

**TOWN AND COUNTRY
PLANNING ACT 1990**

**Planning, Heritage, Design and
Access Statement**

**Erection of external balustrade
around existing rear balcony
(Retrospective)**

**Flat 3
50 Coolhurst Road
London
N8 8EU**

February 2023

**On behalf of
Ms J Gnezdilova**

**Prepared by
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Appendices

1. Email correspondence confirming the owner of the ground floor flat had no objection to the balcony

1. INTRODUCTION

- 1.1 My name is Hayden Todd and I am an Associate Director with Aitchison Raffety, Chartered Town Planning Consultants. I have a Bachelor's Degree in Environmental and Resource Planning (Hons) and am a Member of the Royal Town Planning Institute.
- 1.2 This Planning, Heritage, Design and Access Statement has been prepared in support of a retrospective application for the erection of external balustrade around a balcony at Flat 3, 50 Coolhurst Road, London, N8 8EU.
- 1.3 The proposal is for the erection of a balustrade around an existing balcony to provide a safer residential environment. The balcony was already in use prior to the erection of the balustrade, which has not resulted in any additional harm.
- 1.4 This Statement demonstrates why the development is acceptable having regard to local and national planning policies and guidance.

2. SITE DESCRIPTION AND SURROUNDINGS

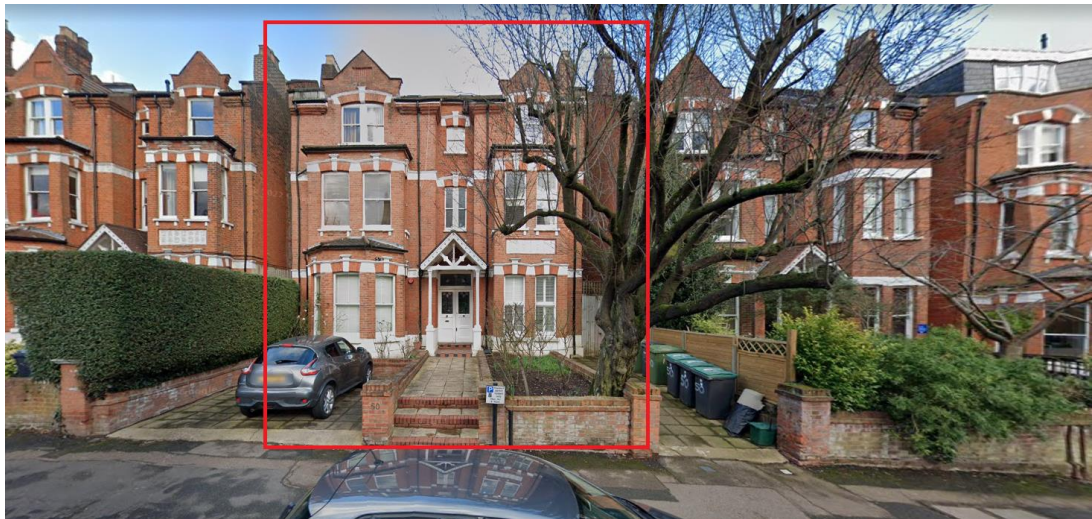
- 2.1 The application site is a large rectangular shape residential plot located on the east side of Coolhurst Road, in Crouch End. The site lies within the Crouch End Conservation Area.



Approximate extent of the application site outlined in red

- 2.2 The application site is a first floor flat in a former Victorian villa. The building has been converted into six flats and has four levels of accommodation. It is attractively designed with double storey front bays, second floor gable features, porch, white stringcourses and decorative keystones above the windows. The rear elevation comprises a part single, part two storey projection with first floor balconies. Linked balconies have also been constructed at second floor level. The building is constructed in red brick with a tiled roof.

- 2.3 The building is set back from the highway with a single parking space on the frontage. The flats are all accessed via a shared front entrance and landing.

