

Officer's Report

Application Number	HGY/2023/0153
Type	Removal/variation of conditions
Location	136 Ferme Park Road, Hornsey, London, N8 9SE
Proposal	Variation of condition 2 (approved plans) attached to HGY/2019/1568 alterations to include: installation of new windows on rear/side elevations, alterations to approved fenestration, addition of door to side elevation, alterations to lightwells and internal reconfiguration of flats (retrospective application).
Case Officer	James Mead
Valid Date	03/02/2023
Applicant	KIM HIGGINSON
Agent	Mr Shaun Knight

RECOMMENDATION

Approve with Conditions

1. SUMMARY OF RECOMMENDATION

GRANT PLANNING PERMISSION, subject to conditions.

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

2.1 Planning permission was granted under reference: HGY/2019/1568 for the conversion of an existing dwelling to 4 x flats, together with various extensions and external alterations. This planning permission has been implemented and completed, however the works have not been carried out in full accordance with the approved plans. This current application is made under Section 73 of the Town and Country Planning Act (1990) and seeks to vary condition 2 (approved plans) of HGY/2019/1568, so to regularise the changes to the approved plans. The changes concern alterations to fenestration, the addition of the windows/doors, as well as alterations to lightwells. The internal layouts of the new flats have also been changed. The most relevant internal alteration is that the ground floor flat is now a 2-bedroom unit, rather than 1-bedroom unit.

Site and Surroundings

2.2 The application site is occupied by a two storey, semi-detached property, which has been subdivided into 4 x flats. This property sits on the eastern side of Ferme Park Road, opposite the junction with Landrock Road. The setting is residential in character, being made up of a mixture of terraced properties and semi-detached houses.

Relevant Planning and Enforcement history

2.3 The most recent planning history relating to the site is as follows:

- HGY/2019/1568: Basement extension, front light well, hip-to-gable roof extension, loft conversion + internal alterations to provide four self-contained flats (2 x 2-bed, 1 x 1-bed + studio). Approved with conditions.

3. CONSULTATION RESPONSE

3.1 No consultee responses received.

4. LOCAL REPRESENTATIONS

4.1 The application has been publicised by way of 29 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: 0

Objecting: 0

Supporting: 0

5. MATERIAL PLANNING CONSIDERATIONS

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

1. Design & Appearance;
2. Neighbour Amenity; and
3. Quality of Accommodation.

Design & Appearance

5.2 London Plan Policy D3 outlines that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Proposals should enhance local context by delivering buildings that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Local Plan Policy SP11 and DM DPD Policy DM1 require development to be of the highest standard of design that respects local context, character and historic significance, so to contribute to the creation and enhancement of Haringey's sense of place and identity. DM DPD Policy DM12 outlines that extensions or alterations to residential buildings should be of a high, site-specific and sensitive design quality and should respect the form, setting, period, architectural characteristics and detailing of original buildings. High quality matching or complementary materials should be used appropriately and sensitively.

5.3 On the southern side elevation changes to fenestration have been made with two new first floor windows added, the number of ground floor windows reduced and a new door inserted. These changes are minor in nature and have not had an adverse visual impact on the appearance of the property. To the rear, windows in the dormer have been re-located, an additional first floor window has been inserted, basement level windows have been altered and the balcony doors have been changed. These alterations are again limited in nature and have not harmed the appearance of the building. The doors on the northern side elevation, which open up onto the balcony, have also been changed. The new doors are of acceptable appearance. A basement level rooflight at the rear has been enlarged. This is a minor alteration, which has a negligible impact on the appearance of the development. Overall, the character and appearance of the host property and the surrounding area has not been harmed by any of the alterations to fenestration.

5.4 The plans show that modest changes have been made to the lightwells at the front and side of the property. These alterations are very minor in nature and have had a negligible impact on the appearance of the development. As such, these changes are acceptable, with the character and

appearance of the host building, the street scene and the surrounding are not harmed. The changes to the lightwells are also of such limited nature that officers do not deem it necessary to make any alterations to the originally submitted Basement Impact Assessment.

Neighbour Amenity

5.5 London Plan Policy D6 outlines that the design must not be detrimental to the amenity of surrounding housing, in specific it is stated that proposals should provide sufficient daylight and sunlight that is appropriate for the context, while also minimising overshadowing. Furthermore, DM DPD Policy DM1 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 open aspects to adjacent buildings and land. Schemes should also avoid overlooking and loss of privacy that would be detrimental to the amenity of neighbouring residents.

5.6 The changes to the approved plans are not of such scale to result in undue: overbearing impacts, loss of light, overshadowing or harm to outlook. The altered fenestration at the rear has not caused inappropriate overlooking of neighbouring properties. However, the condition attached to the original permission relating to the requirement for screening along the boundary is again included in this consent. This condition has been corrected to refer to 138 Ferme Park Road, rather than 134 Ferme Park Road. The new first floor side windows on the southern side elevation could allow overlooking towards 134 Ferme Park Road. Therefore, a condition is attached requiring these windows to be retained with obscured glazing. Subject to the conditions, the amenity and living conditions of neighbouring properties has been protected.

Quality of Accommodation

5.7 London Plan Policy D6 requires housing development to provide adequately sized rooms with comfortable and functional layouts. Dwellings must at least have the gross internal floor area (GIA) set out in Table 3.1 of the London Plan and an acceptable floor to ceiling height should be delivered. Dual aspect dwellings should be maximised and single aspect units should normally be avoided. This policy also requires sufficient daylight and sunlight to be supplied to new residential units, whilst also ensuring that overheating would be avoided. Private outdoor space should be provided for new dwellings, in line with the requirements of London Plan Policy D6.

5.8 The quality of accommodation remains satisfactory, as concluded on the previous application. The ground floor flat has been changed from a 1-bedroom unit to a 2-bedroom unit. The 2-bedroom unit meets the GIA standards of the London Plan, and therefore is of acceptable size.

Conclusion

5.9 Overall, the proposed variation of condition 2 is in general accordance with Policies DM1 & DM12 of the Development Management, Development Plan Document 2017, and Policy SP11 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.

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

6. RECOMMENDATION

GRANT PERMISSION, subject to conditions.

Conditions:

- 1 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: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

- 2 Prior to the first use of the roof terrace serving Flat 2 hereby approved, details of a privacy screen on the boundary with No. 138 shall be submitted to and approved in writing by the Local Planning Authority. The privacy screen should be built up to a height of 1.7 metres above the finished floor level of the roof terrace. The privacy screen as approved shall be installed prior to the first use of the roof terrace and retained as such thereafter.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of neighbouring occupiers and to comply with Policy SP11 of the Haringey Local Plan (2017) and Policy DM1 of The Development Management DPD (2017).

- 3 Notwithstanding the plans hereby approved, the obscured glazing fitted in the new first floor windows on the southern side elevation (serving bathroom and common stair) shall be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority. This obscure glazing shall be retained to level 3 or higher on the Pilkington scale of privacy or equivalent.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of neighbouring occupiers and to comply with Policy SP11 of the Haringey Local Plan (2017) and Policy DM1 of The Development Management DPD (2017).

Informatives:

- **INFORMATIVE:** The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 3472) to arrange for the allocation of a suitable address.
- **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:** Proactive Statement
In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our pre-application advice service and published development plan, comprising the London Plan 2021, the Haringey Local Plan 2017 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.