

Officer's Report

Application Number	HGY/2022/4483
Type	Householder planning permission
Location	29 Kimberley Gardens, Tottenham, London, N4 1LB
Proposal	Single storey rear and side extension
Case Officer	Sabelle Adjagboni
Valid Date	20/12/2022
Applicant	Mr & Mrs Alexandra & Josef Rybacki
Agent	mrs K Cowan

RECOMMENDATION

Approve with Conditions

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

SUMMARY OF RECOMMENDATION

GRANT PERMISSION subject to conditions

Conditions:

- 1) Development begun no later than three years from date of decision.
- 2) In accordance with approved plans

Informatives:

- 1) Land ownership
- 2) Hours of construction
- 3) Party Wall Act

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for a single storey side and rear extension. The proposal also includes the insertion of roof lights on the rear plane and 2x roof lights on the side plane.

Site and Surroundings

The application site is a two-storey terraced house located on the middle of Kimberly Gardens. It is not in a conservation area nor is it a listed building.

The surrounding area is mostly residential with commercial activities along Green Lanes nearby. Most of the houses on Kimberley Gardens have rear extensions including Nos. 27 and 31, the direct neighbours of the application site.

Relevant Planning and Enforcement history

There is no recent planning history in relation to the site.

Consultation response

No responses were received following consultation on the application.

LOCAL REPRESENTATIONS

The application has been publicised by way of a site notice displayed in the vicinity of the site and 23 letters. No representations were received.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance
2. Impact on neighbouring amenity

Design and appearance

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.

The proposal extends at the rear by approximately 2.7m. On the side infill, the proposal features a pitched roof with a ridge height of about 3.5m which slopes down to an eave's height of 2.5m on the boundary. The rear extension has a flat roof with a height of 3.5m. Given that the extension is a single story and has a modest depth, the scale is considered to be proportional and subordinate to the host dwelling.

The proposed material will match with the existing where applicable. Many extensions on the street also feature roof lights. However, these will not be scene from the street and hence, will have no material impact on the public realm. Therefore, the proposal is in keeping with the character and pattern of development in the area.

Therefore, the scheme does not undermine the existing uniformity of the host building and the character of the area.

As such, the proposal is considered in line with the above 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.

On the boundary with No. 31, the proposed side infill offers a sympathetic design with the roof pitching down to about 2.5m and an overall ridge height of approximately 3.5m to minimise the impact on the daylight or sense of enclosure of the neighbours. Given its modest scale, the proposal will have an acceptable amenity impact on the neighbours.

On the boundary with No. 27, the flat roof is 3.5m. However, given that these neighbours currently have a single storey rear extension of approximately 3m in height, there will be minimal impact on their daylight, and sense of enclosure.

Therefore, the proposal will have an acceptable impact on the daylight, sunlight and sense of enclosure of the neighbours.

As such, the proposal is considered in line with the above policies.

Conclusion

The proposal is considered acceptable.

All other relevant policies and considerations, including equalities, have been considered. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

CIL APPLICABLE

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

RECOMMENDATION

GRANT PERMISSION subject to condition(s):

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.

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.

- 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.