

Officer's Report

Application Number	HGY/2023/1634
Type	Lawful development: Proposed use
Location	18 Effingham Road, Hornsey, London, N8 0AB
Proposal	Rear outrigger extension (Certificate of lawfulness)
Case Officer	Emily Whittredge
Valid Date	20/06/2023
Applicant	Andrew Gibbens
Agent	Mr Bradley Pattemore

RECOMMENDATION

Permitted Development

1. Site Description

The site contains a two storey mid terrace dwelling on the south side of Effingham Road. The property currently has a rear dormer and front roof lights.

The site does not fall within a conservation area and does not relate to a listed building.

2. Details of Proposal

This is an application for a certificate of lawfulness for a rear roof extension over the original two storey rear projection.

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 rear outrigger extensions 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 Existing Dormer 16.96m³ Proposed Extension 21.41m³ Total volume =38.37m³

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 be fixed and obscure glazed.

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