LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2015/3037 **Ward:** Stroud Green

Date received: 14/10/2015

Last amended date: N/A

Drawing number of plans: Design and Access Statement dated October 2015, Ordnance Survey, 1296/P/01, 1296/P/02, 1296/P/03, 1296/P/04, 1296/P/05, 1296/P/06, 1296/P/07, 1296/P/08, 1296/P/10

Address: 6 Uplands Road N8 9NL

Proposal: Erection of rear single storey extension (householder application)

Applicant: Ms Vonnie DeBrett

Ownership: Private

Site Visit Date: 14/12/2015

Officer contact: Tobias Finlayson

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) No roof terrace other than the existing

Informative:
1) Party Wall Act
2) Hours of construction
3) Ownership

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Proposed development

This is an application for the erection of a rear single storey extension (householder application).

3.2 Site and surroundings

The application relates to a two storey (with accommodation in the roof), middle of terrace dwelling located on the eastern side of Uplands Road. The application site is neither listed nor within a conservation area. The surrounding area is predominantly residential.

3.3 Relevant planning or enforcement history

None.

4. LOCAL REPRESENTATIONS

The application has been publicised by way 3 letters to neighbouring owner/occupiers. 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: 2
Objecting: 2

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:

- 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
- The bulk of the proposed development will be unattractive and out of keeping/inconsistent with the character of surrounding properties.

5. MATERIAL PLANNING CONSIDERATIONS

The main planning issues raised by the proposed development are:

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

5.1 Character and appearance of the surrounding area

NPPF chapter 7 'Requiring good design', London Plan policies 7.4 'Local Character' and 7.6 'Architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Local Plan policy SP11, saved UDP policy UD3 and policy DM1 of the Pre-Submission Version of the Development Management DPD January 2016 reinforce this approach.

Single storey rear extensions are relatively common forms of residential addition and there are a number in the terrace, several of which project beyond the rear building lines of the original outriggers. Furthermore, the proposed development will retain sufficient rear garden space and be of a size so as to remain subservient to the host building.

Given the above, the proposed development will not harm the character and appearance of the surrounding area and is in accordance with the above policies.

5.2 Impact on the amenity of adjoining occupiers

All development proposals are expected to maintain and respect the living conditions currently enjoyed occupants of adjacent residential properties as set out within saved UDP policy UD3, London Plan policy 7.6 and policy DM1 of the Pre-Submission Version of the Development Management DPD January 2016.

With regard to the adjoining property to the south (#4), the objection is noted. However, the majority of the proposed rear extension will be screened from view by the adjoining property's existing rear outrigger. The remaining element of the proposed development visible to the adjoining occupants will be of a relatively modest size. When considered in conjunction with the level difference between the two properties, the proposed development will not be of such bulk or scale as to unduly harm the residential amenities currently enjoyed by the occupants of that adjoining property by way of a harmful increase in sense of dominance or enclosure or loss of daylight/sunlight or outlook. It is also noted that private views are not protected under planning legislation.

With regard to the adjoining property to the north (#8) the objection is noted. However, the proposed additional height and depth to the rear of the existing outrigger that will be visible to the occupants of that adjoining property is not considered to be to such an extent as to result in any unduly harmful increase in sense of dominance or enclosure or loss of outlook.

The infill element of the extension between the applicants existing outrigger and that of the neighboring property at #4 is approximately 0.5 metres higher than the existing outrigger, but is set in 2.4 metres from the boundary with #8. The extension does extend further into the garden than the existing outrigger, by 1.3 metres and across the full width of the garden. This element of the extension is 0.5 metres lower than the existing outrigger but given the level difference between #6 and #8 would be 3.7 metres high when viewed form the garden of #8. However it is considered that in terms of sense of enclosure and outlook the proposed additional extension would not be significantly worse than the existing relationship between the two properties. Furthermore, with regard to potential loss of daylight/sunlight, the existing outrigger already casts some shadow and in this context, the additional height and depth to the rear of the existing outrigger is not considered to be unduly harmful.

Furthermore, a 3m deep and 3m high extension to the rear of the outrigger could be built under permitted development.

With regard to the privacy enjoyed by the occupants of adjoining properties, as noted above, there is an existing terrace area to the northern side of the application site above the existing outrigger. It is proposed that the current area of roof terrace will be retained but its useable area not extended. It is noted that the additional 1.3 metres of extension beyond the existing terrace as well as being at a lower level has a glazed roof preventing it from being used as a roof terrace. The infill element of the extension is 0.5 metres higher than the roof terrace but could be used as a terrace while this would not impact on the amenities of #8 it could negatively impact on the privacy of #4 by allowing views into that property's 1st floor rear windows. A condition is therefore recommended prohibiting the use of any additional roof space created from being used as roof terrace.

It is also noted that this arrangement is common above the outriggers in the rest of the terrace, as can be seen at #4 and #8.

Given the above, the proposed development will not unduly harm the residential amenities currently enjoyed by the occupants of neighboring properties and is in accordance with the above relevant policies.

5.3 Conclusions

The development is acceptable as it does not adversely affect the residential amenity in terms of daylight/sunlight and outlook of neighbouring properties and does not harm the character and appearance of the surrounding 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

6. CIL APPLICABLE

The increase in internal floor area would not exceed 100sqm and therefore the proposal is not liable for either the mayoral or local CIL charge.

7. RECOMMENDATION

GRANT PERMISSION subject to conditions

Registered No. HGY/2015/3037

Applicant's drawing No.(s) Design and Access Statement dated October 2015, Ordnance Survey, 1296/P/01, 1296/P/02, 1296/P/03, 1296/P/04, 1296/P/05, 1296/P/06, 1296/P/07, 1296/P/08, 1296/P/10

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:

Design and Access Statement dated October 2015, Ordnance Survey, 1296/P/01, 1296/P/02, 1296/P/03, 1296/P/04, 1296/P/05, 1296/P/06, 1296/P/07, 1296/P/08, 1296/P/10

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

3. No part of any structure hereby granted (excluding the existing terrace area) shall be used as a roof terrace or balcony.

Reason: In order to protect the amenity of occupants of the adjoining residential properties consistent with 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: 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.

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.