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Date: 17 March 2023

Planning Service
6th Floor, River Park House
225 High Road, Wood Green
London
N22 8HQ

Dear Sir/Madam,

**SINGLE STOREY REAR AND SIDE RETURN EXTENSION
FLAT A, 117 NELSON ROAD, N8 9RR**

We have been instructed by our clients, Mr Alistair McGirr and Ms Ewelina Stefaniak, to submit the enclosed planning application for a single storey rear extension at the above address. The proposal follows on from a recently refused application at the site (ref: HGY/2022/1934) which similarly sought to extend to the rear of the property, but included a deeper extension at ground floor level as well as a first-floor addition, both of which the Council deemed to be unacceptable, and an air source heat pump, which the Council also raised concerns about.

The scheme now put forward seeks to overcome the previous reasons for refusal by omitting the first-floor extension from the proposal entirely, reducing both the depth and height of the proposed ground floor extension, and removing entirely the proposed air source heat pump. As this letter explains, the scheme now proposed comprises a sensitively designed, modest but aesthetically-pleasing addition to the ground floor of the property which is entirely appropriate in terms of its size, scale and appearance.

In accordance with national and local validation requirements the following documents are enclosed as part of the application:

- Completed Planning Application Forms;
- Completed CIL Form;
- Site Location Plan;
- Existing Plans and Elevations;
- Proposed Plans and Elevations;

The application has been submitted online via the planning portal by the architect, Studio RW Architects, and as this is a resubmission of a recently refused application and is of the same character no planning application fee is required.

Site Background

The application site comprises a three-storey mid-terraced Victorian residential dwellinghouse on the western side of Nelson Road. It was subdivided into two flats in the 1970s; this application concerns Flat A, which occupies the ground floor of the building and a small section of the first floor within the original outrigger. This property also has sole ownership of the rear garden.

The neighbouring properties within the terrace all feature original two-storey rear projections/outriggers. Infill “side return” extensions beside these closet wings are a prevalent feature in the area (and indeed across London as a whole), as well as rear extensions extending further into the rear gardens - and these extensions range in style, height, and architectural design, creating a somewhat varied/inconsistent appearance across the rear elevations of these buildings.

It is important to note that the building in question is not listed, nor is it located within a conservation area. As such, it is not located in an area of particular heritage or design sensitivity.

Planning History

i) Application Site

In 1976 permission was granted to convert the property into 2-self-contained maisonettes (ref: OLD/1976/0729). Since then, there have been no further additions to the building, and it is one of the few properties within the terrace that has not been extended to the rear in some form.

More recently, in June 2022, the applicant submitted an application for a single-storey rear and side infill extension along with a first-floor bay window style addition (ref: HGY/2022/1934). The proposed extensions were substantially larger than what is now being proposed, with the ground floor rear addition extending 4.5m from the principal rear wall of the terrace and to a uniform height of 3.2m, whilst the first-floor addition extended 1.5m from the building, whilst and the side infill extension rose to a height of 2.7m along the boundary wall.

Officers found the scale of the extensions to be unacceptable, asserting that the combination of the rear additions meant the proposed development would fail to appear subordinate to the original building, and would result in a development that was out of keeping with the general scale of development within the terrace. The proposal was also considered to be unacceptable from an amenity perspective, with the Council’s report suggesting that the side infill extension would have a material adverse effect on the neighbouring property by reason of its combined height and length - and that the rear additions, particularly at first-floor level, would also be unacceptable by virtue of their height and depth, causing an unacceptable outlook for the neighbouring properties. The application was refused on the 16th August 2022, with the following 3 reasons for refusal listed on the decision notice:

- 1) *“The proposed development, by reason of its design and cumulative scale, would fail to be subordinate to the host building and would appear out of keeping with the character of the wider terrace, contrary to Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.*
- 2) *The proposed development, by reason of its height, length and siting, would adversely affect the outlook of neighbouring occupiers, resulting in a sense of enclosure and overbearing contrary to Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.*
- 3) *The proposed air source heat pump, in the absence of details to demonstrate that the unit would not adversely affect the residential amenity of neighbours, would be contrary to Policy D14 of the London Plan 2021 and Policies DM1 and DM23 of The Development Management DPD 2017. “*

