

(e) it would not consist of or include—

(i) the construction or provision of a veranda, balcony or raised platform, or

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

Complies

(f) The dwellinghouse is not on article 2(3) land.

Complies

Development is permitted by Class B subject to the following conditions:

(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—

(ii) 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

Complies

SUMMARY AND CONCLUSION

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