

Officer's Report

Application Number	HGY/2023/1551
Type	Lawful development: Proposed use
Location	61 Wolves Lane, Wood Green, London, N22 5JD
Proposal	Certificate of lawfulness for proposed erection of a single storey 2.5m high outbuilding in the rear garden incidental to the enjoyment of the dwellinghouse.
Case Officer	Daniel Kwasi
Valid Date	13/06/2023
Applicant	Mr A Ismail
Agent	John Perrin

RECOMMENDATION

Approve

RECOMMENDATION

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 erection of a single storey 2.5m high outbuilding in the rear garden incidental to the enjoyment of the dwellinghouse. 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 E: Buildings etc incidental to the enjoyment of a dwellinghouse.

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 E 'buildings etc incidental to the enjoyment of a dwellinghouse'.

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

Class E.1. Requirement

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 total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

Complies

c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;

Complies

d) the building would have more than a single storey;

Complies

e) the height of the building, enclosure or container would exceed—

(i) 4 metres in the case of a building with a dual-pitched roof,

(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or

(iii) 3 metres in any other case;

Complies

f) the height of the eaves of the building would exceed 2.5 metres;

Complies

g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;

Complies

h) it would include the construction or provision of a verandah, balcony or raised platform;

Complies

i) it relates to a dwelling or a microwave antenna; or

Complies

j) the capacity of the container would exceed 3,500 litres.

Complies

E.2. In the case of any land within the curtilage of the dwellinghouse which is within—

(a) an area of outstanding natural beauty;

(b) the Broads;

(c) a National Park; or

(d) a World Heritage Site,

development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

The site is not within any of these designated areas, and therefore the proposal complies.

E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

Complies

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 E of the Town and Country Planning (General Permitted Development) Order 2015 and is considered to be lawful.

RECOMMENDATION

Grant Certificate as Permitted Development

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.