

Officer Report

Application Number:	HGY/2023/3403
Application Type:	Lawful development: Proposed use
Address:	47 Jacksons Lane, Hornsey, London, N6 5SR
Proposal:	Certificate of lawfulness for alterations to existing outbuilding/cottage, including external repainting and changing the doors and windows.
Case Officer:	Eunice Huang
Valid Date:	17/01/2024
Applicant:	Mr & Mrs Hoffner
Agent:	Mr Derek Danso

RECOMMENDATION

Approve

RECOMMENDATION

Grant Certificate

1. SITE DESCRIPTION

The site is a two storey end-of-terrace building on the southern side of Jacksons Lane, comprising a single dwelling. The site is located on article 2(3) land, within Highgate Conservation Area. A listed building is located adjacent to the application site, at No. 49-51 Jacksons Lane.

2. RELEVANT PLANNING AND ENFORCEMENT HISTORY

The following planning and enforcement history is on record:

- HGY/2020/2697 – Conversion of garage to habitable accommodation in conjunction with replacement of garage doors with timber sliding door to serve integrated refuse store; installation of front windows and timber fascia panel – Approved with conditions 14/12/2020.
- HGY/1991/1070 – Change of use from garage to study involving alteration to front elevation – Approved with conditions 09/12/1991.
- OLD/1984/0737 – Erection of 1st floor extension over existing studio at the rear – Approved with conditions 06/1/1984.
- OLD/1978/0596 – Erection of 1st floor extension over existing studio at rear – Approved with conditions 30/10/1978.
- OLD/1967/0411 – Extension over car port to provide living room, bedroom & bathroom – Approved with conditions 30/8/1967.
- OLD/1964/0454 – Conversion of garage into habitable room (house in course of erection) – Approved with conditions 11/1/1964.
- OLD/1963/0391 – Retention of existing garden building – Approved with conditions 18/12/1963.
- OLD/1963/0390 – Carport on side of house in course of erection – Approved with conditions 24/7/1963.

3. DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness for alterations to existing outbuilding/cottage, which is attached to the dwellinghouse. Works include:

- Repainting of textured paint finish over external walls to match existing;
- Replacement of existing rear door with high level openable window;
- New anthracite grey Crittall steel windows and doors to side elevation, with enlargement of existing openings
- Raising of external stair landing in rear garden
- Internal works including blocking off door, removal of steps, installation of underfloor heating and insulation.

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 A – enlargement, improvement or other alteration of a dwellinghouse

A certificate of lawfulness for alterations to a dwellinghouse can be issued if the proposal meets all criteria under the Town and Country Planning (Generally Permitted Development) (England) Order 2015 – Part 1, Class A 'The enlargement, improvement or other alteration of a dwellinghouse.'

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

(a) Permission to use the dwellinghouse as a dwellinghouse has not 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 extension will not exceed more than 50% of the total curtilage of the site.

Complies – no extension/enlargement proposed.

(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

(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

(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 – no extension/enlargement proposed.

(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.

Complies – no extension/enlargement proposed.

(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.

Not applicable – the site is located on article 2(3) land, no extension/enlargement proposed.

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

Complies – no extension/enlargement proposed.

(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 – no extension/enlargement proposed.

(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.

Complies – no extension/enlargement proposed.

(ja) Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) would not exceed the limits set out in sub-paragraphs (e) to (j).

Complies – no extension/enlargement proposed.

(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

(l) The dwellinghouse is not built under Part 20 of this Schedule (construction of new dwellinghouses).

Complies

Development on article 2(3) land:

A.2 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, peddle dash, render, timber, plastic or tiles.

Complies

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

A.3

(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.

Complies

6. 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.

7. SUMMARY AND CONCLUSION

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

8. RECOMMENDATION

Grant Certificate

Informatives:

INFORMATIVE: The applicant is reminded that in order for the proposed alterations to comply with Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), 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.