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(as amended 13.03.23)

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Your Ref: **HGY/2023/0446**

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Dear Sir

**Town and Country Planning Act 1990 (as amended)
Schedule 2 Part 1 Class A.1(g) – Town and Country Planning (General Permitted
Development) (England) Order 2015 as amended.
Single storey rear extension proposals –
25 Warberry Road, Wood Green, N22 7TQ
Prior Approval Application Reference HGY/2023/0446**

We act on behalf of Helen Thornhill of No. 23 Warberry Road and Roslyn Byfield of No. 27 Warberry Road, Wood Green, N22 7TQ.

Our clients' properties sit immediately neighbouring the above site, to the north (No. 27) and south (No. 23). In order to ensure our clients' residential amenities are not unduly impacted by the proposed development at No. 25, we have been instructed to review the Prior Approval application as presented by the Applicant, Mr Parminder Sandhu under application reference HGY/2023/0446. The Prior Approval application relates to the erection of a single storey extension which extends beyond the rear wall of the original house by 5m, for which the maximum height would be 3.11m and for which the height of the eaves would be 3m.

We have accordingly given consideration to the application documentation and assessed the proposals in the context of the physical characteristics of the immediate environment, in particular, our clients' properties. Whilst our clients do not seek to raise objections in principle to the development being proposed, having assessed the implications of the proposals on our clients' residential amenities, unfortunately our clients submit that the scheme, as currently designed and sited, is likely to give rise to serious detriment to the reasonable enjoyment of their own properties.

Our clients therefore raise objections against this application on residential amenity grounds.

In this respect, it should be noted that the application property sits between our clients' houses and all three dwellings have been the subject of single storey rear extensions.

No. 23 benefits from a 6m extension, sitting at a maximum height of 3.4m and eaves height of 2.6m. This development was the subject of prior approval which was issued on 18th September 2018 under reference HGY/2018/2504. Significantly, it should be noted that our client (No. 23) initially proposed an extension with eaves height of 3m with the boundary with No. 25. However, it is understood that the occupier of No. 25, Mr Sandhu (the Applicant in relation to the current proposals) objected to a height of 3m. Our client was therefore willing to reduce this to 2.6m. The extension has been built accordingly at a height of 2.6m along the boundary with No. 25 and with the cavity wall within No. 23 as it is understood from our client that Mr Sandhu would not agree to sharing the party wall. Our client's extension also benefits from roof lights facing north (towards No. 25) as shown under Figure 1 below.



Figure 1 shows rooflights associated with no. 23 Warberry Road. Note the Prior Approval proposed extension at no. 25 Warberry Road will exceed the height of the whitewashed wall and accordingly encroach into the amenity of no. 23. A site visit to the rear garden of the application site will reveal the issue, amongst others as highlighted below.

The issue our client (No. 23) has with the development relates specifically to the proposed 3m height. This will result in built form extending above the existing boundary wall with No. 23 and block out light received from the roof lights and serving our client's habitable accommodation. It will also look aesthetically unattractive as a bulky mass of flat roof at a different height from No. 23. Our client therefore requests that the scheme is revisited and the extension redesigned and reduced in height to a maximum eaves level of 2.6m.

The rear extension at No. 27 is shown in Figure 2 below.



Figure 2 Rear extension of No. 27 in foreground (left side of photograph); No. 25 to right.



Figure 3 Private amenity space to rear of No. 27 Warberry Road, looking south towards application site (No. 25) with 3.4m ridge of roof of No. 23 shown in background

The proposed development will extend beyond the rear extension of no. 27 by 1.5m and will stand at a height of 3m right up against our client's boundary. This is considered likely to result in overshadowing and loss of outlook as well as create an unacceptable sense of enclosure, particularly as the area immediately outside our client's extension is actively used as a private sitting out area. Our client also considers that there will be a material loss of daylight/sunlight to our client's habitable room (as shown in Figure 2 above) as well as block out sunlight to the garden during the afternoon and evenings. This is exacerbated by the fact that No. 25 sits to the south of No. 27 and the garden is relatively small.

Whilst there is existing boundary treatment between the two dwellings, as shown under Figure 3 above, the extension will significantly increase the height of this and extend rearwards (west) approximately halfway across the wooden table, as shown in the photograph. Any enclosure therefore, by way of the introduction a development at the height proposed with an eaves height of 3m so close to our client's property, is accordingly submitted by our client likely to result in detriment to the reasonable enjoyment of their property and associated private amenity space.

Having regard to the above, our clients therefore contend that the proposed development will give rise to serious harm to existing residential amenities at both Nos. 23 and 27 Warberry Road, unacceptably dominating the properties, introducing loss of daylight/sunlight and outlook, overshadowing and an unacceptable sense of oppression and enclosure by reason of inappropriate design, bulk and height of the development.

To fully appreciate these issues, it is requested that the responsible Planning Officer visits our clients' property and inspects the proposed development from their habitable accommodation and private rear amenity areas. Our clients contend that such a site inspection will reveal the inappropriateness of introducing the development at the height proposed due to the current relationship between all three dwellings.

In undertaking the assessment, the responsible Officer will no doubt be mindful of the contents of the National Planning Policy Framework (2021) (NPPF). Chapter 12 addresses the objective of achieving well designed places. Paragraph 130 requires decisions to ensure that development, inter alia 'create places...which promote health and well-being, with a high standard of amenity for existing and future users' Good design within the built environment should contribute positively to making places better for people. High quality and inclusive design for all development including private spaces should accordingly be achieved. An assessment of overall scale, density, massing, height and layout is required to be undertaken in relation to both the local area as well as neighbouring buildings.

NPPF paragraph 132 states that 'Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community.' The Applicant has not discussed the proposals with our clients and had such discussions taken place our clients would have made the Applicant aware of their objections. It may then have been possible to secure a design at a reduced overall scale and height to avoid the issues as now identified.

NPPF paragraph 134 goes on to require planning permission to be refused for 'development that is not well designed ...' Good design, which ensures adjoining residential amenities are protected is a fundamental planning requirement. The scheme fails to meet these objectives.

Our clients therefore submit that the application gives rise to clear conflict with the aims set out under the NPPF.

For all the reasons outlined above, our clients therefore contend that the proposals are not well considered in the context of adjoining residential amenities. The development being

promoted at No. 25 fails to respect the amenities of Nos. 23 or 27 Warberry Road and as a consequence will give rise to unacceptable harm.

Our clients accordingly respectfully request that prior approval is refused for this application.

Yours faithfully

Howard Sharp & Partners LLP


For and on behalf of
Howard Sharp and Partners LLP