



Officer Report

Application Number:	HGY/2023/1165
Application Type:	Lawful development: Proposed use
Address:	77 Sperling Road, Tottenham, London, N17 6UJ
Proposal:	Certificate of Lawfulness for proposed rear dormer and outrigger extension, facilitating an additional bedroom to existing C4 HMO.
Case Officer:	Laina Levassor
Valid Date:	05/07/2023
Applicant:	SAM
Agent:	Mr. Shloime Godlewsky

RECOMMENDATION

Refuse

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 on the neighbour's amenity or the character of the area cannot be taken into consideration for this submission.

ANALYSIS/ASSESSMENT

Photographs provided by the applicant show that the building, at the time of application contained at least 1 self-contained unit. The submitted existing plans show all the rooms as having their own cooking facilities and ensuite bath/shower rooms and WCs. Given this level of self-containment, from a planning perspective the property appears to have been converted into a number of separate self contained units or studio flats. As such they do not benefit from permitted development rights under r Schedule 2, Part 1, Class B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

CONCLUSION

The property has been converted into a number of separate self contained units or studio flats and as such it does not benefit from permitted development rights under r Schedule 2, Part 1, Class B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015. The applicant has therefore failed to demonstrate that the proposed development would be lawful.

Refusal Reasons:

The property has been converted into a number of separate self contained units or studio flats and as such it does not benefit from permitted development rights under r Schedule 2, Part 1, Class B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015. The applicant has therefore failed to demonstrate that the proposed development would be lawful.