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Development Management
Haringey Council

By email to: planningcustomercare@haringey.gov.uk

6 February 2023

Re Application HGY/2022/4226: Ground floor flat, 27 Dickenson Road, London N8 9ER

Dear Michelle Meskell

AFA have been asked by Mr and Mrs Gardiner, occupiers of the upper floor flat at 27 Dickenson Road, to prepare this letter on their behalf. They object in the strongest terms to application ref HGY/2022/4226, for numerous reasons which will be set out in more detail below.

SITE DESCRIPTION

- 1.1 The application relates to a three storey mid-terrace property on the northern side of Dickenson Road, in the Crouch End ward of LB Haringey. The property has been divided into two self-contained flats, with the ground floor occupied by one flat and the upper floors as the second unit. This conversion appears to have been granted planning permission by the Council in September 1987 (ref. 1987/0366).
- 1.2 The property is from the Edwardian period, and has been modestly extended and altered with a ground floor rear extension and a wooden trellis/ balustrade above, forming a terrace to the flat roof above. The property slopes downwards from south to north, and there are clear and uninterrupted views of Alexandra Palace from rear facing windows and the terrace on upper floors.
- 1.3 The surrounding area is largely residential in nature. The site is not located within a conservation area, although it is in a Critical Drainage Area.

2. THE DEVELOPMENT PROPOSAL

- 2.1 The proposed development involves the erection of rear extensions to the ground floor flat with two main elements:

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- a) A 3m deep extension beyond the existing rear outrigger, which would be a minimum of 3.15m high and would be built in matching brickwork and a timber set of doors leading onto the rear garden;
- b) A partial infill extension to the side return, along the boundary with No. 25 Dickenson Road, which would have a depth of 4m and a minimum height of 3m with a flat roof. This infill extension would be rendered and clad in timber, with a new glazed window/ door facing onto the rear garden.

2.2. Significantly, although not explicitly described on the application form and not included in the description of development, part a) of the works detailed above also appears to involve the removal of the balustrade forming the roof terrace to the first floor above. This is commented in more detail below. However, it is our view that the application is invalid because the current description of development is clearly inaccurate – we would strongly urge officers to review this at the earliest opportunity.

3. REASONS FOR OBJECTION

3.1 Having viewed the application, we object in the strongest possible terms to the proposal and respectfully request that planning permission be refused having given substantial weight to the following material planning considerations:

- i) The proposed rear extension would directly result in the removal of the objectors' first floor rear terrace, causing significant harm to their living conditions and quality of life;
- ii) The proposed side infill extension would result in a loss of daylight and appear overbearing to the occupiers of No. 25 Dickenson Road;
- iii) The proposed extension would result in visual harm in terms of its appearance, and the resulting loss of green and open space in the rear garden.

i) Removal of first floor roof terrace

3.2 As outlined in paragraph 2.2, a comparison of the existing and proposed drawings for the planning application clearly demonstrates that the proposal involves the removal of the timber slatting/ balustrade which forms an established roof terrace, which has been used by the occupiers of the upper floor flat for more than 18 years.

