



Officer Report

Application Number: HGY/2026/0651
Application Type: Lawful development: Proposed use
Address: Flat 4, 140 Wightman Road, Hornsey, London, N8 0BD
Proposal: Certificate of lawfulness: proposed construction of a rear dormer and two front skylights, as part of a loft extension.
Case Officer: Eunice Huang
Valid Date: 09/03/2026
Applicant: Mr & Mrs Richard & Angela Glover & Peters
Agent:

RECOMMENDATION

Refuse

1. SITE DESCRIPTION

The site is a two storey end terrace building on the eastern side of Wightman Road, divided into flats. The proposal relates to Flat 4.

2. RELEVANT PLANNING AND ENFORCEMENT HISTORY

The following planning and enforcement history is on record:

- OLD/1970/1268 - Erect 1st floor extend at rear, single storey extend on 5 side & conversion into 4 self-contained flats - Approve with Conditions - 27/5/1970.

3. DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness for a proposed extension of the loft space with a rear dormer, and insertion of 2x front rooflights.

4. 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.

5. ANALYSIS/ASSESSMENT OF THE APPLICATION

Class B – enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

A certificate of lawfulness for a formation of a rear dormer extension can be issued if the proposal meets all criteria under the Town and Country Planning (Generally Permitted Development) (England) Order 2015 (GPDO 2015) – Part 1, Class B 'The enlargement of a dwellinghouse consisting of an addition or alteration to its roof'.

Article 2 of the GPDO 2015 explicitly states that "dwellinghouse" does not include a building containing one or more flats, or a flat contained within such a building. As such, the proposed development does not fall within permitted development and requires planning permission.

Class C: Any other alteration to the roof of a dwellinghouse

A certificate of lawfulness for rooflights 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 C ‘Any other alteration to the roof of a dwellinghouse’.

The provisions of Class C apply only to dwellinghouses and do not apply to flats. As such, the proposed development does not fall within permitted development and requires planning permission.

5. CIL APPLICABLE

The increase in internal floor area would not exceed 100sqm. Therefore the proposal would not be liable for the Mayor’s CIL charge.

6. SUMMARY AND CONCLUSION

The proposed development does not constitute permitted development by virtue of Schedule 2, Part 1, Class B and Class C of the Town and Country Planning (General Permitted Development) Order 2015 and requires planning permission.

7. RECOMMENDATION

Refuse Certificate

Refusal Reasons:

The provisions of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 apply to development to dwellinghouses, and do not apply to flats or buildings containing flats. As such, the proposed development does not fall within permitted development and requires planning permission.