

Officer's Report

Application Number	HGY/2022/3166
Type	Full planning permission
Location	First Floor Flat B, 178, Nelson Road, London, N8 9RN
Proposal	Private Roof Terrace to outrigger roof with timber screening
Case Officer	James Mead
Valid Date	26/10/2022
Applicant	Ms O Smyth
Agent	Mr Steve Mills

RECOMMENDATION

Refuse

1. SUMMARY OF RECOMMENDATION

REFUSE PERMISSION.

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

2.1 This is an application for the creation of roof terrace, which would be cut into an existing two storey pitched roof outrigger. Timber screening is also proposed to be installed along the sides and rear of the roof terrace.

Site and Surroundings

2.2 The site is occupied by a three storey, terraced property, which incorporates a three storey outrigger to the rear. The property is currently in use as two separate flats. There is a varied mix of uses in the wider locality, including: residential properties, commercial uses within the Tottenham Lane West Local Shopping Centre and some community buildings. However, the immediate setting is residential in character, being predominantly made up of terraced and semi-detached properties.

Relevant Planning and Enforcement History

2.3 The most recent relevant planning history relating to the site is as follows:

- HGY/2018/0079: Formation of rear roof dormer extension and insertion of front roof lights. Granted with conditions.

3. CONSULTATION RESPONSES

- LBH Transportation: No objection.

4. LOCAL REPRESENTATIONS

4.1 The application has been publicised by way of 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: 2
Objecting: 2
Supporting: 0

4.2 The following issues were raised in neighbour representations that are material to the determination of the application and are addressed in the next section of this report:

- Loss of light would impact neighbouring properties.
- There would be a loss of privacy for neighbouring properties.
- Noise from the terrace would impact the living conditions of neighbours.
- Noise would impact the quiet character of the area.

4.3 The following issues raised are not material planning considerations:

- There would be disruption during building works – officers note this concern, however the proposed works would not be of such scale that they would be likely to cause undue disruption to neighbours.
- No party wall agreement has been discussed – officers note this concern, however party wall agreements do not fall to be considered through the planning process. Instead, this is a civil matter between two respective property owners.

5.0 MATERIAL PLANNING CONSIDERATIONS

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

1. Design & Appearance; and
2. Neighbour Amenity.

Design & Appearance

5.2 London Plan Policy D3 notes that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. This policy also requires proposals to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Local Plan Policy SP11 outlines that all development should be of the highest standard of design that respects local context, character and historic significance. Similarly, DM DPD Policy DM1 requires proposals to achieve a high standard of design and contribute to the distinctive character and amenity of the local area. Extensions or alterations must be of high, site specific and sensitive design quality and should respect or complement the form, setting, period, architectural characteristics and detailing of original buildings, in accordance with DM DPD Policy DM12.

5.3 The existing property has a three storey, pitched roof outrigger to the rear. This outrigger is set-down from the main roof line, and as such is subservient to the host

property. Its construction and finish are also sympathetic to the appearance of the existing property. The outrigger is reflective of the surroundings, as there are numerous properties in the locality that incorporate rear outriggers of varying style.

5.4 This scheme seeks to alter the rear outrigger by cutting into the pitched roof profile to create a roof terrace. The roof terrace would be of substantial size, covering the majority of the outrigger. Timber screening of 1.8 metre in height would be applied across the full side and rear of the roof terrace. The significant size of the terrace and the associated screening, mean that it would appear as an excessively large feature, which would dominate the rear of the property. The large expanse of screening incorporated into the terrace would magnify the dominance of this new feature, resulting in the outrigger appearing visually intrusive. None of the properties in the locality have roof terraces of this substantial size, with such a level of timber screening. As such, the proposed roof terrace would appear out of keeping and incongruous in this immediate setting. The terrace would be of such size that it would result in the loss of the majority of the roof profile of the outrigger. The erosion of the roof of the outrigger would be inappropriate, as it would fail to respect the original form and architecture of the original property.

