LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/2549 **Ward:** Stroud Green

Date received: 28/07/2016

Drawing number of plans: 0045_PL_100, 0045_PL_101, 0045_PL_102, 0045_PL_103 & 0045_PL_104

Address: 50 Mount View Road N4 4JP

Proposal: Addition of a recessed balcony to already approved dormer window, works to 3 flats including, extension of existing loft space to create new dormer window, ground floor side extension and lower ground floor extensions to front and rear, internal works (approved under HGY/2016/0749)

Applicant: Mr Neophitos Neophytou

Ownership: Private

Officer contact: Conor Guilfoyle

2. SUMMARY OF RECOMMENDATION

GRANT PERMISSION subject to conditions

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 This is an application for works to 3 flats including, extension of existing loft space to create new dormer window (already approved under HGY/2016/0749 and HGY/2016/2055), ground floor side extension, and lower ground floor extensions to front and rear and ssociated internal works.

3.2 The application materially identical to the scheme of works granted planning permissoin under application ref: HGY/2016/0749, with the exception to a variant in the design of its approved dormer window to enable a ‘recessed’ 1m deep balcony across the width of the dormer, partially ‘cut’ into the roof slope, with a glass sceen to the sides and projecting up to 0.5m above the roof slope ‘cutting’.

Site and Surroundings

3.3 The application site is rectangular in shape and comprises of a two storey residential property which forms part of 4 terraced properties located on the southern side of Mount View Road. The nature of the surrounding properties is residential in character. The site falls within Stroud Green Conservation Area.

Relevant Planning and Enforcement history

- HGY/2016/2055 - Works to 3 flats including, extension of existing loft space to create new dormer window (already approved under HGY/2016/0749), ground floor side extension, and lower ground floor extensions to front and rear. Associated internal works – Grant permission – 22/08/2016

- HGY/2016/1218 - Extension of existing loft space with rear dormer extension, front roof lights and associated internal works to 3 flats - Grant permission - 10/06/2016

- HGY/2016/0749 – Use of property as 3 self-contained flats – Grant permission – 29/04/2016

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

Internal:

1) LBH Conservation Officer: No comment

External:

2) Stroud Green CAAC: No comment

3) Stroud Green Residents Group: No comment

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of 1 site notice displayed in the vicinity of the site, a press notice (published 19/08/2016, expired 09/09/2016) and 28 letters. 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: 1
Objecting: 1
Supporting:0

5.2 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:

- Plans for the recessed balcony are not clear – objection is made on the basis that proposal is for a balcony 'going out' 1m from the dormer window
- Unclear what railings are being proposed *(Officer comment: glass surround)*
- No other examples of an example of such a balcony off a dormer being granted planning permission
- Detrimental to the appearance of the roof/roofline and not in keeping with the character of these period houses in this four dwelling terrace
- It would not be recessed balcony and would be clearly visible from the ground
- Detrimental amenity impacts to neighbours: dormer and balcony are extremely close to an existing bedroom. The balcony, serving a small one bedroom flat, would be heavily used as an additional eating and leisure area

used for cooking and other activities. This would lead to overdevelopment of the roof space and cause noise and light pollution and overlooking, particularly as it would be visible from adjacent gardens, and pose a security risk

5.3 The following issues raised are not material planning considerations:

- This is a new application materially different to the previous (granted) application which did not mention any balcony (recessed or 'Juliet') – had it done so, commenter would have objected
- *(Officer Comment: Application involved consultation as per previous applications, enabling the commenter to view plans and make their representation, which will be taken into account in coming to a decision)*

- Question over motives for developer to apply for the proposed balcony in the original application

- Reference to assurance received from developer that the only balcony would be a 'Juliet' balcony similar to No.48 Mount View Road, to which no objection would be raised
- *(Officer Comment: Applicant/developer has the right to apply for any proposal for planning permission, which will be considered on its merits, including at a later date as is in the case in this instance)*

- Reference made to the proposal plans showing a balcony finishing behind a section of roof which is pitched in line with the existing roof. Work on site has been carried out to create a large flat space which appears to be more or complete, without a pitched roof in front of the proposed balcony. This area goes all the way of the end of the building.
  (Officer Comment: The existing extant planning permissions on the site set out the approved plans, for which the applicant is given the benefit of doubt to adhering to one works are complete. With regard to the proposed plans in this application, which are an amendment (in terms of the dormer) to the existing extant planning permissions on the site, the Local Planning Authority is assessing the proposed plans submitted, and if approved, the development will only be permitted in accordance with those approved plans. In either scenario, if evidence of a breach of the approved plans of any implemented existing or future planning permission is received, this can be investigated by planning enforcement officers who will consider if any action should be taken.)

- Assertions about 'highly likely' future intentions of occupier to breach 'temporary' railings and the 'preservation ' of the roofline, leading to wasted resources in enforcing future breaches of planning control
  (Officer comment: The Local Planning Authority cannot make assertions about the intentions of applicants).

6 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning considerations raised by the proposed development are:

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

Impact on the character and appearance of the conservation area

6.2 London Plan Policy 7.8 requires that development affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale and architectural detail. Haringey Local Plan Policy SP12 requires the conservation of the historic significance of Haringey's heritage assets. Emerging policy DM9 of the Development Management, Development Plan Document (2015) continues this approach.