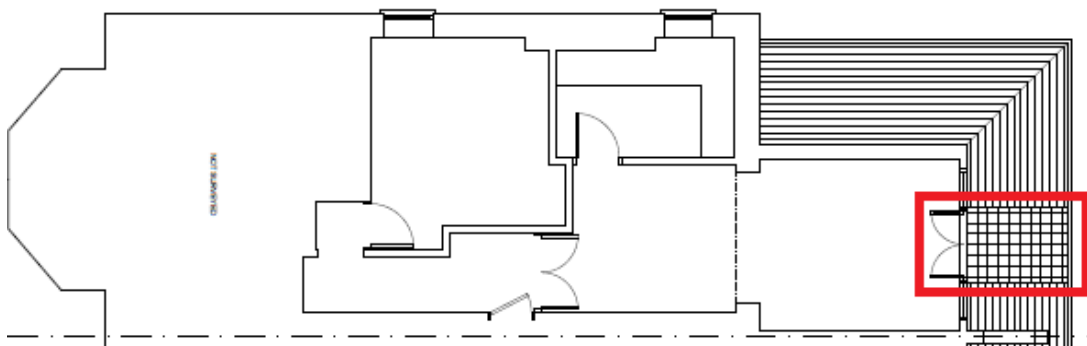


Streetview of the application site and adjoining development

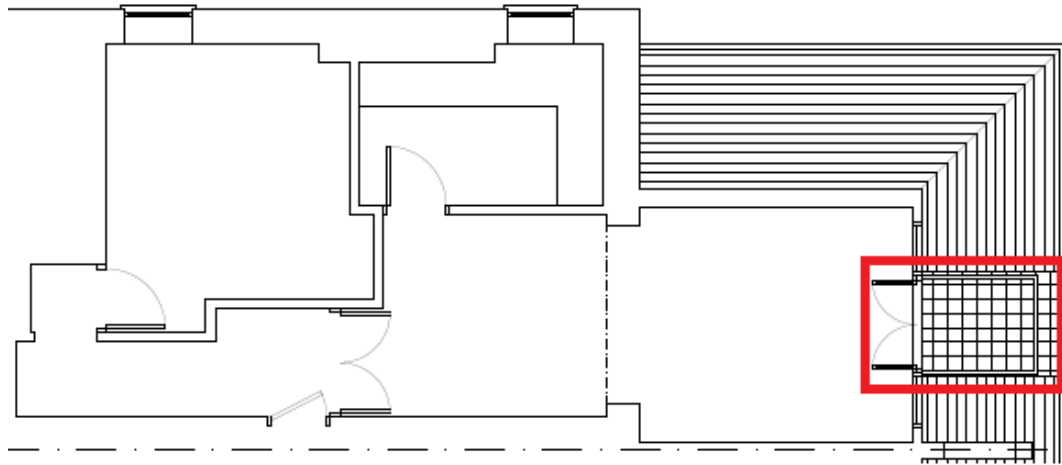
- 2.4 The surrounding area comprises predominately of late Victorian buildings, many of which have been constructed in similar architectural styles, resulting in consistent and attractive street scenes.
- 2.5 The site is in Flood Zone 1 where it is at low risk of flooding. Ground levels rise from south to north.

3. PROPOSED DEVELOPMENT

- 3.1 Retrospective permission is sought for the erection of a balustrade around an existing rear balcony.
- 3.2 The proposed balustrade encloses an existing balcony that has been created on the roof of the rear projection. The balcony is accessed via double rear doors and appears to have been formed when the dwelling was converted into 6 flats. The adjacent flat has an identical arrangement and the second floor flats have larger linked balconies with railings.



Pre-existing balcony outlined in red



Balcony and proposed balustrade

- 3.3 The proposal was erected to improve safety and it was the applicants understanding that this minor form of development would not require planning permission. It is noted that the applicant purchased the property in 2004 and at that time the doors and balcony already existed. The balcony, similar to an identical arrangement on the adjoining flat, forms a pleasant outdoor amenity area. The balustrade was installed in 2021 when the applicants elderly mother was living in the flat due to accessibility issues and safety concerns. Prior to erecting the balustrade, the applicant consulted the downstairs neighbour who raised no concerns with improving the safety of the balcony ([Appendix 1](#)). Following the passing of the applicants mother, the flat is now rented out and it is my understanding that the tenants continue to use the terrace and have not received any complaints.

