

Officer's Report

Application Number	HGY/2023/0844
Type	Lawful development: Proposed use
Location	190 Walpole Road, Tottenham, London, N17 6BW
Proposal	Certificate of Lawfulness for a proposed dormer extension to the rear incorporating a juliet balcony.
Case Officer	Nathan Keyte
Valid Date	27/03/2023
Applicant	Mr Nicholas Burt
Agent	Mr Charles Speakman

RECOMMENDATION

Approve

SITE DESCRIPTION

The subject site is a two storey mid-terrace with loft and outbuilding, in use as a dwellinghouse.

DETAILS OF PROPOSAL

It is proposed to erect a dormer to the rear of the building with Juliet balcony. A single storey rear extension was originally sought for approval, however following lodgement this aspect of the development has been removed from the proposal.

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

A certificate of lawfulness for a rear dormer 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:

(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)

Complies

(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.

Complies

(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.

Complies

(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;

Complies – 26.2m³ proposed

(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

Complies – Juliet balcony only

(f) The dwellinghouse is not on article 2(3) land.

Complies

Development is permitted by Class B subject to the following 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.

Complies – as confirmed in the documents submitted with the application.

(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

Complies

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.

Complies – no side windows indicated on drawings.

Class G: Chimneys, flues etc on a dwellinghouse

A certificate of Lawfulness for a vent pipe above the existing roofline 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 G ‘chimneys, flues etc on a dwelling house’.

G.1 Development is not permitted by Class G if—

(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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or

Complies – exceeds roof by approximately 0.5m.

(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—

(i) fronts a highway, and

(ii) forms either the principal elevation or a side elevation of the dwellinghouse.

Complies

SUMMARY AND CONCLUSION

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

Informatives:

- **INFORMATIVE: Access to Parks Land**
It is being brought to your attention that the granting of planning permission does not convey the right to use and access the Council's Parks land for the purpose of implementing the consent hereby approved. The relevant consent will be required via a formal licence to be drawn up via the Council's Legal and Property service teams, with such access or use of Parks land not automatically guaranteed. You should contact parkprojects@haringey.gov.uk for further information.