

Officer's Report

Application Number	HGY/2022/3559
Type	Householder planning permission
Location	23, Aylmer Road, London, N2 0BS
Proposal	Planning application for modifications to the existing rear terrace including replacing the existing railing with a glass screen (amended description).
Case Officer	Ben Coffie
Valid Date	14/10/2022
Applicant	Mr Serkan Daysak
Agent	Mr Simon Miller

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

1.1 This is a retrospective planning application for alterations to rear balcony.

1.2 The application initially sought to retain 5 air conditioning units together with an acoustic enclosure, however this has been omitted as a current application under application with reference: HGY/2022/2489 seeks to regularise this.

Site and Surroundings

1.3 The site is a two-storey detached dwelling located on the southern side of Aylmer Road and backs onto a large area of green space. The surrounding area is predominantly residential. The property is within the Highgate Conservation Area.

Relevant Planning and Enforcement history

1.4 HGY/2015/3852 - Erection of two storey side and part two storey rear extensions and formation of front and rear dormers and basement – Refused

1.5 HGY/2022/2489- Retrospective planning application to regularise air conditioning units located on the side elevation of the building - Pending consideration

1.6 HGY/2016/2041- Ground floor rear extension, front and rear dormers, internal and external alterations – Approved with conditions

1.7 The site has been subject to an enforcement investigation under enforcement ref: UNW/2021/00144 regarding an existing unlawful balcony.

2. Consultation response

2.1 Historic Environment Team – Objections against the proposed fencing to screen the air-conditioning units.

2.2 Highgate CAAC- objection to proposed enclosure, filling in a gap at first floor level would be anomalous given the surrounding context.

3. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of a press notice, a site notice displayed in the vicinity of the site, and 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: 14

Objecting: 0

Supporting: 0

6 MATERIAL PLANNING CONSIDERATIONS

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

1. Design, appearance and impact on the Highgate conservation area;
2. Impact on neighbouring amenity.

Design, appearance and impact on the Highgate conservation area.

6.2 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.

6.3 London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

6.4 DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account. In relation to extensions or alterations to residential buildings, including roof extensions, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

6.5 The dwelling possesses a rear extension of which its roof level is used as terrace (approved under application ref: HGY/2016/2041). The terrace takes the full area of the roof as metal railing are installed close to the eaves of the roof. The railing will be removed and 1100mm

high glass panels will be installed around the existing opening to the flat roof therefore creating 5 individual balconies with depths of no more than 1.3m.

6.6 The overall area of the terrace/balcony area would be reduced as a result of this application. There are no concerns with the proposed glass material. Their heights are acceptable and they would not take up the full area of the flat roof. Therefore, it is envisaged that the alterations reflect a positive change and no harm would arise against the character and appearance of the host property and the conservation area.

6.7 Consequently, proposed development as a whole is in general accordance with Policies DM1, DM9 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 and SP12 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

Impact on neighbouring amenity

6.8 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.

6.9 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.

6.10 Having regard to the location, size, and extent of works subject to this application, they are insufficient to cause material, segmental, harm to neighbouring residential amenity in terms of access to daylight, sunlight, or outlook.

6.11 The proposed creation of the smaller balcony areas will significantly reduce the overall area of roof terrace originally approved and will this reduce levels of overlooking and the potential for noise disturbance and other nuisance.

6.12 As such, due to the above considerations the proposed development would not have an adverse impact against the amenity currently enjoyed by neighbouring properties and is in compliance with policy D6 of the London Plan and policy DM1 of the DPD.

Conclusion

6.13 The proposal is considered acceptable in terms of its impact upon the character and appearance of the host property, surrounding conservation area and upon the residential amenity of neighbouring occupiers.

6.14 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

7. CIL APPLICABLE

The increase in internal floor area does not exceed 100 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

- 2 The works hereby approved shall have been fully implemented before the expiration of 6 months from the date of this permission.

Reason: In order to rectify a planning breach and to provide a suitable setting for this dwelling house and in the interests of the visual amenity of the area, consistent with Policy D6 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

Informatives:

- **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.
- **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.