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Section 192 of the Town and Country Planning Act 1990

Planning Statement

To accompany an application for a

Lawful Development Certificate

"Erection of ground floor rear extension and rear roof dormer with insertion of front rooflights"

6 Franklin Street

London N15 6QH

Eade Planning Ltd

October 2026

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Introduction

1. This is an application for a Lawful Development Certificate under Section 192 of the Town and Country Planning Act 1990 for proposed development and use on land at 6 Franklin Street London N15 6QH.
2. The developments for which a certificate is hereby applied for comprises two elements. These are:
    - ground floor rear extension,
    - Front rooflights, and
    - rear roof extension.

The Application

3. The proposal is lawful pursuant to Classes A, B and C of Part 1 Schedule 2 of the GPDO which allow for *the enlargement, improvement or other alteration of a dwellinghouse (Class A), the enlargement of a dwellinghouse consisting of an addition or alteration to its roof (Class B)* and finally *other alterations to the roof of a dwellinghouse (Class C) .*

4. Section 192 of the Town and Country Planning Act 1990 provides that,

(1)If any person wishes to ascertain whether—

(a)any proposed use of buildings or other land; or

(b)any operations proposed to be carried out in, on, over or under land,

would be lawful, he may make an application for the purpose to the local planning authority specifying the land and describing the use or operations in question.

(2)If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

(3)A certificate under this section shall—

(a)specify the land to which it relates;

(b)describe the use or operations in question (in the case of any use falling within one of the classes specified in an order under section 55(2)(f), identifying it by reference to that class);

(c)give the reasons for determining the use or operations to be lawful; and

(d)specify the date of the application for the certificate.

(4)The lawfulness of any use or operations for which a certificate is in force under this section shall be conclusively presumed unless there is a

material change, before the use is instituted or the operations are begun, in any of the matters relevant to determining such lawfulness.

The land

5. The land is at 6 Franklin Street London N15 6QH.
6. The site is a two storey mid-terraced single dwellinghouse.
7. The site is not located within a Conservation Area nor is it a Statutory Listed Building.

The reasons for determining the development to be lawful

8. The Town and Country Planning Act 1990, Section 60 - Permission granted by development order, states,

   (1)Planning permission granted by a development order may be granted either unconditionally or subject to such conditions or limitations as may be specified in the order.

9. The Town and Country Planning (General Permitted Development) (England) Order 2015 is such an Order.

   Article 3 of the 2015 Order provides inter alia that:

   "(1) Subject to the provisions of this Order….., planning permission is hereby granted for the classes of development described as permitted development in Schedule 2 .

   (2) Any permission granted by paragraph (1) is subject to any relevant exception, limitation or condition specified in Schedule 2 ."

<u>Ground floor rear extension</u>

10. Planning permission is granted under Class A in Part 1 of Schedule 2 of the GPDO for *"enlargement, improvement or other alteration of a dwellinghouse"*. However, by virtue of condition A.1, such development is not permitted inter alia 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);

    (b)as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

(c)the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(d)the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(e)the enlarged part of the dwellinghouse would extend beyond a wall which—

(i)forms the principal elevation of the original dwellinghouse; or

(ii)fronts a highway and forms a side elevation of the original dwellinghouse;

(f) subject to paragraph (g), 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 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;

(iii)have a width greater than half the width of the original dwellinghouse;

(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;

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse

(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 exceed 3 metres;

(j)the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i)exceed 4 metres in height,

(ii)have more than a single storey, or

(iii)have a width greater than half the width of the original dwellinghouse; F6...

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

(k)it would consist of or include—

(i) the construction or provision of a verandah, 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

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

11. Section 55 of the Town and Country Planning Act 1990 (as amended) -Meaning of "development" and "new development" states,

(1)Subject to the following provisions of this section, in this Act, except where the context otherwise requires, "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

(1A) For the purposes of this Act " building operations " includes—
(a)demolition of buildings;

Subsection (2) states,

(2)The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—
(a) ……

(g) the demolition of any description of building specified in a direction given by the Secretary of State to local planning authorities generally or to a particular local planning authority.

12. The materials to be used for the external finishes will be of similar appearance to those used in the construction of the exterior of the existing house. No window is proposed on any side elevation.

Rear roof extension

13. Planning permission is granted under Class B in Part 1 of Schedule 2 of the GPDO for *"The enlargement of a dwellinghouse consisting of an addition or alteration to its roof"*. However, by virtue of condition B.1, such development is not permitted inter alia 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);

(b)any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

(c)any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

(d)the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—

(i)40 cubic metres in the case of a terrace house, or

(ii)50 cubic metres in any other case;

(e)it would consist of or include—

(i)the construction or provision of a verandah, balcony or raised platform, or

(ii)the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

(f)the dwellinghouse is on article 2(3) land.

Conditions

B.2 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;

(b)the enlargement must be constructed so that—

(i)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; and

(c)any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must 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.

Interpretation of Class B

B.3 For the purposes of Class B, "resulting roof space" means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement.

14. The materials to be used for the external finishes will be of similar appearance to those used in the construction of the exterior of the existing house.

Front roof lights

15. Planning permission is granted under Class C in Part 1 of Schedule 2 of the GPDO for *"other alterations to the roof of a dwellinghouse"*. However, by virtue of condition C.1, such development is not permitted inter alia 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);

(b)the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

(c)it would result in the highest part of the alteration being higher than the highest part of the original roof;

(d)it would consist of or include—

(i)the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(ii)the installation, alteration or replacement of solar photovoltaics or solar thermal equipment; or

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

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be—

(a)obscure-glazed; and

(b)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.

16. In this case the proposed roof lights will not protrude more than 0.15 metres beyond the plane of the slope of the original roof.

Date of the application for the certificate

17. This application is made on 7th October 2026.

Conclusion

18. This application provides information that satisfies the claim that the matters described in the application are lawful at the time of the application.