5.5 The proposed roof terrace and screening would not be of a high standard of design. This new feature would be excessively large and would dominant the rear elevation. In addition, the terrace and the screening would appear visually intrusive, incongruous, alien and out of keeping in this setting. The majority of the roof of the outrigger would be lost, and as such the proposal would not respect the form of the original property. The scheme would harm the character and appearance of the site, the surrounding area and the wider locality. Therefore, the proposal would be contrary to London Plan Policy D3, Local Plan Policy SP11 and DM DPD Policies DM1 & DM12.

Neighbour Amenity

5.6 London Plan Policy D6 outlines that the design must not be detrimental to the amenity of surrounding housing, in specific it is stated that proposals should provide sufficient daylight and sunlight that is appropriate for the context, while also minimising overshadowing. Furthermore, DM DPD Policy DM1 states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and open aspects to adjacent buildings and land. Schemes should also avoid overlooking and loss of privacy that would be detrimental to the amenity of neighbouring residents. DM DPD Policy DM1 also requires proposals to address issues of noise.

5.7 To the north of the site is 180 Nelson Road, which appears to be in use as flats. The roof terrace and the associated screening would be set-in from the boundary with this property. This separation would ensure that the rear windows of No.180 would not be excessively affected by losses of light or a restriction of outlook. The screening would not project notably beyond the rear outrigger of No.180. Therefore, the rear areas of this neighbour would not be unduly impacted by overbearing affects, overshadowing, loss of light or harm to outlook. The provision of the screening along the northern side of the terrace would restrict views towards No.180. Due to this, it is not considered that inappropriate overlooking of No.180 would occur.

5.8 The roof terrace would sit adjacent to the boundary with 176 Nelson Road (property to the south), which is in use as several flats. The screening would not project to the rear to be beyond the adjacent outrigger of No.176. Therefore, it is not considered that the rear areas of this neighbour would be unduly impacted by loss of light, overshadowing, harm to outlook or overbearing affects. The screening would also be a sufficient distance from the dormer window and windows on the main part of No.176, so to ensure that material loss of light or undue restriction of outlook would not affect these openings. The provision of the 1.8 metre high screening would block the majority of views from the new terrace towards No.176. As such, it is not considered that this neighbour would be unduly affected by a loss of privacy or overlooking.

5.9 The properties to the rear of the site (181 – 185 Inderwick Road and Byron Court) would be a sufficient distance from the new terrace to ensure that they would not be unduly impacted by the development. Regardless of this, the provision of screening along the rear of the terrace would block numerous views towards these properties to the rear.

5.10 A neighbour comment has raised concern regarding the generation of noise from the new terrace. Whilst this concern is noted, it is not considered that a terrace to be used for solely residential purposes would create excessive noise. As such, the living conditions of neighbours would not be materially harmed by noise from the terrace.

5.11 The amenity, privacy and overall living conditions of the neighbouring properties would not be materially harmed by the proposed development. Therefore, from this perspective, the proposal would not be contrary to London Plan Policy D6 or DM DPD Policy DM1.

Conclusion

5.12 The proposal is considered unacceptable, as the character and appearance of the host property, the surrounding area and the wider locality would be harmed.

5.13 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

6. CIL APPLICABLE

N/A.

7. RECOMMENDATION

REFUSE PERMISSION.

Refusal Reasons:

The proposed roof terrace and the associated screening, by virtue of the inappropriate size, scale, siting, form and materials, would appear as dominant additions to the rear elevation of the property. The large expanse of screening incorporated into the terrace would be visually intrusive

in appearance and would appear out of keeping in the locality. The proposal would result in the loss of the profile of the outrigger roof, and therefore would fail to respect the form of the original property. The scheme would not be of a high standard of design. There would be an adverse impact upon the character and appearance of the host property, the surrounding area and the wider locality. As such, the proposal would be contrary to Policy D3 of the London Plan (2021), Policy SP11 of Haringey's Local Plan Strategic Policies (2017) and Policies DM1 & DM12 of the Development Management DPD (2017).