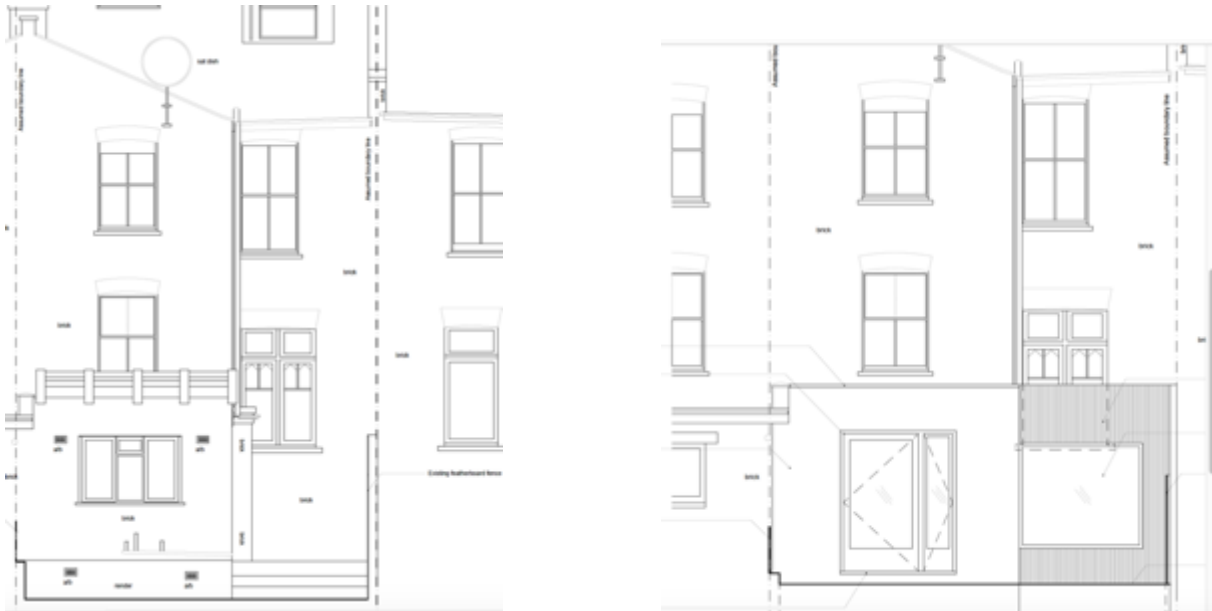


Fig. 1 Comparison of existing and proposed rear elevations showing removal of first floor roof terrace

- 3.3 Notwithstanding the fact that it is not included in the applicant's (nor the Council's) description of proposed development, it is clearly fundamental to the assessment of the application. Policy DM1(D) of Haringey's Development Management Policies DPD is particularly pertinent in this case. This policy deals with delivering high quality in all development, with part (d) focusing on privacy and amenity. It states that:

Development proposals must ensure a high standard of privacy and amenity for the development's users and neighbours. The Council will support proposals that:

- a) Provide appropriate sunlight, daylight and open aspects (including private amenity space where required) to all parts of the development and adjacent buildings and land;***
- b) Provide an appropriate amount of privacy to their residents and neighbouring properties to avoid overlooking and loss of privacy detrimental to the amenity of neighbouring residents and the residents of the development; and*
- c) Address issues of vibration, noise, fumes, odour, light pollution and microclimatic conditions likely to arise from the use and activities of the development.'*

- 3.4 Also of relevance is Policy DM12 of the same document, which focuses on Housing Design and Quality. The first two parts of this policy state the following:

'A. All new housing and residential extensions must be of a high quality, taking account of the privacy and amenity of neighbouring uses (see policy DM1) and are required to meet or exceed the minimum internal and external space standards of the London Plan and the Mayor's Housing SPG.

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*B. Ground floor family housing should provide access to private garden/ amenity space, **and family housing on upper floors should have access to a balcony and/or terrace**, subject to acceptable amenity, privacy and design considerations, or to shared amenity space and children’s play space.’*

- 3.5 The proposed development is clearly in conflict with both of these policies. The first floor rear terrace is the only private external amenity space which the Gardiners have access to, and as outlined above, has been used as such for over 18 years. This is a crucial family space for Mr and Mrs Gardiner and their young son, who use this area for a range of leisurely activities, such as sitting and having lunch there, and enjoying the significant views towards Alexandra Palace (see photos below). The family were particularly grateful to have this space during the pandemic, when the space became even more valuable. The only other space available to the family is the front garden, which is tiny and pebbled, with minimal privacy to Dickenson Road. Therefore, quiet enjoyment of this space as an alternative is clearly not feasible.
- 3.6 The photographs below (Figs. 2-4) also clearly demonstrate that the terrace has been in use for a considerable time. While there is no historic record of planning permission being granted for its development, the objectors are clear that the terrace was constructed by the previous owners of the property (likely to have been in approximately 2001), and that there was full agreement between the previous owners of the two flats to undertake the works. It is clearly lawful by virtue of being present for more than four years under Section 191 of the Town and Country Planning Act, and would therefore be immune from enforcement action. We have advised them to make a certificate of existing lawfulness application to formalise this, however the Council must be aware that this situation carries significant material weight in any assessment of its removal.



