

Officer's Report

Application Number	HGY/2022/4492
Type	Full planning permission
Location	22 Upper Tollington Park, Hornsey, London, N4 3EL
Proposal	Side and rear ground floor extension, 1st & 2nd floor rear infill extension and formation of butterfly pitched roof and loft conversion with roof terraces located at 1st floor and loft floor levels. Internal alterations to accommodate the amalgamation of six studio flats into the following: one 3-bedroom flat on the ground floor, one 2-bedroom flat on the 1st floor and one 3-bedroom maisonette flat on the 2nds and loft floors.
Case Officer	Zara Seelig
Valid Date	20/12/2022
Applicant	Mr Andreas Dinglis
Agent	Mr Gary Arnaoutis

RECOMMENDATION

Refuse

Site Description

The application site is a three-storey end of terrace building situated on the South-Eastern side of Upper Tollington Park, that has been converted into 6 self-contained flats (this was recently confirmed lawful by the Council). The site is adjacent to Osborne Grove Nursing Home. The site is located within Stroud Green Conservation Area, it is not a listed building.

Description of Development

Side and rear ground floor extension, 1st & 2nd floor rear infill extension and formation of butterfly pitched roof and loft conversion with roof terraces located at 1st floor and loft floor levels. Internal alterations to accommodate the amalgamation of 6no. studio flats into the following: 3bed flat to ground floor, 2bed flat to 1st floor and 3bed maisonette flat to 2nd floor and loft floor.

Relevant Planning and Enforcement History

HGY/2022/1120 - Use of property as 6 self-contained flats arranged as 5 x 1-bed flats and 1 studio flat (certificate of lawfulness: existing use) - Granted Permission

HGY/2022/2499 - Side and rear ground floor extension, 1st & 2nd floor rear infill extension and formation of butterfly pitched roof and loft conversion with roof terraces located at 1st floor and loft floor levels. Internal alterations to accommodate the amalgamation of 6no. studio flats into the following: 3bed flat to ground floor, 2bed flat to 1st floor and 3bed maisonette flat to 2nd floor and loft floor. – Refused Permission:

Reasons for refusal:

1) The proposed development would be out of keeping with the general pattern and character of the area and due to its design, size, bulk and massing, and would not appear as a suitably

subordinate addition, contrary to policy SP11 and SP12 of the Haringey Local Plan, policies DM1, DM9 & DM12 of The Development Management DPD (2017) and Policies HC1 and D6 of the London Plan (2021).

2) The proposed roof terraces would enable direct and inappropriate overlooking towards the gardens of neighbouring properties, resulting in a loss of privacy for neighbouring occupiers. As such, the amenity and living conditions of neighbouring properties would be unacceptably harmed, contrary to Policy D6 and D14 of the London Plan (2021) and Policy D1 of the Development Management DPD (2017).

Consultation Response

The responses below were received following consultation on the application:

Internal:

LBH Conservation Officer: Consulted - no response received

External: None

Local Representations

The application has been publicised by way of a site notice and 19 neighbour consultation letters. Four representations in objecting have been received in relation to this proposal.

No of individual responses: 12

Objecting: 8

Supporting: 4

Neither: 0

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

Concerns over loss of privacy

Out of keeping with street scene

Overbearing

Extensions are disproportionate and excessive

Loss of light and overshadowing

Overdevelopment

The following issues raised are not material planning considerations:

· None

Material Planning Considerations

The main planning considerations raised by the proposed development are:

1. Principle of Development;
2. Design and appearance;
3. Impact on the character and appearance of the conservation area; and
4. Impact on neighbouring amenity.

Principle of Development

London Plan (2021) Policy H2A outlines a clear presumption in favour of development proposals for small sites (below 0.25 hectares in size) and sets out a minimum target in Table 4.2 for boroughs (Haringey -10-year target is 2,600).

London Plan Policy D3 seeks to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services.

The principle of converting the building from 6 studio units to 1 x 3-bedroom flat, 1 x 2-bedroom flat and 1 x 3-bedroom maisonette in general terms could be considered acceptable. This would provide much needed family sized units and positively contribute to the identified need within this part of the Borough.

Design and Appearance and Impact on the Character and Appearance of the Conservation Area

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.

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.

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.

The proposal would introduce a significant, uncharacteristic scale, design and type of extension to this row of properties which, due to its excessive bulk and massing, is considered to be an overdevelopment of the site. The proposal is uncharacteristic of the pattern of development within the surrounding properties and would adversely impact the character of the conservation area. The application site is end of terrace and so the works to the rear would also be viewable from the street scene. As such, the proposal would not be acceptable in terms of design and impact on the conservation area and would not comply with the relevant policies.

Impact on Neighbouring Amenity

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 resident.

The creation of the roof terraces at first floor and loft levels, would allow the occupiers of the flats to walk out onto the roof of the outrigger and ground floor rear extension and use this space essentially as a small garden area. Given the proximity of the roof terraces to neighbouring garden areas, it is considered that the proposal would result in inappropriate overlooking towards other dwellings within the row of Upper Tollington Park and Victoria Terrace. As such, there would be an unacceptable loss of privacy as a result of the proposed development. Furthermore, there would potentially be a marked increase in noise and disturbance from the introduction of those terraces, which would harm neighbouring amenity for surrounding properties.

The concerns regarding impact on neighbouring properties would remain the same as previously refused application reference HGY/2022/2499, this reason for refusal has not been overcome. Overall, there would be an unacceptable loss of privacy for surrounding properties, and potential noise disturbance with the amenity and living conditions of these properties compromised. Consequently, the proposal would be contrary to London Plan Policy D6 and DPD Policy DM1.

Conclusion

The proposal is considered unacceptable in terms of design, impact on the character and appearance of the conservation area and impact on neighbouring amenity and does not comply with relevant planning policy.

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.

Recommendation

Refuse permission for the following reason(s):

Refusal Reasons:

1. The proposed development would be out of keeping with the general pattern and character of the area and due to its design, size, bulk and massing, and would not appear as a suitably subordinate addition, contrary to policy SP11 and SP12 of the Haringey Local Plan, policies DM1, DM9 & DM12 of The Development Management DPD (2017) and Policies HC1 and D6 of the London Plan (2021).
2. The proposed roof terraces would enable direct and inappropriate overlooking towards the gardens of neighbouring properties, resulting in a loss of privacy for neighbouring occupiers. As such, the amenity and living conditions of neighbouring properties would be unacceptably harmed, contrary to Policy D6 and D14 of the London Plan (2021) and Policy D1 of the Development Management DPD (2017).