8 Uplands Road
London
N8 9NL

Anthony Traub
Haringey Council - Planning Service
6th Floor, River Park House
225 High Road
Wood Green
London N22 8HQ

26th July 2015

Dear Mr. Traub,

**Objection to Proposal HGY/2015/1894 at 6 Uplands Road**

We refer to your letter dated 2nd July 2015 regarding the proposed development at 6 Uplands Road, consisting of the *Erection of a single storey extension which extends beyond the rear wall of the original house by 5.2m, for which the maximum height would be 3.95m and the height of the eaves would be 3.95m*. As ***sole*** and joint legal owners and residents of the only property on 8 Uplands Road, we **object** to the proposed development.

Please note that Flat A, 8 Uplands Road no longer exists as the previous owners converted the two flats at 8 Uplands Road back into a single house some time ago. Please amend your records accordingly.

**Our objections to the proposed development are that:**

1. **The proposed development does not fall within the definition of permitted development. Under these circumstances prior approval cannot be granted.**

**Whether Haringey Planning Service is assessing the proposal now, under the Prior Approval procedure, or, in due course, as a Full Application for Planning Permission:**

2. **The proposed development will result in**
    a. **loss of light,**
    b. **loss of amenity,**
    c. **increased overlooking,**
    d. **loss of privacy,**
    e. **potential noise nuisance and**
    f. **an increased sense of enclosure**

    **This will affect both habitable rooms to the rear of the house, the bedroom on the first floor and the garden to the rear of the property.**
3. **There is substantial risk the proposed development may impact the stability and foundations of 8 Uplands Road.**

**1. <u>The proposed development does not fall within the definition of permitted development.</u>**

While reference has been drawn to Schedule 2 Part 1 Class A.1(g) of the Town and Country Planning (General Permitted Development) Order 2015, we would like to also draw to your attention A.1(i) and (k) in the same Order, Schedule, Part and Class. Under these clauses the proposed development submitted by 6 Uplands Road will **not** fall into the definition of General Permitted Development:

**A1(i)** states that a development would not be classed as permitted development if

- *the enlarged part of the dwelling house should be within 2m of the boundary of the curtilage of the dwelling house, and the height of the eaves of the enlarged part would exceed 3 metres.*

The proposed development is built on the party wall boundaries of both 8 Uplands Road (ourselves) and 6 Uplands Road's other neighbouring property at 4 Uplands Road (i.e. within the 2m boundary described above) and the height of the eaves of the enlarged part is proposed to be 3.95m, when measured from the ground level of 6 Uplands Road (above the 3m described limit). It therefore conflicts with A1(i) and cannot be classed as permitted development.

**A1(k)** states that a development would not be classed as permitted development if

- *it would consist of or include –*
  *(i) the construction or provision of a verandah, balcony or raised platform.*
  *(ii) – (iv) omitted for brevity*

The proposed development consists of a new elevated structure consisting of an extended roof terrace with balcony. Thus, the proposed development conflicts with A1(k) and again should not be classed as permitted development.

We would also like to draw your attention to a previous permitted development application (HGY/2015/0671) made in February 2015 for 35 Uplands Road. This application was refused for similarly failing to comply with the regulations for permitted development.

For the above reasons we request for Haringey Planning Service to consider that the application should be rejected as it **does not** qualify under Class A General Permitted Development.

**2. <u>The proposed development will result in loss of light, loss of amenity, increased overlooking, loss of privacy, potential noise nuisance and an increased sense of enclosure</u>**

A material piece of information not mentioned in the application is detail on the orientation and topography of the site, and the significant changes in level due to this topography:

Uplands Road is situated on a very steep hill with the road running south to north with even numbers running along the east side, odd numbers on the west. 2 Uplands Road enjoys the most elevated position with a clear view of the north from their garden. 6 Uplands Road is situated near the top of the hill and 8 Uplands Road is a neighbouring property **subordinate** to 6 Uplands Road. The floor level of 8 Uplands Road is significantly lower than that of 6 Uplands Road by approximately **0.8m**.

The current plans state that the height of the new proposed development would be 3.95m and extend 5.2m from the back of the house into the garden. This stated height does not include the height of the parapets which are required to be a minimum height of 1.1m under Building Regulations 2010 “Protection from falling, collision and impact” K2 section 3, nor does it include the difference in floor levels between 6 and 8 Uplands Road. These two factors would result in a **minimum** height of **5.85m** when viewed from the ground level at 8 Uplands Road. Practically, this would give rise to a considerable increment in height of at least **1.95m** when compared to the existing single story structure, which is intended to be demolished as part of this development (detail of which is not included in the submitted plans).

8 Uplands Road, and all nearby properties, have limited rear garden of 10.5m in length, 6.75m in width. The proposed extension at 6 Uplands Road would extend 5.2m from the back of the house, encompassing half the length of the garden.

The kitchen at 8 Uplands Road currently enjoys direct light through floor to ceiling windows. Should the development go ahead, the kitchen will no longer have clear view of the sky, and instead will be faced with a brick wall.

French doors in the dining area open out to the garden and are an original Victorian feature of the house, allowing sunlight to enter the dining area (Exhibits A, B(i) and B(ii) in the accompanying document). The proposed development will affect the amount of light entering this room, block the view of the sky and trees to the east of Uplands Road.