4. RELEVANT PLANNING HISTORY

Application site

Residential Conversion (2003/3934)

- 4.1 A planning application for conversion of existing single four storey dwelling into six 2 bedroom self-contained apartments and the provision of three off-street parking spaces to the front of the property was granted conditional permission on 28 January 1988. Drawings of the conversion are not available on the Council website. However, it is likely that the balcony was originally authorised as part of this development.

Other relevant nearby developments

Rear balcony at Flat 2 60 Coolhurst Road (HGY/2021/0774)

- 4.2 A planning application for a new first floor rear balcony and external staircase and associated alterations to the rear fenestration was granted conditional permission 23 April 2021. This application is relevant as it approved a larger balcony on a similar nearby first floor flat.

Extensions and balcony at 12 Coolhurst Road (HGY/2021/1640)

- 4.3 A planning application a single storey lower ground floor rear extension and balcony above was granted conditional permission 17 August 2020. This application is relevant as it approved a rear balcony over the amenity area of a basement flat.

Extensions and balcony at 20 Coolhurst Road (HGY/2091/1757)

- 4.4 A planning application for a rear extension with balcony above was granted conditional permission 23 August 2019. This application is relevant as it approved a larger rear balcony serving a first floor flat that has a similar relationship to a ground floor flat and surrounding properties as the proposed development.

5. PLANNING POLICY FRAMEWORK

Local Planning Policy

Development Plan

- 5.1 The starting point for assessing development proposals is always the Development Plan. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states:

“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”

- 5.2 The Development Plan relevant to the assessment of this application consists of London Plan, The Haringey Local Plan Strategic Policies DPD and Development Management DPD. The National Planning Policy Framework (NPPF) and other various guidance is also an important material planning consideration.

London Plan (2021)

- 5.3 The London Plan is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the Plan period. The following policies are of relevance to the assessment of this appeal:

Policy D1	London’s form, character and capacity for growth
Policy D4	Delivering good design
Policy HC1	Heritage conservation and growth

Haringey Local Plan Strategic Policies DPD

- 5.4 Haringey Local Plan Strategic Policies DPD was adopted in 2017 and sets out the long-term vision and strategic context for managing and accommodating growth. The policies most relevant to this proposal are listed below:

Policy	SP0: Presumption in Favour of Sustainable Development
Policy	SP11: Design

Policy SP12: Conservation

Development Management DPD

- 5.5 Development Management DPD was adopted in 2017 and sets out the detailed policies for managing development in the Borough. The policies most relevant to this proposal are listed below:

Policy DM1 Delivering High Quality Design
Policy DM9 Management of the Historic Environment

Other relevant policies and guidance

Planning Practice Guidance
The National Design Code

National Planning Policy Framework (2021)

- 5.6 Central Government advice relevant to this application is contained within the National Planning Policy Framework. The most relevant aspects of the Framework are summarised below.
- 5.7 The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 5.8 Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. Paragraph 8 identifies the three dimensions to sustainable development which are economic, social and environmental.
- 5.9 Section 4 requires local planning authorities to approach decisions on proposed development in a positive and creative way. Paragraph 38 states that decisionmakers should seek to approve applications for sustainable development where possible.
- 5.10 Section 12 'Achieving well-designed places', at paragraph 126 states that the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It notes that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.11 Section 16 (Conserving and enhancing the historic environment) at paragraph 189 confirms heritage assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 199 notes, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

