LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 20/10/2014

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2014/2429 **Ward:** Stroud Green

Date received: 26/08/2014

Last amended date: NA

Drawing number of plans: 01 - 16 incl.

Address: 10 Quernmore Road N4 4QU

Proposal: Erection of landing and steps to garden patio from kitchen and formation of roof terrace at first floor with privacy screen to one side

Applicant: Mr James Skelsey

Ownership: Private

Site Visit Date: 01/10/2014

Officer contact: Robbie McNaugher

2. SUMMARY OF RECOMMENDATION

GRANT PERMISSION subject to conditions

Conditions
1) Development begun no later than three years from date of decision
2) In accordance with approved plans
3) Balcony screening

Informatives

1) Land ownership
2) Hours of construction
3) Party Wall Act

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Proposed development

This is an application for erection of landing and steps to garden patio from kitchen and formation of roof terrace at first floor with privacy screen to one side. Following the refusal of the previous application the decking has been reduce from 2.4m deep, to 0.9 m deep and would be 0.8 metres from the boundary with the adjoining property and 1.2m above ground level as at the rear of the house, the ground drops away from the ground floor. The roof terrace has been amended to include a screen on the flank

3.2 Site and Surroundings

The subject property is a 3-storey mid-terrace house on the south side of Quernmore Road, N8. The house is 2-storey at the front but due to a sloping site, there is part-lower ground floor at the rear. The entire site slopes downwards to the south. Surrounding development is residential and of a similar scale. The site is in Stroud Green Conservation area.

3.3 Relevant Planning and Enforcement history

HGY/2004/0168 GTD 27-04-04 10 Quernmore Road London Erection of rear dormer to create habitable room and roof terrace.

HGY/2014/1400 REF 08-07-14 10 Quernmore Road London Erection of rear decking with timber / glass banister at ground floor level and formation of roof terrace at rear first floor level

This application was refused for the following reason:

1. The proposed decking and roof terrace, due to their location and design, would give rise to conditions of overlooking respectively to the habitable rooms and a bathroom of the adjacent property no. 8 Quernmore Road, N4, resulting in harm to residential amenity contrary to Saved Policy UD3 of the Haringey Unitary Development Plan 2006 and Policies SP0 and SP11 of the Haringey Local Plan 2013 and is inconsistent with guidance in the National Planning Policy Framework.

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

Stroud Green CAAC
LBH Conservation Officer
Stroud Green Residents Group

No responses were received.

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of 1 site notice displayed in the vicinity of the site and 8 letters

5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 1
Objecting: 1
Supporting:

5.3 The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Overlooking and loss of privacy

- Noise nuisance and general disturbance
- Detrimental impact on the character and appearance of the surrounding area,
- Loss of light
- The roof terrace would set a precedent

6 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the proposed development are:

1. The impact of the proposed development on the character and appearance of the conservation area
2. The impact on the amenity of adjoining occupiers

6.2 Character and appearance of the conservation area

Local Plan Policy SP11 'Design' states that all new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use. To achieve this all development shall be of the highest standard of design that respects its local context and character and historic significance, to contribute to the creation and enhancement of Haringey's sense of place and identity. With regard to development within Conservation Areas, The London Plan 2011 Policy 7.8 'Heritage Assets and Archaeology' states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Similarly Local Plan Policy SP12 seeks to ensure the conservation of heritage assets, their setting, and the wider historic environment. Furthermore Saved UDP Policy CSV5 'alterations and extension in conservation areas' states that the Council will require that alterations or extensions to building in Conservation Areas preserve or enhance the character of the Conservation Area.

Concerns have been raised that the proposal would impact on the character and appearance of the Conservation Area. The proposed alterations are minor in scale and wholly to the rear of the site so would not have a significant impact on the conservation area. The proposed terraces and associated screening would be finished in high quality materials in keeping with similar development in the area so are considered to preserve and enhance the character and appearance of the Conservation Area.

6.3 Impact on the amenity of adjoining occupiers

The London Plan 2011 Policy 7.6 Architecture states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Saved Policy UD3 also requires development not to have a significant adverse impact on residential amenity in terms of loss of daylight, or sunlight, privacy overlooking and aspect.

The previous proposal was refused on the ground that it would give rise to conditions of overlooking respectively to the habitable rooms and a bathroom of the adjacent property no. 8 Quernmore Road, N4, resulting in harm to residential amenity. The proposal has been amended to increase the separation distance between the decking and No. 8 and reduce the depth of the terrace to provide a platform to the minimum depth which still allows safe egress from the rear doors. The roof terrace has been amended to provide a 1.7 metre high screen on the flank to prevent views towards No. 8. It is considered that the proposal would not harm the privacy of the neighbouring property and the previous reason for refusal has been overcome.

Concern has been raised that the proposed boundary screening which is 2.6 metres high would be overbearing and reduce light to No. 8, screening was proposed on the previous proposal and no reason for refusal was formed in this regard. The current proposal does not raise any fresh concerns in this respect, there would be sufficient separation distance between the proposed fence and the neighbouring windows to prevent a significant overbearing appearance.

The proposal would not have a significant impact on any other neighbouring properties. Overall it is considered that the proposal would not harm the amenity of the neighbouring properties in accordance with Saved UDP Policy UD3.

6.4 Conclusions

The proposed development, due to its size, design and siting, would be in keeping with pattern and scale of development in the area and would cause no significant harm to amenity. The proposal is in compliance with Policies 7.4 'Local character', 7.6 'Architecture' and Haringey Local Plan Policy SP11 'Design' and Saved UDP Policy UD3 'General Principles'. All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

7. CIL APPLICABLE

There would be no increase in internal floor area and therefore the proposal is not liable for the Major's CIL charge.

8. RECOMMENDATION

GRANT PERMISSION subject to conditions

Registered No. HGY/2014/2429

Applicant's drawing No.(s) 01 - 16 incl.

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

   Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

   Reason: In order to avoid doubt and in the interests of good planning.

3. Before the first use of the roof terrace hereby permitted, the 1.7 metre high screening Plan no. 16 shall be installed and the screening shall be retained in perpetuity unless otherwise agreed in writing by the Planning Authority.

   Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 General Principles of the Haringey Unitary Development Plan 2006.

INFORMATIVE: Land Ownership
The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

INFORMATIVE: Party Wall Act
The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

INFORMATIVE: Hours of Construction Work
The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday
8.00am - 1.00pm Saturday
and not at all on Sundays and Bank Holidays.