This new, revised application has been formulated with these reasons for refusal in mind and has sought to directly address and overcome the Council’s concerns regarding design and amenity. Notably, the first-floor addition has been removed from the proposals entirely, the height of the side infill extension has been reduced so that it is just 2.2m along its boundary with no. 119, and the rear extension has been reduced in depth as well as height so that it extends just 4m from the original projection, to a maximum total height of

3m. The air source heat pump referenced in the 3rd reason for refusal has also been entirely omitted from the proposals.

ii) Surrounding Area

The surrounding area is residential in nature, consisting primarily of three-storey terraced houses, many of which have been divided into flats, and which are of a similar, broadly uniform architectural style to the application property in term of their front elevations. The majority of buildings along Nelson Road feature rear and/or roof extensions and alterations, developed over many years in an incoherent and piecemeal fashion, with little /no uniformity. Some of these additions appear to have been constructed without planning permission but nonetheless are now well-established and lawful; however, there are various rear extensions (and some that are larger than that proposed by this scheme) that have been allowed, and which establish the principle of this form of development within the surrounding area. Particularly relevant examples in close proximity are discussed below.

107 Nelson Road

This site is located a few doors south of the application site on Nelson Road. In May 2018 permission was granted for a ground floor extension beyond the original rear closet wing projection to provide an enlarged bedroom (ref: HGY/2018/1039). Permission was then granted in October 2020 to extend beyond this by a further 2.2 metres and for the new extension to span the full width of the garden as can be seen below at Image 1 (ref: HGY/2020/2130).

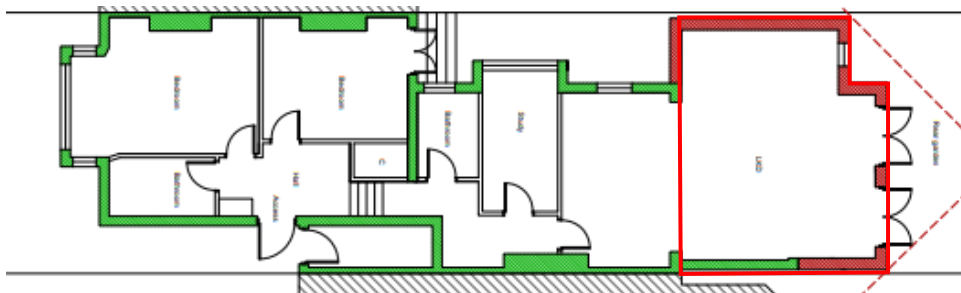


Image 1: Approved full width extension at 107 Nelson Road

The extension comprised 2.5m in height on the boundary with adjoining no. 105 (at eaves level), to a depth of close to 5m, with a primary height of 3m.

When assessing the application officers found the principle of a deeper extension that occupied a large section of the rear garden to be acceptable, noting the following within their office report:

“Whilst the resulting extension would be slightly deep and larger than its neighbours, given the existing set up and context with its neighbours, the proposed additional depth of no more than 2.2m and its location further into the garden and not directly in front of adjoining windows, the proposal is considered proportionate and subordinate to the host building and is in keeping with the pattern of development in the area. Therefore, the local character and visual amenity of the area will be protected.”

Officers also found the scheme to be acceptable from an amenity perspective, noting the design solution with neighbouring 105, whereby the height was no higher than 2.5m, was an appropriate addition that would ensure there is no loss of outlook or increased sense of enclosure as a result of the extension, and that there would be no loss of sunlight/daylight/privacy. Overall, it was considered that there would be no material loss of privacy to neighbours as a result of the extension.

The proposals put forward under this application are far more modest than what has been allowed at 107 Nelson Road. The rear addition extends just 4m from the original rear projection and includes a larger recess/set back so that its full depth does not span the full width of the garden. Furthermore, the side infill extension has been lowed to just 2.2m in height at the boundary – this is significantly lower than the 2.5m approved at 107, and not materially higher than the 2m in height of a boundary fence that could lawfully be erected on the boundary without the need for planning permission. This would therefore result in negligible impact on the neighbour at No 119. The scheme should therefore be deemed acceptable from a design and amenity perspective.