Fig. 2 Photo showing existing first floor roof terrace

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Fig. 3: Photo from existing roof terrace showing uninterrupted views to Alexandra Palace



Fig. 4: Photo from roof terrace showing views looking north

3.7 Regardless of whether planning permission was granted for the roof terrace, it has clearly been established over a considerable period of time and used as the family's principal external amenity space. Therefore the proposal would directly result in the loss of this space and is wholly contrary to

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Policy D12 of Haringey's DMPD for this reason. We strongly urge the Council to ensure that, if the extension is to be granted, it is clearly shown that the roof terrace would be retained on the approved drawings and therefore clearly incorporated into the design.

(ii) Impact of proposed side return extension on residential amenity of No. 25 Dickenson Road

- 3.8 While the objector's primary concern is clearly with the impact of the proposal on their own amenity and quality of life, it must also be set out that there are concerns with the proposed side infill element of the proposal. As outlined in paragraph 3.3 above, Policy DM1(D) of the council's DPD is focused on ensuring all new development protects the amenity of neighbouring residents.
- 3.9 Although the proposed depth of the extension would be relatively modest at 4m, it would be designed with a flat roof with a height of 3m immediately abutting the side boundary to No. 25 Dickenson Road. Such a height would clearly have an overbearing impact on the adjoining rear and side facing windows at ground floor level at No. 25, which serve habitable rooms, and would potentially have an impact on daylight and outlook reaching these rooms.
- 3.10 While it is accepted that such side return extensions are a common feature of these type of properties, this is only where they are designed appropriately and with residential amenity in mind. Extensions are therefore often designed with a pitched roof with a maximum eaves height of 2m, where it meets the boundary. We strongly argue that such a design needs to be proposed if any extension here were to be considered acceptable. As it stands, this element of the proposal is also wholly contrary to policy DM1 of the Council's DMPD, and the application should also be recommended for refusal on this basis.

(iii) Impact of proposed extension on visual amenity

- 3.11 While clearly the above issues represent the more significant, direct impacts of the proposed extensions on the living conditions of neighbouring occupiers, there are other concerns the Gardiners wish to raise in regard to the proposed impacts of the extension on the visual amenity of the area.
- 3.12 Firstly, it is important to note that there would be a significant loss of the rear garden (and therefore green space) as a result of the proposed extensions. The rear garden of the property is fairly modest and the proposed extensions would take up around 30% of the current garden space. As well as disrupting the largely green, idyllic views for the Gardiners, this also has a wider detrimental impact in terms of landscaping, loss of biodiversity and natural drainage. These are all critical issues given the climate emergency, and is at odds with Haringey's Climate Change Action Plan.

3.13 Secondly, the proposed extensions are to be clad in render and timber respectively, which is considered to be completely out of keeping with the character and appearance of these Edwardian properties. While it is acknowledged that modern materials can work well to complement alterations to a more traditional building, they need to be used sympathetically and appropriately. Here, the clash of two different materials is considered out of sync with the character of the area and results in a poor quality final appearance which would be contrary to the aims of Policy DM1, which seeks high quality design.

4. SUMMARY AND CONCLUSIONS

4.1 In summary, on the basis of the information that has been submitted as part of the application submission, we object on the following grounds:

- The proposed extension would directly result in the loss of the first floor roof terrace, removing the only useable external amenity space for the residents of the upper floor flat, significantly harming their quality of life and enjoyment of their property. It is clearly contrary to policies DM1 and DM12 for this reason
- The proposed extension would clearly harm the residential amenity of the adjoining occupiers at 25 Dickenson Road, with the height of the extension causing a loss of daylight and outlook, and having an overbearing effect on this property
- With regard to their design and appearance, the proposed extensions would be completely out of keeping with the character and appearance of the Edwardian property and the wider area, causing harm to visual amenity of local residents
- The proposed extensions would erode a significant part of the rear garden of the property, with detrimental impacts in terms of loss of landscaping, biodiversity and sustainable drainage features.

4.2 In light of this, we respectfully request that the Local Planning Authority take these material planning considerations - which cumulatively weigh substantially against the proposal - into account and refuse planning permission accordingly.

Yours sincerely,

AFA Planning Consultants on behalf of Mr and Mrs James and Vanessa Gardiner, No. 27 Dickenson Road (Upper Floor Flat)

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