LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/0722 **Ward:** Muswell Hill

Date received: 10/03/2016

Drawing number of plans: 442-1, 442-2, 442-TP1, 442-TP2

Address: 73 Cranley Gardens N10 3AB

Proposal: Erection of single storey rear extension and alteration of window in side elevation (householder application)

Applicant: Mr & Mrs Ludvik & Sigga Bragason & Sigurdard

Ownership: Private

Site Visit Date: 15/04/16

Officer contact: Wendy Robinson

2. SUMMARY OF RECOMMENDATION

GRANT PERMISSION subject to conditions

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 This is an application for a single storey rear extension.

Site and surroundings

3.2 The subject site is a two storey semi-detached dwellinghouse. There is a level change between the street scene and lower level rear garden resulting in a number of stairs being required down to the garden level.

3.3 The site is not located within any conservation area and does not fall within the curtilage of a listed building.

Relevant Planning and Enforcement history

3.4 HGY/2016/0724 PERM DEV 11/04/16 Certificate of Lawfulness for roof alteration and rear roof extension

4. LOCAL REPRESENTATIONS

4.1 The application has been publicised by way of 5 letters. One representation was received from neighbours, local groups, etc in response to notification and publicity of the application.

4.2 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:

- Concern regarding use of flat roof element. Should not allow terrace which would lead to privacy concerns or to display plants etc which might fall in windy conditions
- Concern that height of the extension might block light to neighbouring patio and be overbearing and out of character

4.3 The following issues raised are not material planning considerations:

- Request the extension drains to be done in a manner fitting with character of the houses and not to cross boundaries (Officer Comment: this is not considered in this application)

5. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

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

Character and appearance of the area

5.1 SPG1a 'Design guidance' in accordance with the expectations of the NPPF, saved UDP Policy UD3, emerging Policy DM1 of the Development Management, Development Plan Document (January 2016 pre-submission version), London Plan Policies 7.4, 7.6 and 7.8, Local Plan Policy SP11, states that extensions or alterations to buildings should be subordinate in scale to the original building, should respect its architectural character and should not dominate existing features important to the building.

5.2 The proposal is considered proportionate and subordinate to the host building and is in keeping with the pattern of development in the area. Therefore, the local character and visual amenity of the area will be protected in accordance with the above policies.

Impact on the amenity of adjoining occupiers

5.3 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 and emerging Policy DM1 of the Development Management, Development Plan Document (January 2016 pre-submission version) 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.

5.4 The change in ground levels from streetscene to the rear garden means that the proposed extension, and also the existing extension, will have a height approximately 4.5m at eaves with a flat roof design. This is obviously significantly

higher than normally allowed but it should be noted that the neighbouring property rear windows are the same level as the subject site with a patio 2m deep (matching the existing patio at the subject site) and will not be impacted any further than a regular extension height (3m at eaves). It should be noted also that there is precedent for allowing such development in the area as the properties have relatively large rear gardens so any perceived overshadowing of rear garden space directly adjacent to the rear elevations is not considered unacceptable.

5.5 The use of the extension flat roof as a balcony would not be acceptable and a condition is recommended to prevent this from happening at any later stage.

5.6 The height and depth of the extension would not result in a material loss of sunlight or daylight, or have an overbearing appearance to the neighbouring property. There will be no material loss of privacy to neighbouring properties. The proposal is acceptable in amenity terms in accordance with the above policies.

Conclusions

5.7 The proposal would not have an adverse impact on the visual amenity of the area or the amenity of neighbouring properties.

5.8 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

6.1 The increase in internal floor area would not exceed 100m^2 and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

7. RECOMMENDATION

GRANT PERMISSION subject to conditions

Registered No. HGY/2016/0722

Applicant's drawing No.(s) 442-1, 442-2, 442-TP1, 442-TP2

Subject to the following condition(s)

Conditions:

1) Development begun no later than three years from date of decision
2) In accordance with approved/revised plans
3) Materials to match existing
4) No use of flat roof as terrace

Informatives:

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

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 approved plans comprise drawing nos 442-1, 442-2, 442-TP1, 442-TP2. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

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. No part of any structure hereby granted 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: 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: 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.