



Officer Report

Application Number:	HGY/2026/1814
Application Type:	Lawful development: Proposed use
Address:	21 Nelson Road, Hornsey, London, N8 9RX
Proposal:	Certificate of lawfulness for proposed removal of existing rear chimney stack.
Case Officer:	Roland Sheldon
Valid Date:	02/07/2026
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Applicant:	Mr & Mrs Laubscher
Agent:	Mr Justin Brown

RECOMMENDATION

Approve

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 G – chimneys, flues etc on a dwellinghouse

The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

The current proposal will be assessed against these requirements as follows:

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 G, M, MA, N, P PA 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;

The proposal would involve the removal of a rear chimney stack and no replacement is proposed.
Complies

(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

The site is not located on article 2(3) land and does not involve the installation of a chimney, flue or soil/vent pipe. Complies

(d)the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

N/A. Complies

SUMMARY AND CONCLUSION

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