



Officer Report

Application Number:	HGY/2023/1926
Application Type:	Lawful development: Proposed use
Address:	26 Barkham Road, Tottenham, London, N17 8JR
Proposal:	Single storey rear extension (Certificate of lawfulness)
Case Officer:	Emily Whittredge
Valid Date:	17/07/2023
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Applicant:	Ms Anh Vu
Agent:	Mr Richard Domenech

RECOMMENDATION

Permitted Development

1. Site Description

The site contains a two storey mid terrace dwelling on the north side of Barkham Road, Tottenham. 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 single storey rear extension.

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 A: The enlargement, improvement or other alteration of a dwellinghouse.

A certificate of lawfulness for a rear 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 A 'development within the curtilage of a dwellinghouse'

Class A.1. Requirements

(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 has not been granted by virtue of these classes

Complies Yes

b) The extension will not exceed more than 50% of the total curtilage of the site.

Comment The development, in combination with the existing outbuilding and porch extension, would not exceed 50% of the total curtilage of the site (the land surrounding the original dwellinghouse)

Complies Yes

c) 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 Yes

d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the eaves of the existing dwellinghouse.

Complies Yes

e) The enlarged part of the dwellinghouse would not extend beyond a wall which—
(i) fronts a highway, and
(ii) forms either the principal elevation or a side elevation of the original dwellinghouse

Complies Yes

f) The enlarged part of the dwellinghouse would have a single storey and would not —
(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
(ii) exceed 4 metres in height.

Comment The proposed development is 5m long and is subject to the neighbour consultation scheme under Class A, paragraph A.1(g)

Complies N/A

g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
(ii) exceed 4 metres in height

Comment A neighbour consultation scheme was carried out under application ref. [HGY/2023/1132](#) for the following development:

Erection of single storey extension which extends beyond the rear wall of the original house by 5m, for which the maximum height would be 3.6m and for which the height of the eaves would be 3m
No objections were received from adjoining occupiers, and the application was granted. The current application for a certificate of lawfulness seeks a single storey rear extension 5m long, 3.6m tall and 3m at the eaves.

Complies Yes

- h)** The enlarged part of the dwellinghouse would have more than one storey and—
- (i) does not extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) would not be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse.

Comment The extension would not have more than one storey

Complies Yes

- (i)** The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would not exceed 3 metres

Complies Yes

- (j)** The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would not—
- (i) exceed 4 metres in height,
 - (ii) have more than one storey, or
 - (ii) have a width greater than half the width of the original dwellinghouse

Comment The extension would not extend beyond a wall forming a side elevation

Complies Yes

- (k)** It would not consist of or include—
- (i) the construction or provision of a veranda, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antenna,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) an alteration to any part of the roof of the dwellinghouse.

Complies Yes

Class A.2. Requirement

In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- (a)** it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b)** the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c)** the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

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

Complies Yes

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

Class A.3. Conditions

(a) The materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

Comment The plans indicate that the proposed materials shall match the existing materials.

Complies Yes

(b) 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 No side-facing windows are proposed

Complies Yes

(c) Where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Comment The enlarged part of the dwellinghouse would not have more than one storey

Complies Yes

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

7. RECOMMENDATION

Grant Certificate