

**REPORT FOR CONSIDERATION AT PLANNING APPLICATIONS SUB COMMITTEE**

**Reference Nos:** HGY/2005/1107

**Ward:** Bruce Grove

**Dates received:** 13/06/2005

**Last amended date:** 03/10/05

**Drawing number of plans:** Unnumbered drawings dated August 2005, amended 3/10/2005.

**Address:** 57 Mount Pleasant Road, N17

**Proposal:** Retrospective Planning application for the erection of single storey out building in rear garden (Certificate of Lawfulness).

**Existing Use:** Residential

**Proposed Use:** Residential

**Applicant:** Keisha Empson

## **INTRODUCTION**

**This application was considered at the meeting of the Planning Applications Sub Committee on the 23 January 2006, but was deferred for a site visit to check that the outbuilding was built within the boundary of 57 Mount Pleasant Road.**

**The site inspection was conducted on 9 February 2006 by Council officers who confirmed that the outbuilding has been built within the boundary of 57 Mount Pleasant Road. Therefore, the out building is considered to be Permitted Development.**

## **PLANNING DESIGNATIONS**

Road - Classified  
RIM 1.2 Upgrading Greatest Need

**Officer contact:** Brett Henderson

## **RECOMMENDATION**

GRANT Lawful Development Certificate

## **SITE AND SURROUNDINGS**

The site is 57 Mount Pleasant Road and comprises a two storey mid-terrace dwelling with rear garden in a primarily residential neighbourhood of similar properties

## **PLANNING HISTORY**

27/03/02 – Conditional Consent – 2002/0145 – Conversion of dwellinghouse to 2 self contained flats.

07/10/03 – Permitted Development – 2003/1519 – Certificate Of Lawfulness for the erection of a full width rear dormer window.

23/01/06 – Refused – 2005/1122 – Retention of rear dormer window.

23/01/06 – Refused – 2004/2024 – Change of use from residential to childrens home caring for a maximum of six children and supervising staff including the provision of a staff room/office.

23/01/06 – Conditional Consent – 2005/1103 – Retention of basement to form storage space.

The 2002 Consent for conversion has not been implemented.

## **DETAILS OF PROPOSAL**

Retrospective Planning application for the erection of a single storey outbuilding in rear garden (Certificate of Lawfulness).

## **CONSULTATION**

No consultation was carried out for this application, because it is an application for a Certificate of Lawfulness which is a matter which can only be determined on the basis of the material evidence submitted with the application and which is therefore not normally the subject of consultation.

## RELEVANT PLANNING POLICY

### Permitted Development Schedule 2, Part 1 Town and Country Planning Act (General Permitted Development) Order 1995

*E. The provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.*

*E.1*

*Dev*

*elopment is not permitted by Class E if –*

- (c) ...where the building to be constructed or provided would have a cubic content greater than 10 cubic metres, any part of it would be within 5 metres of any part of the dwellinghouse;*
- (d) the height of that building or enclosure would exceed –
  - (i) 4 metres, in the case of a building with a ridged roof; or*
  - (ii) 3 metres, in any other case;**
- (e) the total area of ground covered by buildings or enclosures within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)...*

## ANALYSIS/ASSESSMENT OF APPLICATION

The proposal is a retrospective application for the erection of a single storey out building in the rear garden of the dwelling at 57 Mount Pleasant Road.

The outbuilding is located in excess of 5 metres from the rear of the dwelling, has a wall height of 2.6 metres and a ridge height of 3.8 metres. Furthermore, it does not exceed 50% of the total area of the curtilage in accordance with the above act.

A site inspection was undertaken on 9 February 2006 by Council Planning Officers. It was found that the boundary of the out building had been built within the curtilage of 57 Mount Pleasant Road. This could be seen because the existing boundary fence lines were still present and clearly demonstrated the extent of the curtilage of the above property.

## **SUMMARY AND CONCLUSION**

The proposed out building is in accordance with the Town and Country Planning (General Permitted Development) Order, Class E of Schedule 2. Therefore, it does not require full Planning permission.

## **RECOMMENDATION**

Following the site visit undertaken on 9<sup>th</sup> February 2006.

1. In pursuance of their powers under the above Acts and Order of the London borough of Haringey as Local Planning Authority hereby CERTIFY that the above proposal described by the applicant dated 13<sup>th</sup> June 2005 constitutes development under Section 55 of the Town and Country Planning Act 1990 but is permitted by virtue of Class E of Schedule 2 of General Permitted Development Order 1995 and is therefore lawful.

Registered No. HGY/2005/1107

Applicant's unnumbered drawings dated August 2005, amended 3/10/2005.