

# Officer's Report

|                           |                                                 |
|---------------------------|-------------------------------------------------|
| <b>Application Number</b> | <b>HGY/2023/0933</b>                            |
| <b>Type</b>               | <b>Lawful development: Proposed use</b>         |
| <b>Location</b>           | 14 Crowland Road, Tottenham, London, N15 6UT    |
| <b>Proposal</b>           | Rear roof extension (Certificate of lawfulness) |
| <b>Case Officer</b>       | Emily Whittredge                                |
| <b>Valid Date</b>         | 31/03/2023                                      |
| <b>Applicant</b>          | Mr. Brandsdorfer                                |
| <b>Agent</b>              | Mr. Shloime Godlewsky                           |

## **RECOMMENDATION**

### **Permitted Development**

#### **1. Site Description**

The site contains a two storey plus loft mid terrace dwelling on the south side of Crowland Road. The site does not fall within a conservation area and does not relate to a listed building. The property features an original two storey rear outrigger.

Planning permission was recently granted to convert the property from two self-contained flats into a single dwelling, its original use (Ref. HGY/2022/4129). Photographic evidence was provided by the applicant demonstrating that this deconversion has largely been completed, and as such the householder permitted development rights of the property are considered to have been restored.

#### **2. Details of Proposal**

This is an application for a certificate of lawfulness for a rear roof extension at second floor level, over the outrigger.

#### **3. 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.

#### **4. 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 formation of a rear roof 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:

**Class B.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);

**Comment** Permission to use the dwellinghouse has not been granted by virtue of these classes.

**Complies** Yes

**Class B.1. Requirement** 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.

**Comment** The height of the enlargement would not exceed the highest part of the roof.

**Complies** Yes

**Class B.1. Requirement** 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.

**Comment** The enlargement would extend to the rear and would not front a highway.

**Complies** Yes

**Class B.1. Requirement** 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;

**Comment**  $((8.87\text{sqm} \times 4.492\text{m}) + 0.152\text{m}^2)$  Total volume =39.99m<sup>3</sup>

**Complies** Yes

**Class B.1. Requirement** 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

**Comment** The development would not include these elements

**Complies** Yes

**Class B.1. Requirement** f) The dwellinghouse is not on article 2(3) land.

**Comment** N/A

**Complies** Yes

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

**B.2. 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.

**Comment** The external materials used would be of a similar appearance to those used in the construction of the exterior of the dwellinghouse

**B.2. Conditions** (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

**Comment** The edge of the enlargement closest to the eaves of the original roof is not less than 0.2 metres from the eaves.

**B.2. Conditions** Any upper-floor window located in a wall or 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.

**Comment** The side-facing window would comply with these criteria.

## **5. 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.

## **6. 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.

## **7. RECOMMENDATION**

Grant Certificate