The owners of 6 Uplands Road have shown us photographs that they have taken of our property from the flat roof of their lean-to structure. These photographs show the interior of our house. The proposed development extends and raises the flat roof area to form an extended roof terrace. This increased perspective will allow further intrusion by line of sight through our existing ground floor French windows into our dining area, impacting our privacy.

Although the proposed extension will take up half the current length of the already small garden, the outdoor space given up by the development at ground level is effectively preserved by provision of a new expansive roof terrace. This leads to the probability that the new outside space created at first floor level will be used as an entertainment / sitting-out space instead of at ground level. As can be seen in Exhibits B(i), B(ii) and C, the existing flat roof is close to a bedroom window in our property. The flat roof level will be raised by 1m as part of the proposed development which would allow people on the terrace direct sight into the bedroom. The provision of an elevated, large roof terrace introduces potential for noise nuisance and reduced privacy both to the bedroom and again to the dining area.

Sunlight to the garden would also be blocked and the garden overshadowed. This would affect the natural growth of grass and plants in the garden as well as enjoyment of the garden, sunlight and sky view by the residents of 8 Uplands Road.

In summary, this development would result in **loss of light, loss of amenity, increased overlooking, loss of privacy, potential noise nuisance and an increased sense of enclosure** to both the habitable rooms at the back of the house, the bedroom on the first floor and the garden to the rear of the

property. This would reduce the overall enjoyment of the property not just to the current residents but to future occupants.

This is in conflict with Saved UDP 2006 policy UD3 which requires developments to demonstrate

a) ***there is no significant adverse impact on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy, overlooking, aspect and the avoidance of air, water, light and noise, pollution (including from the contamination of groundwater/water courses or from construction noise) and of fume and smell nuisance;***
b) ***the proposal complements the character of the local area and is of a nature and scale that is sensitive to the surrounding area;***

Similarly London Plan 2015 policy 7.6 requires buildings and structures should

- ***not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing****, wind and microclimate.*

The proposed development also does not take into account the topography and subordinate nature of 8 Uplands Road to 6 Uplands Road and so is in conflict with Haringey Council SPG 1a Design Guidance and Design Statements section G.1 which states

- ***The relative land levels and other landform features need to be taken into account in the design of the development.***

The proposed development and its scale is out of character with nearby properties. There are no properties within sight from the grounds of either 6 or 8 Uplands Road that have extensions

- spanning the width of the house and built upon both party walls,
- a length and height that blocks light and breaks the uniformity of the row, or
- that provide an extensive and expansive roof terrace

In common with all properties on this road, 6 Uplands Road is already a substantial 4 bedroom period house comprising gross internal area (including cellar) of 147 sq m. The owners of 6 Uplands Road are currently undertaking a loft extension which will increase this area by 30 sq m. The proposed development will add a further 35 sq m. The result of these developments are a reduction in size of garden by 50% and an increase to the gross internal area of the house by close to 50%.

As such, the proposed plans constitute considerable overdevelopment and thus does not conform to Haringey Council SPG 1a Design Guidance and Design Statements section F.2 which states that:

- ***Development should also be designed to reflect the scale and bulk of neighbouring development.*** *In general, frontage length should not be excessively long and should generally be in proportion to building height.* ***Extensions or alterations to buildings should be subordinate in scale to the original building and should respect its architectural character.*** *Thus the alteration or extension should either fit in to the character of the house, or if in contrasting design, should by its independence and smallness of scale not undermine the architectural effect of the whole.* ***The development should not undermine existing uniformity of the building or row****, and should not over balance or dominate existing features*

*important to the building. For example, to ensure subordination,* ***full width rear extensions are not normally considered acceptable and they should not extend more than two thirds the width of the rear of the house*** *and should remain at least one storey below eaves level.* ***In terms of depth of rear extension, they should not normally extend beyond 3 metres (10 ft.) for terraced houses*** *and 4 metres (13 ft.) for semi-detached or detached houses from the rear wall of the house.*

It also does not conform to section C. Building Lines (1) which states that:

- ***New buildings should generally follow the front and rear building lines of adjacent properties.*** *Where a number of properties share common front building lines, undue projection is likely to undermine the uniformity regularity and coherence of the street scene.*

As mentioned elsewhere, all properties on the row have a garden of 10.5m in length. The proposed full-width rear extension at 6 Uplands Road occupies half of this length. If this proposal was accepted, it would set a precedent that may encourage overdevelopment on the road, and reduce the already limited outdoor space in the gardens.

**3. <u>There is substantial risk the proposed development may impact the stability and foundations of 8 Uplands Road</u>**

We are deeply concerned about the impact the development may have on the stability and foundations of 8 Uplands Road. The owners of 6 Uplands Road have informed us that they intend to demolish the existing lean-to structure (a single storey structure which is part of the original Victorian house and in common with all other houses on the row) in its entirety and erect a new extension. This will involve digging to a depth of 3m below the level of our current foundations, with no underpinning or otherwise strengthening in order to safeguard the foundations of 8 Uplands Road.

We feel that to safeguard the structural stability of neighbouring properties as well as to address the previously highlighted concerns of loss of light, loss of amenity, increased overlooking, loss of privacy, noise nuisance and an increased sense of enclosure, a less impactful proposal would be to keep the existing single storey structure in place and extend no further than the current length and height of this structure.

It is for the above reasons that we request for Haringey Planning Service to **reject** the application.

Yours sincerely

Wayne Burton & Belinda Lam