

Officer's Report

Application Number	HGY/2022/4540
Type	Prior approval Part 1 Class AA: Enlargement of a dwellinghouse by construction of additional storeys
Location	39 Bracknell Close, Wood Green, London, N22 5RE
Proposal	Application to determine if prior approval is required for development consisting of works for the construction of an additional storey which extends 2.45m above the existing roof height under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
Case Officer	Laina Levassor
Valid Date	23/12/2022
Applicant	The Gillett Macleod Partnership
Agent	The Gillett Macleod Partnership

RECOMMENDATION

Refuse

PLANNING HISTORY

The planning history of the site has been considered when coming to this decision.

SITE DESCRIPTION

This application relates to 39 Bracknell Close, a mid-terraced property on the north-western side of Bracknell Close. The application site does not fall within any conservation however, is sited in close proximity to Trinity Gardens Conservation Area and is visible from the adjacent Pellatt Grove which forms part of the CA.

CONSULTATION RESPONSES

As required under the Town and Country Planning (General Permitted Development) Order (2015), Schedule 2, Part 1, Section A.4(5), all adjoining neighbours must be notified of the application for Prior Approval. Due to system issues when registering this application as valid, delays in its registration meant the statutory minimum consultation period of 21 days could not be undertaken within the 56-day statutory determination period for this application type. In line with the requirements of such an application made under Class AA, the amenity of all adjoining neighbours and resultant impacts have been considered as part of the assessment of this application.

RELEVANT PLANNING LEGISLATION

The Town and Country Planning (General Permitted Development) (England) Order 2015 came into force on 15th April 2015 (SI no. 596), consolidating earlier legislation. Schedule 2, part 1 (Class AA) of the Order allows householders to be able to construct an additional storey under permitted development.

ANALYSIS/ASSESSMENT OF THE APPLICATION

The key issue here is whether the development is permitted development (in accordance with Class AA, Part 1 of schedule 2, of The Town and Country Planning (General Permitted Development) (England) Order 2015 and if so whether the Prior Approval of the Local Planning Authority will be required as to the impact of the proposed extension on residential amenity.

Prior Notification Submission Requirements:

Whether the following information has been provided to the Local Authority:

i. A written description of the proposed development, including details of any works proposed.

Yes

ii. A plan which is drawn to an identified scale and shows the direction of North, indicating the site and showing the proposed development.

Yes

iii. A plan which is drawn to an identified scale and shows – the existing and proposed elevations of the dwellinghouse.

Yes

iv. A plan which is drawn to an identified scale and shows – the position and dimensions of the proposed windows.

Yes

Whether Permitted Development:

If any of the following statements apply, under the criteria of AA.1, the proposal is not permitted development

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use):

No

(b) the dwellinghouse is located on— (i) article 2(3) land; or (ii) a site of special scientific interest;

No

(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

No

(d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;

No

(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

No

(f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than—

(i) 3.5 metres, where the existing dwellinghouse consists of one storey; or

(ii) 7 metres, where the existing dwellinghouse consists of more than one storey;

No

(g) the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres—

(i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or

(ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated;

No

(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

(i) 3 metres; or

(ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;

No

(i) any additional storey is constructed other than on the principal part of the dwellinghouse;

No

(j) the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or

No

(k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

No

ANALYSIS/ASSESSMENT

Where any development under Class AA is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority as to:

(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;

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.

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 residents.

Given the existing mutual overlooking from the existing rear fenestration, it is not considered that the windows proposed as part of the additional storey will result in any material harm by way of increased overlooking or loss of privacy over and above the existing situation.

(ii) the external appearance of the dwellinghouse, including the design and architectural features of:

(aa) the principal elevation of the dwellinghouse, and

(bb) any side elevation of the dwellinghouse that fronts a highway.

DPD Policy DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original building, including external features such as chimneys, and porches. High quality matching or complementary materials should be used appropriately and sensitively in relation to the context. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. To achieve this, and meet the aspiration to building better and beautiful, the government has published the National Design Guide, which illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The National Planning Policy Framework also sets out that achieving high quality places and buildings is fundamental to the planning and development process. It also leads to improvements in the quality of existing environments. The National Planning Policy Framework expands upon the fundamental principles of good design to define what is expected for well-designed places and explain how planning policies and decisions should support this.

The host building forms one of six properties set within a terrace which although stepped in height due to land levels, have been constructed to read as one built form. The surrounding residential area features a combination of terraced properties of two storeys or three storeys and a number of blocks which are cohesive in their design. Although several three storey properties feature, where constructed these form part of terraces with matched heights whereas the proposed additional storey to the site would appear visually abrupt set amongst a terrace of two storey properties. It is considered the additional storey would interrupt the achievement of uniform construction and would jar significantly with the symmetrical design and appearance of the site and its surroundings. The extension would be out of character with the surrounding terraces as the immediately adjoining properties and adjacent conservation area.

The proposed extension would appear insubordinate to the host dwelling, causing significant disruption to the visual symmetry of the terrace in the street scene. This would result in an uncharacteristic form of development, accentuated by its size and prominence, and would fail to integrate appropriately into its surroundings.

(iii) air traffic and defence asset impacts of the development;

The proposed development is not located near any air traffic corridors or defence sites and would therefore have no impacts on Air traffic and defence.

(iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(3) issued by the Secretary of State.

The proposed development is not located near in the path of any protected views or protected Vistas.

CONCLUSION

The proposed additional floor extension by reasons of its height, location, design, size and overall bulk would be an intrusive addition that would not appear subservient to the existing building and would harm the visual amenity of the terrace, street scene and wider area generally, while increasing overlooking and loss of privacy to neighbouring properties. As such, the proposal would be contrary to Policy D6 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 and DM 12 of The Development Management DPD 2017.

RECOMMENDATION

REFUSE PRIOR APPROVAL for the following reason(s):

Refusal Reasons:

The proposed additional floor by reasons of its height, location, design, size and massing would not achieve an appropriate degree of subordination to the existing building and the terrace in which it is located and would appear an obtrusive and unsympathetic development to the detriment of local visual amenity and harmful to the character and appearance of the area. As such, the proposal would be contrary to Policy D6 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017, Policy DM1 and DM12 of The Development Management DPD 2017.