6. PLANNING APPRAISAL

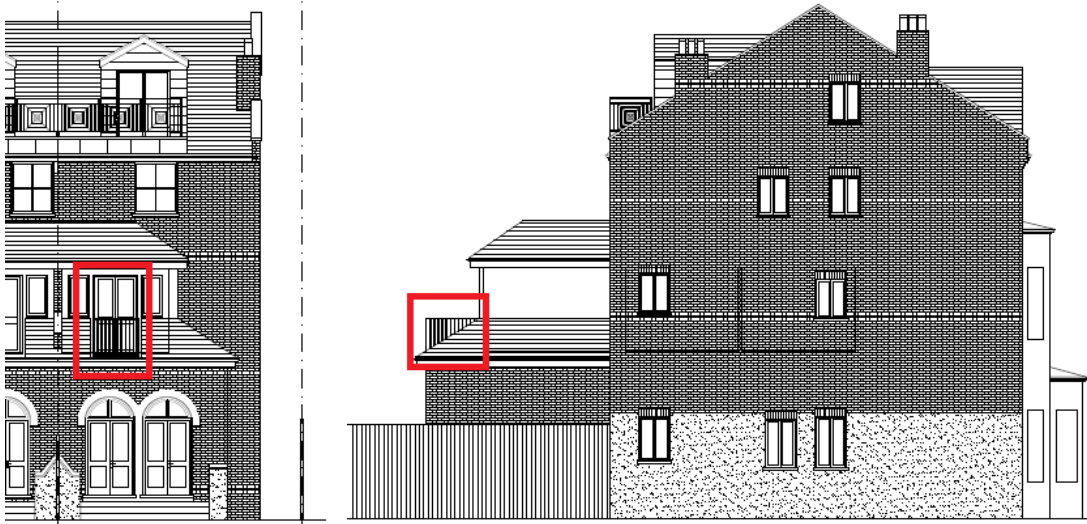
- 6.1 The main issues to consider in the assessment of this minor form of development is the impact on character and appearance and amenity.

Character and appearance

- 6.2 The main legislative framework for development effecting heritage assets is set out in Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and requires special attention to be paid to the desirability of preserving Listed Buildings and Conservation Areas.
- 6.3 The National Planning Policy Framework (NPPF) seeks to achieve a high quality of design and that new development is sympathetic to local character, while not preventing appropriate innovation or change. In terms of the historic context, the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. It notes that significance can be harmed or lost through alterations or destruction of the heritage asset or development within its setting.
- 6.4 Policy D3 of the London Plan requires all development to make the best possible use of land by following a design-led approach. Policy HC1 of the London Plan notes that proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- 6.5 Policy SP11 of the Local Plan Strategic Policies DPD (Local Plan) and Policy DM1 of the Development Management DPD seek to achieve a high standard of design and that new development respects the local context. Policy SP12 of the Local Plan and Policy DM9 of the Development Management DPD seek to conserve or enhance the significance of heritage assets and their wider historical setting.
- 6.6 Coolhurst Road and this part of the Conservation Area consists predominantly of formally arranged Victorian dwellings that have been converted into flats. The buildings are attractively designed in similar architectural styles and constructed from a limited range of materials. The significance of the buildings and area as heritage assets, is largely derived from the historic interest and architectural quality of the well-preserved and consistently designed facades, which create attractive street scenes with a distinctive character. The secondary rear elevations are plainer in design and have been subject to greater change, including various extensions, alterations and balconies, giving this aspect of the area a more diverse character and providing a flexible environment for further appropriate changes.
- 6.7 The application site conforms to the general character of the area and consists of a late 19th century detached dwelling with an attractively detailed front elevation that repeats the arrangement of the adjoining buildings. The property has been converted into flats and the rear elevation enlarged and altered in various ways.
- 6.8 The proposal is for the installation of a balustrade around an existing balcony which has been formed in the sloping roof of a rear projection. The proposed balustrade respects and responds appropriately to the host building and local context.

Appropriate size and scale

- 6.9 The proposed balustrade only encloses a very small section of the rear elevation of this substantial Victorian villa. The modest size and scale of the proposed balustrade, combined with its position enclosing a partly recessed balcony, reduces the visual prominence and ensures it represents a minor and insignificant addition to this building. The open nature of the balustrade reduces its visual prominence and ensures the proposal preserves the character and appearance of the building and wider historic context.



The proposed railings represent a very minor form of development

Compatible with the character of the area

- 6.10 The position of the proposed balustrade on the rear elevation, ensures the proposal would not have any implications on the attractively designed façade or street scene, conserving the significance of the building and area as heritage assets.
- 6.11 The proposed balustrade would be read and understood in the context of the diverse rear aspect of these properties which have already been subject to various extensions and alterations. The upper floor flats in this building already have a similar styled balustrade extending across their linked balconies, ensuring the proposal would have a cohesive and sympathetic appearance. Furthermore, many of the surrounding buildings have similar types of balconies with railings which now form part of the local character.

