

Officer's Report

Application Number	HGY/2022/4292
Type	Removal/variation of conditions
Location	18-20 Rostrevor Avenue London N15 6LR
Proposal	Variation of condition 2 (drawing numbers) attached to planning permission ref: HGY/2021/1696 (Proposal seeks to change the approved roof details from hipped to gable end)
Case Officer	Kwaku Bossman-Gyamera
Valid Date	01/12/2022
Applicant	mr motzen
Agent	mr Moses David Motzen

RECOMMENDATION

Approve with Conditions

Address: Site Adjoining 18-20 Rostrevor Avenue N15 6LR

Proposal: Variation of condition 2 (drawing numbers) attached to planning permission ref: HGY/2021/1696 (Proposal seeks to change the approved roof details from hipped to gable end)

Applicant: Mr Motzen

Ownership: Private

Officer contact: Kwaku Bossman-Gyamera

2. SUMMARY OF RECOMMENDATION

GRANT PERMISSION subject to conditions

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 This is an application for the variation of condition 2 (approved plans and details) of planning permission HGY/2021/1696 which seeks to change the approved roof details from hip to gable roof end.

3.2 The amendments proposed as part of this application comprises of the following:

- The approved hipped roof design over type 3 roof extension is proposed to change the roof style to gable end.

Site and Surroundings

3.3 The subject properties are semi-detached dwellings situated on the southern side of Rostrevor Avenue, close to the junction with Barry Avenue. Both properties have single storey ground floor

additions. Surrounding area is wholly residential in character. The properties are located the area designated in Haringey SPD “House Extensions in South Tottenham” (2013).

3.4 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

3.5 The most recent planning history in relation to the site is as follows.

18-20 Rostrevor Avenue

- HGY/2022/0084 REFUSED 07/02/2022 Joint First Floor Rear Extension.
- HGY/2021/1696 GTD 29/07/2021 Erection 3 “roof extension”

18 Restrevor Avenue

- HGY/2001/0909 GTD 22/08/2001 Erection of roof extension to side, rear and front roofslope to provide 3 additional bedrooms and a bathroom.
- HGY/2001/0322 REF 10/04/2001 Erection of roof extension to side, rear and front roof slopes to provide three additional bedrooms and bathroom.

20 Restrevor Avenue

- OLD/1971/1018 REF 05/10/1971 Continuation of use of premises for factory Outworking.

4. CONSULTATION RESPONSE

4.1 The responses below were received following consultation on the application:

Internal:

- 1) LBH Transportation Team – No comments

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of 17 letters. The number of representations received from neighbours, local groups, in response to notification and publicity of the application were as follows:

No of individual responses: 0

Objecting: 0

Supporting: 0

6 MATERIAL PLANNING CONSIDERATIONS

6.1 Principle of the development

6.2 The principle of development (Type 3 “roof extension”) has already been established by virtue of the previously approved planning application reference HGY/2021/1696 granted on 29/07/2021. Therefore, the substantive development has been accepted.

6.3 As such, the principle of development is acceptable given that the development maintains the supply of large family homes to meet Haringey's housing need with only difference being the change of roof style from hip to gable end.

6.4 Scope of Section 73 planning application

6.5 An application can be made under S.73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a S.73 application is to seek a minor material amendment, where there is a relevant condition that can be varied. A S.73 application results in a new permission being issued.

6.6 Guidance for determining S.73 applications is set out in the NPPG which states that a minor material amendment is one "whose scale and nature results in a development which is not substantially different from the one which has been approved". This is not a statutory definition but the Department for Levelling Up, Housing, Communities and Local Government agree with this statement. It is further stated that the development which the application under S.73 seeks to amend will by definition have been judged to be acceptable in principle at an earlier date. Consequently, the extent of the material planning considerations are somewhat restricted and only the amendments being applied for should be considered at this stage. Having said that, when determining the application, the local planning authority (LPA) will have to consider the application in the light of current policy. The LPA therefore has to make a decision focusing on national or local policies which may have changed significantly since the original grant of planning permission as well as the merits of the changes sought.

6.7 The application seeks the variation of condition 2 (approved plans and details) of planning permission HGY/2021/1696 which seeks to change the approved roof details from hip to gable roof end.

Design and appearance

6.8 London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D4 'Delivering good design' states that development proposals should 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 street hierarchy, building types, forms and proportions.

6.9 Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.

6.10 Proposal is of acceptable design and appearance and would not detract from the character of the street scene. The proposed gable roof alterations would match that of many of adjoining properties within the street-scene and it would provide symmetry to the two sets of semi-detached houses as a whole when viewed from the street.

6.11 Gable ends are part of the established appearance of the terrace and can - not be ignored in this context of the application site. Given the presence of these adjoining existing gable roof, the proposal is not out of place in its very local context and more in keeping with its immediate surroundings.

Impact on neighbouring amenity

6.12 London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

6.13 DPD Policy DM1 'Delivering High Quality Design' 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 aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring resident.

6.14 Main impact from this development would occur in relation to the adjoining semi-detached house. However, a more or less identical hip to gable roof alteration and the type 3 roof extension would be constructed, which also has a similar design and appearance.

6.15 The result is that the extend of the development to both houses is equal. Had this not been the case, the proposal would have been unacceptable because hip to gable conversion would unbalance the appearance of the pair of the semi-detached dwellings. Therefore proposal is acceptable in this interrelated context; any harm to the visual amenities to attached pair of semis has been cancelled out.

6.16 In conclusion the LPA are satisfied that the works here can be carried out without impacting neighbouring buildings or the amenity of adjoining residents.

Conclusion

6.17 The proposed variation by this application to introduce minor changes to roof of these houses is considered to be acceptable with the resulting houses still continuing to be appropriate for this context and not resulting in any additional adverse impact on the character of the area, or on neighbouring buildings or the amenity of adjoining residents.

6.18 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

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

Conditions:

- 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 permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

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 precisely in colour, size, shape and texture those of the existing building. The render of the flank wall gable ends and frontage of the second floor shall replicate the texture and colour of the existing frontage and resurface the existing render of the frontage identically if there is not a seamless appearance between the old and new parts of the building. Detailing of the proposed bay window shall match exactly that of the existing barge board and front gable detailing at first floor and roof tiles shall reuse or match precisely the existing roof tiles. The rear elevation shall match the window arch detail and painted brickwork of the ground and first floor.

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 D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017, Policy DM1 of The Development Management DPD 2017 and the South Tottenham Residential Extensions SPD 2017.

- 4 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 or any Order revoking or re-enacting that Order, no changes to the front or side elevations of the dwelling, including the rendered colour, texture and appearance, and window detailing shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and to prevent an out of keeping development of the frontage by controlling proposed extensions and alterations of the frontage and sides of this dwelling consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017, Policy DM1 of The Development Management DPD 2017 and the South Tottenham Residential Extensions SPD 2017.

Informatives:

- **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.