

Officer's Report

Application Number	HGY/2022/4490
Type	Lawful development: Proposed use
Location	35 Hampden Lane, Tottenham, London, N17 0AS
Proposal	Certificate of Lawfulness for the erection of a front porch.
Case Officer	Oskar Gregersen
Valid Date	20/12/2022
Applicant	Michelle Fernandes
Agent	Mr. Bilal Ahmad

RECOMMENDATION

Permitted Development

PLANNING HISTORY

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

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 D: Porches

A certificate of lawfulness for a porch 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 D 'The erection or construction of a porch outside any external door of a dwellinghouse'.

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

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
Complies

(b) the ground area (measured externally) of the structure would exceed 3 square metres;
Complies

(c) any part of the structure would be more than 3 metres above ground level; or
Complies

(d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.
Complies

SUMMARY AND CONCLUSION

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