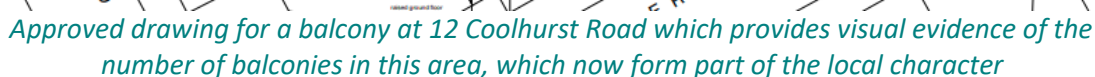


Balustrades on the host building (blue) and adjoining properties, which form part of the local character



Various balconies and diverse rear elevation of other properties in Coolhurst Road

- 6.12 Many of the surrounding balconies have been recently approved by the Council. In the assessment of a similar but larger balcony at 60 Coolhurst Road, the Council confirmed that this type of feature was common in the surrounding area and would not result in any harm, stating the following:



6.13 The proposed balustrade has a simple and traditional design that respects the character and appearance of the host building and surrounding area. It is noted that the balustrade is similar in design and style to the existing railings on the host building at second floor level and on the surrounding balconies. Additionally, they are finished in an appropriate colour which helps integrate and blend this minor structure into the host building and wider setting. A high quality design has been achieved.



Proposed railings are of a style and design that respects the host building and surroundings

Amenity

- 6.14 The NPPF requires high quality design and a good standard of amenity for all existing and future occupiers. This key principle is reflected in Policy DM1 of the Development Management DPD which seeks to ensure a high standard of privacy and amenity for the occupiers and neighbours.
- 6.15 The proposed balustrade has not resulted in any additional overlooking when compared to the previous arrangement, which consisted of an open balcony with direct access from the main living area. With reference to this, the balcony is accessed via the authorised double doors and was clearly designed to provide a small outdoor amenity area. This first floor flat does not have direct access to a garden. As such, the balcony provides a useful and accessible outdoor area.
- 6.16 The site relates to a first floor flat that already had views into the garden from the existing windows and balcony. As demonstrated in pre-existing photos and similar to the adjoining occupiers, this balcony was used prior to the installation of the balustrade and would continue to be used if the railings were removed. This minor alteration was undertaken to improve safety and has not resulted in greater levels of overlooking or the loss of privacy within this flatted development or to neighbouring properties.
- 6.17 It is important to note that most modern flatted developments have projecting balconies and ground floor private terrace gardens. This type of arrangement is generally considered the best way to achieve appropriate standards of amenity in flatted schemes. The proposal repeats this common arrangement.



The balcony was designed and always used for outdoor amenity space (pre-existing)



An old photograph showing a chair on the first floor balcony



Pre-existing and proposed (no change in overlooking)

- 6.18 The other flats in this converted dwelling have balconies and the majority have similar views over the adjoining amenity areas. As such, there is already a degree of mutual overlooking in this area and the proposal would not result in any additional harm.



Various existing balconies and windows that result in a degree of mutual overlooking

- 6.19 The modest size of the balcony and set in distance from the common boundary ensures the proposal would not result in a harmful level of overlooking into the adjoining gardens. The set in distance, existing projection and associated roof form, combined with the restricted sight lines and size of the balcony, prevent views back towards the rear windows in the adjacent

building. Additionally, as noted above, a balcony already existed in this area and the introduction of the proposed balustrade would not result in any additional harm.

- 6.20 Balconies are a common feature in this area and many have been approved similar positions above ground floor flats. With reference to this point, in the assessment of a larger balcony to the first floor flat nearby at 60 Coolhurst Road, the Council stated the following:

“The proposed terrace would not project out at such an excessive depth as to provide significant vantage points toward neighbouring habitable rooms or garden areas that would result in an unacceptable loss of privacy. Given the limited depth of 1.2m and chamfered design of the balcony, the views toward windows within No. 58 Coolhurst Road would be sufficiently oblique. It is noted that there is a rooflight to the top of the ground floor rear extension at No. 58, but this looks on to a stairwell.

Given that the host property and No. 58 have both been subdivided into self contained flats, there is an existing level of mutual overlooking to garden areas from upper floor windows.”

