LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/1241 **Ward:** Bounds Green

Date received: 04/04/2016

Drawing number of plans: MAR/16/07A and MAR/16/07B received 04/04/16 and MAR/16/07 received 08/06/16

Address: Flat 2 73 Clarence Road N22 8PG

Proposal: Erection of single storey rear extension following demolition of existing rear extension

Applicant: Mr Kulwant Sandhu

Ownership: Private

Site Visit Date: 18/05/2016

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 6.7m in depth to infill an existing side return with a height to eaves of 2.7m and maximum height comprising 3m. This is an amended application following the increase in depth of the extension from 4.7m in depth and a rearrangement of the layout to revert back to one bedroom but with a better quality of accommodation (this scheme underwent reconsultation).

Site and surroundings

3.2 The subject site is a two storey building detached in nature but with a second dwellinghouse (also detached in nature) stepped back from the front elevation and attached on the eastern flank elevation. The property has been extended to the rear in an *adhoc* manner at single storey level. The property has previously been converted into four self-contained flats. It is noted that this conversion did not occurred lawfully but there is no evidence to suggest it occurred in the last four years and is therefore assumed to have deemed permission.

3.3 The site is located within the Bowes Park Conservation Area but does not fall within the curtilage of a listed building.

Relevant Planning and Enforcement history

3.4 None

4. LOCAL REPRESENTATIONS

4.1 The application has been publicised by way of 1 site notice displayed in the vicinity of the site and 15 letters. The application was subsequently increased in scale and underwent a second round of consultation with site notice and 15 letters. Two representations were received from neighbours, local groups, etc in response to first round of notification and publicity of the application. No representations were received following the re-consultation.

4.2 The following issues were raised in representations to the initial 4.7m deep scheme which created a second bedroom and were are material to the determination of the application, incorporated reasons for amendment of the scheme and are addressed in the next section of this report:

- Appears to fall short of the required internal floor area for number of occupants (Officer Comment: the scheme has subsequently been amended to increase the floor area and reduce the occupancy so that the property now has 62 m^2 for 1 bedroom 2 person occupation with 50m^2 required by the London Plan)
- Living, dining and kitchen space does not meet the 25m^2 minimum for 3 person occupation (Officer Comment: this application has been amended to increase the floor area of this space to 33m^2)
- Minimum storage requirements are not met (Officer Comment: the over provision of floor area is considered acceptable and likely to meet the required storage requirements)
- Garden space shouldn't be made even smaller (Officer Comment: sufficient space is being retained, in accordance with the London Plan requirements, and this application is not for the conversion of a property into flats but is for an extension to an existing unit)

4.3 The following issues raised are not material planning considerations:

- Property is in state of disrepair (Officer Comment: not a consideration)
- Concerned the living space wall will not be removed, as shown on the plans, and will become a 3 bedroom unit (Officer Comment: it is noted that the proposed layout has now changed)
- Procedural matters
    - Lack of Design and Access Statement. (Officer Comment: this was not requested in error, however, it is considered that the assessment can still be undertaken)
    - Does not provide the number of people who would be living in the accommodation in accordance with section 3.3 of the London Plan (Officer Comment: this application is not for the conversion of a property into flats but is for an extension to an existing unit)
    - Does not provide GIA for flat 2 and is difficult to determine exactly (Officer Comment: this application is not for the conversion of a property into flats but is for an extension to an existing unit)

- Concerned this extension will enable a greater number of tenants for this already overcrowded space (Officer Comment: it is noted that the proposed layout has now changed and that this application is not for the conversion of a property into flats but is for an extension to an existing unit)

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 conservation area;
2. The impact on the amenity of adjoining occupiers;
3. Other matters

Character and appearance of the conservation 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. Saved UDP Policy CV5 and emerging DM, DPD Policy DM9 requires alterations and extensions to preserve and maintain the character of conservation areas without appearing overbearing or intrusive and also complement the architectural style, scale, proportions, materials and details.

5.2 The immediately surrounding area within Bowes Park Conservation Area has been extensively modified already with little heritage value shown at the rear of the property. The subject site is relatively hidden from view in the Conservation Area between the unusual alignment of the subject site and adjoining neighbour. The proposed extension is not considered likely to dominate the existing building.

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

Impact on the amenity of adjoining occupiers

5.4 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.

5.5 The larger scheme which has been proposed is not considered likely to result in any unacceptable impacts on the adjoining properties. The dwelling to the east, No. 75 Clarence Road, directly adjoins the subject site with a projection of the main building 3.7m past the rear elevation of the subject site. The proposed development

will project 3m past the rear wall of that property. There will be no projection past the existing elevation of the already extended subject site.

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.

Other matters

5.7 The scheme has been amended to rearrange the internal layout to retain the one bedroom format but to increase the size and quality of the living/dining/kitchen accommodation. The proposed extension has since been increased to enable a better quality of accommodation. The second bedroom initially proposed was not achievable due to the limited internal light and glazing. The resulting accommodation enables a better standard of living for the future occupants.

Conclusions

5.8 The proposal is considered likely to protect and enhance the character and appearance of the conservation area and would not have an adverse impact on the amenity of neighbouring properties.

5.9 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/2016/1241

Applicant's drawing No.(s) MAR/16/07A and MAR/16/07B received 04/04/16 and MAR/16/07 received 08/06/16

Subject to the following condition(s)

1. Notwithstanding the information submitted with the application, the development hereby permitted shall only be built in accordance with the following approved plans:

MAR/16/07A and MAR/16/07B received 04/04/16 and MAR/16/07 received 08/06/16

Reason: To avoid doubt and in the interests of good planning.

2. 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.

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.

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.

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our development plan comprising the London Plan 2011, the Haringey Local Plan 2013 and the saved policies of the Haringey Unitary Development Plan 2006 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant during the consideration of the application.