LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2015/2953 **Ward:** Harringay

Date received: 07/10/2015

Last amended date: N/a

Drawing number of plans: 861.1, 861.10 and Location Plan

Address: 12 Alroy Road N4 1EF

Proposal: Formation of lightwell and opening of window to basement (householder application)

Applicant: Mr Hapbinder Lohia

Ownership: Private

Site Visit Date:

Officer contact: Samuel Uff

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) Materials to match existing
4) Basement use

Informatives:

1) Hours of construction
2) Party Wall Act

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 This is an application for a front lightwell o the existing cellar / basement. This would have a depth of approximately 2.9m, with an 800mm set-back from the front boundary wall. The basement would be used as a study to the main dwelling.

Site and Surroundings

3.2 The site contains a mid-terrace dwelling, with front garden and small lightwell to a cellar. The adjoining dwelling has extended their lightwell as have nos.5 & 6. The site is not located within a conservation area.

Relevant Planning and Enforcement history

3.3 HGY/2011/2132 GTD 10-01-12 12 Alroy Road London Demolition of existing rear side conservatory and erection of side extension (householder application)

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

None required.

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of 11 letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No comments received.

6 MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design impact;
2. The impact on the amenity of adjoining occupiers;
3. Living conditions for future occupants;

6.1 Design impact

Local Plan Policy SP11 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. 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 which is supported by London Plan Policies 7.4 and 7.6.

The use of front gardens as basements has been established as a feature of the area. A number of properties within this section of Alroy Road have front basement wells and thus, the proposal would be in keeping with the prevailing pattern of development and would not detract from the streetscene. The proposed development therefore meets the design aims and objectives of the NPPF, saved UDP Policy UD3, London Plan Policies 7.4 and 7.6, Local Plan Policy SP11 and SPG1a 'Design guidance'.

6.2 Impact on the amenity of adjoining occupiers

The London Plan 2015 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, aspect noise, pollution and of fume and smell nuisance.

The basement works including increasing the front lightwell will be below ground level which would not impact the properties at either side of the application site. In short, Officers are satisfied that the new development will not incur any loss of residential amenity in terms of daylight/sunlight and outlook to nearby properties in meeting saved UDP Policy UD3 and London Plan Policy 7.6.

6.3 Living conditions for future occupants

The proposed use would be as an ancillary study. As such the proposed use would not be considered as self-contained accommodation and the use of a lightwell as sole source of daylight is considered acceptable.

6.4 Conclusions

The proposed development is acceptable in principle as it would not adversely affect the residential amenity in terms of daylight/sunlight and outlook of neighbouring properties and has been sensitively designed to maintain the character and visual amenity of the conservation area.

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

The increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

8. RECOMMENDATION

GRANT PERMISSION subject to conditions

Registered No. HGY/2015/2953

Applicant's drawing No.(s) 861.1, 861.10 and Location Plan

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 following approved plans and specifications: 861.1, 861.10 and Location Plan

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

3. The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.

   Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy 7.6 of the London Plan 2011, Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

4. The basement part of the development hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 12 Alroy Road and shall not be seperated and used as an independent dwelling or for commercial purposes, without the prior approval in writing of the Local Planning Authority.

   Reason: In the interests of the amenities of the area consistent with Policy 7.6 of the London Plan 2015, Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

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: 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: 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.