- 6.21 The balcony is small in size and can only be used by one or two people, ensuring the proposal would not result in harmful levels of noise or disturbance, particularly when taking into account the pre-existing situation (have not enlarged the size of the balcony).
- 6.22 Furthermore, the balustrade provides an important safety feature that improves the residential environment of the occupiers. Given the authorised arrangement of the flat with existing access to the open balcony, this outdoor amenity area will almost certainly continue to be used with or without the balustrade by existing and future occupiers. Removal of this safety feature could result in serious injury or loss of life and these consequences need to be carefully considered in the assessment of the application.

7. CONCLUSION

- 7.1 The proposal is for the retrospective installation of a balustrade around an existing balcony.
- 7.2 The proposed balustrade is modest in size and its open nature reduces visual prominence and any potential harm. The balustrade is concealed from the public realm and is viewed in the context of similar structures on the rear elevations of surrounding properties, ensuring the proposal preserves the character and appearance of the host building and surrounding Conservation Area.
- 7.3 The proposed balustrade is of a style and design that is compatible with the character and appearance of the host building and surrounding area.
- 7.4 The proposed balustrade has not harmed the amenity or living conditions of the adjoining occupiers, as it would not result in any additional overlooking or loss of privacy, particularly when compared to the pre-existing situation.
- 7.5 The proposal provides a safer residential environment for existing and future occupiers of this flat. Removal of this sensible safety feature could have serious and potentially fatal consequences.

- 7.6 For the reasons outlined above, the proposal represents a sustainable form of development in accordance with the Development Plan and the National Planning Policy Framework.

Appendix 1

Email correspondence confirming no objection to the balcony

Re: Railings



Dave Dawkins <dave.dawk@hotmail.com>

04/10/2021 11:00



To: Julia Gnezdilova

Pretty sure railing will be fine. Simple is good. I will put in an awning if that is ok for the rare moments I require privacy. Please let me know if that is ok. Dave

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From: Julia Gnezdilova <juliahome17@hotmail.com>

Sent: Monday, October 4, 2021 7:57:45 AM

To: Dave Dawkins <dave.dawk@hotmail.com>

Subject: Re: Railings

Hi Dave

I have asked supplier for drawings but while I am waiting I can share a photo of similar looking balcony railings. Mine should look very similar, also plain black vertical lines (but no hanging flower pots!).

Kind regards

Julia



On 30 Sep 2021, at 18:08, Dave Dawkins <dave.dawk@hotmail.com> wrote:

Thanks Julia.

Please know I am out to make this happen and want your mum to be safe.

Thanks.

Dave

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From: Julia Gnezdilova <juliahome17@hotmail.com>

Sent: Thursday, September 30, 2021 6:07:23 PM

To: Dave Dawkins <dave.dawk@hotmail.com>

Subject: Re: Railings

No problem Dave, will send you a copy over the weekend.

On 29 Sep 2021, at 17:17, Dave Dawkins <dave.dawk@hotmail.com> wrote:

Julia,

Hi,

Please just send me the drawings but if they are simple railings I am pretty sure there is no issue.

Thanks

Dave

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From: Julia Gnezdilova <juliahome17@hotmail.com>
Sent: Wednesday, September 29, 2021 5:10:45 PM
To: Dave Dawkins <dave.dawk@hotmail.com>
Subject: Re: Railings

Thank you Dave!

On 29 Sep 2021, at 16:00, Dave Dawkins <dave.dawk@hotmail.com> wrote:

Not worried at all - keep your mum safe - noise is no issue

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From: Julia Gnezdilova <juliahome17@hotmail.com>
Sent: Wednesday, September 29, 2021 2:16:52 PM
To: Dave Dawkins <dave.dawk@hotmail.com>
Subject: Railings

Dave hi,

On a totally different point, I wanted to let you know that I am looking to install some simple balcony railings on my little "balcony" above small part of your roof. Not having any railings is a bit of a health & safety issue, and I am keen to address it especially with my elderly mum using the balcony.

I had installation surveyor to review it and he assured me that all the fixings will go into the wall, so there will be no effect in the roof at all. But of course there will be a fair amount of noise on the day when they install the railings (estimate 4-5 weeks from now).

I hope you are OK with this. I am happy to provide more details and share surveyor drawings etc if needed.

Many thanks
Julia
