

# Officer's Report

|                           |                                                                                                                       |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------|
| <b>Application Number</b> | <b>HGY/2023/0959</b>                                                                                                  |
| <b>Type</b>               | <b>Lawful development: Proposed use</b>                                                                               |
| <b>Location</b>           | 8 Mafeking Road, Tottenham, London, N17 9BG                                                                           |
| <b>Proposal</b>           | Certificate of lawfulness: proposed loft conversion comprising a rear dormer and 3no. rooflights on front roof slope. |
| <b>Case Officer</b>       | Daniel Kwasi                                                                                                          |
| <b>Valid Date</b>         | 04/04/2023                                                                                                            |
| <b>Applicant</b>          | Mr. Carlton Sebastian Alexis                                                                                          |
| <b>Agent</b>              | Mr. Ali Shirmohammadi                                                                                                 |

## **RECOMMENDATION**

### **Permitted Development**

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Permitted development

### **Relevant 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 loft extension with the erection of a rear dormer and the insertion of three front rooflights. The site is not in a Conservation Area nor is it within the curtilage of a listed building.

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

A certificate of lawfulness for a formation of rear dormer and hip to gable 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

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

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 be to the rear and would not front a highway.

**Complies** Yes

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** Dormer Volume Calculation:

$(3.85 \times 2.35) / 2 = 4.523$

$4.523 \times 4.911 = \underline{\underline{22.22}}$  cubic metres

**Complies** Yes

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

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.

**Complies?** Yes

(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 eaves of the original roof will be maintained or reinstated as far as practicable.

**Complies?** Yes

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** N/A

**Complies?** Yes

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

A certificate Lawfulness for a 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);

**Comment** The use of the dwellinghouse has not been granted by virtue of Classes M, N, P or Q.

**Complies?** Yes

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.

**Comment** The 3no. rooflights 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?** Yes

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

**Comment** The 3no. rooflight would not be higher than the highest part of the original roof.

**Complies?** Yes

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.

**Comment** N/A

**Complies?** Yes

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.

**Comment** N/A

**Complies?** Yes

## **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 B and Class C of the Town and Country Planning (General Permitted Development) Order 2015 and is considered to be lawful.

## **RECOMMENDATION**

Grant Certificate