6.3 Saved UDP (2006) Policy CSV5 requires alterations and extensions to preserve and maintain the character of conservation areas and also respect characteristic features such as doors, windows or materials of buildings. This should be considered alongside Chapter 12 of the NPPF, SPG2 'Conservation and archaeology'.

6.4 The application is materially identical to the scheme of works granted planning permission under planning application ref. HGY/2016/0749, with the exception to a variant in the design of its approved dormer window to enable a 'recessed' 1m deep balcony across the width of the dormer, partially 'cut' into the roof slope, with a glass screen to the sides and projecting up to 0.5m above the roof slope 'cutting'. That planning permission remains extant, and was considered under the same planning policy framework as existing. Accordingly, given that there are no new material planning considerations are evident to officers (including consideration of the representation received) to justify a decision contrary to that extant planning permission, the proposal, insofar as matching the scheme granted under planning permission reference HGY/2016/0749, is considered acceptable.

6.5 The proposal differs form the above approved scheme insofar as featuring a 'recessed' 1m deep balcony across the width of the dormer, partially 'cut' into the roof slope, with a glass sceen to the sides and projecting up to 0.5m above the roof slope 'cutting'. The proposed dormer is of the same size, siting, and overall design as the above extant permission.

6.6 The comments received in the representation are noted, particularly with regard to concerns about its compatibility with the roof-scape of the host property and those surrounding properties which make up this property grouping, and by extension, its impact on the character, appearance, and significance of the property and surrounding conservation area as a heritage asset. However, in the context of the existing approved, and extant, planning permissions for a dormer of the same size and siting, amongst considerably larger overall works, and their grant under the same planning policy framework as existing, the scope of changes proposed are not considered sufficient to cause demonstrable harm to the character, appearance, and architectural integrity of the host property. The balcony would be of modest proportions at 1m in depth. Its siting, 'cut' into the roof slope would ensure the integrity of the surrounding roof slope of the host property, and enable both the balcony and dormer to sit as subservient additions within it. In doing so, the dominance and prevailing character and appearance of the host property's roof slope, and those of the wider property grouping, (as referred to the representation

received) is not considered to be materially harmed by the proposed works. Whilst the balcony would require a 'surround', it would be of glass material. Alongside its minimal projection, up to 0.5m above the 'cut' into the roof slope, its scale, materials/translucence, and minimal resultant visual bulk is not considered to comprise the above acceptable design of the works.

6.7 Accordingly, the proposal considered to sufficiently preserve the character and appearance of the host property and that of the wider Conservation Area and its significance as a heritage asset, in accordance with policies 7.4 'Local Character' and 7.6 'Architecture' and 7.8 'Heritage Assets' of the London Plan 2016, Policy SP11 'Design', SP12 'Conservation' of the Local Plan 2013, saved policy UD3 'General Principles' and CSV5 'Alterations and Extensions in Conservation Areas' of the UDP (2006) and Draft DM Policy DM9.

Impact on the amenity of adjoining occupiers

6.8 The London Plan (2016) Policy 7.6 Architecture states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. UDP (2006) 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. Draft DM Policy (2015) DM1 'Delivering High Quality Design' continues this approach and requires developments to ensure a high standard of privacy and amenity for its users and neighbours.

6.9 A representation, outlined in detail above, has been received citing concerns that the balcony would give rise to intensification/overlooking/loss of privacy, noise and light pollution, and posing a security risk. Officers consider the extension would have no material adverse impact on the amenity of the adjoining neighbours over the existing dwelling house and extant schemes granted planning permission.

6.10 In coming to this view, regard is paid to the rearward orientation of the dormer window and its balcony, the identically sited and sized of the dormer window in the aforementioned extant planning permissions granted on the application site, the matching rearward siting/orientation of the dormer and balcony as per the existing ground and first floor windows on the application site and those adjacent, the presence of a similarly sited and oriented dormer window directly adjacent at No.48, and the limited 1m depth of the proposed balcony. Its 1m depth, alongside its limited 3m width matching that of the dormer window, and the fact that it would serve a maximum of 2 habitually resident occupiers (1 bedroom flat) is such that intensification to a degree which would cause material adverse amenity impacts as cited in the representation received is not considered to arise. Security impacts are not considered to be materially different than the existing house or extant permitted schemes given that no direct access would be provided to the dormer or balcony.

6.11 As such the proposed development is considered to be in accordance with London Plan policy 7.6, saved UDP policy UD3 and Draft DM Policy DM1.

6.1 Conclusions

- The proposed development as is considered to be acceptable and to preserve the character, appearance and significance of this part of the conservation area. The

proposed development would also not adversely affect the residential amenities of neighbouring occupiers

- All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted/refused 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/2016/2549

Applicant's drawing No.(s) 0045_PL_100, 0045_PL_101, 0045_PL_102, 0045_PL_103 & 0045_PL_104

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 approved plans comprise drawing nos 0045_PL_100, 0045_PL_101, 0045_PL_102, 0045_PL_103 & 0045_PL_104. 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.

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.