

Officer's Report

Application Number	HGY/2022/4449
Type	Householder planning permission
Location	Flat B, 118 Inderwick Road, Hornsey, London, N8 9JY
Proposal	Enlargement of existing rear dormer including the relocation of 1x rooflight, formation of roof terrace, installation of 1 new rooflight and the creation of a juliet balcony.
Case Officer	Mercy Oruwari
Valid Date	16/12/2022
Applicant	Mr Kuziak & Ms Gubar
Agent	Mr Freeman

RECOMMENDATION

Approve with Conditions

REPRESENTATIONS

One representation was received in response to notification and publicity of the application.

The following issues were raised by neighbours, local groups and Councillors:

- Loss of privacy and overlooking issues for the adjoining neighbour from the roof terrace
- Potential noise and disturbance issues from the use of the roof terrace
- The balustrade used to mitigate the impacts will in turn create overbearing and sense of enclosure issues and may potentially have an impact on daylight and outlook
- Unsightly change to the outlook
- It may cause a precedence
- Appears out of scale and out of character

(Officer Comment: The issues outlined above will be addressed within the report).

REASONS FOR GRANTING PERMISSION

The subject site is a two storey mid-terrace property converted into self-contained flats with a double storey flat roofed outrigger. The site is not located within any conservation area and does not fall within the curtilage of a listed building.

The planning history of the site has been taken into account when coming to this decision:

- HGY/2006/1823 - Alterations to property including provision of French doors to replace existing window and creation of window to replace existing door to rear of property at ground floor level. Granted
- HGY/2005/1927 - Erection of rear dormer window and insertion of 2 rooflights to front elevation. Granted
- HGY/2005/0807 - Insertion of three rooflights to rear elevation to create loft conversion. Granted
- OLD/1962/0431 - Conversion into two self-contained flats. Granted

Permission is sought for the existing dormer to be enlarged to a full width dormer and roof terrace over the outrigger. The installation of a roof terrace would be to provide amenity space for the upper floor flat. During a pre-application meeting the proposal was deemed acceptable but it was advised that the roof terrace be reduced in depth. The proposal has been further revised with the depth being reduced to a more modest 3 metres to address the concerns regarding the scale of the structure. It should be noted that there are examples of full width dormers on this side of the street, some with L shaped dormers projecting over the outriggers. This would be equivalent to the scale of the main roof dormer and the roof terrace combined and therefore the structure would not be out of scale or out of character on this road. In addition in the immediate vicinity there are also examples of other roof terraces. With the reduction of the depth of the roof terrace, the proposal can be considered proportionate and subordinate to the existing building and would therefore not have a significant adverse impact on local visual amenity or the character and appearance of the area.

Given the existing degrees of mutual overlooking from first floor windows the degree of additional overlooking created by the dormer glazing and the Juliette balcony is not considered materially significant. Concerns have been raised regarding overlooking and a loss of privacy from the roof terrace. The roof terrace is set in from the edge of the roof. Also the structure will be screened on all 3 sides with a 1.8 metres frosted glazed balustrade to restrict potential overlooking issues. The balustrade for the Juliette balcony will also be frosted glass for the same reason. The main dormer is set up on the roof slope and the terrace is set in from the edge of the roof. Combined with the reduction of the depth this would mitigate any potential issues of the dormer/terrace being overbearing, or impacting daylight and outlook for neighbouring properties.

Concerns were raised regarding potential noise and general disturbance that may be generated as a result of the terrace. The terrace is not proposed in connection with any change of use of the premises from its existing domestic use as part of a residential dwelling. It is also not considered to be large enough to host large gatherings of people. In respect of any noise generated, this would not be significant in the context of background noise and the typical noise associated with the use of an external domestic amenity area. The roof terrace would be for private use and would be limited by weather conditions. Any unacceptable noise would be dealt with by the relevant team within the council.

As such, the proposed terrace and associated screen panels would not result in an unacceptable impact upon the amenities of neighbouring occupants that would warrant refusal of the application on grounds of amenity impact.

The proposed development is in general accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policies 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.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

GRANT PERMISSION subject to conditions

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 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: For the avoidance of doubt and in the interests of proper planning.

- 3 The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building unless otherwise stated within the approved plans.

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 and Policy DM1 of The Development Management DPD 2017.

- 4 The 1.8 metre high privacy screens around the edge of the edge of the terrace as shown on the approved plans shall be installed in accordance with the approved details prior to the first use of the terrace area and the screening shall be retained in perpetuity unless otherwise agreed in writing by the Planning Authority.

Reason: To avoid overlooking into the adjoining properties and to comply with 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: 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: 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.