143A Nelson Road

This property is located to the north of the site and also sits on the southwest side of Nelson Road. In 2014 permission was granted for a single storey rear and infill extension that is very similar to what is being proposed under this application (ref: HY/2014/0431), extending across the full width of the site, right up to the side boundary.

The height of the extension is 2.5m along its shared boundary with 141 Nelson Road, rising to 3m in the centre of the roof. The extension is 6.9m in depth on the side facing 141 Nelson Road (the side return) with a width of 5.2m and depth of 3.5m on the side facing 145 Nelson Road (the rear projection) – as can be seen below at Image 2.

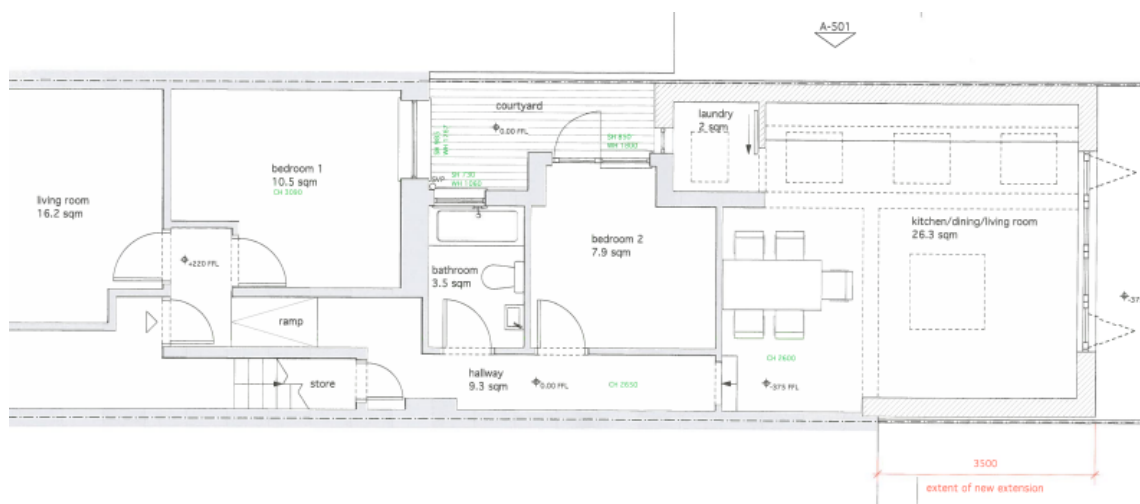


Image 2: Approved full width extension at 143A Nelson Road

This included the retention of a small lightwell along the side passage, however as can be seen below this appears to have since been filled to a greater extent than proposed by this application. The neighbouring property at 141 Nelson Road has also infilled the entire width of their side passage, therefore demonstrating the acceptability of a side return extension that occupies the full width of the side passage. The extension proposed by this application would be very similar in scale and nature to this extension, but with a lower height at the boundary.



Image 3: Side return extensions at 141 & 143 Nelson Road

119 Nelson Road

This is the neighbouring property to the north of the site. In 2006, permission was granted for a rear extension to the rear of the building and for a small addition to the side of the closet wing (ref: HGY/2006/0097) as can be seen below at Image 4.



Image 4: Rear and side return extension at 119 Nelson Road

The principle of additional mass to the rear of the building is therefore already established. The extension here has also been built deeper than the 3m originally permitted, and the proposed extension at the application site would be of a very similar maximum depth to this extension as shown on the submitted block plan.

Application Proposals and Assessment

Permission is sought for a rear and side return extension at 117A Nelson Road, in order to provide enlarged and enhanced living accommodation, and to transform the existing flat into an upgraded, attractive and functional family home.

The application follows on from the recent refusal of application HGY/2022/1934, which similarly sought to extend to the rear and provide additional habitable accommodation, but was significantly larger in scale than that now proposed, extending further to the rear and featuring a greater height along the side boundary with No. 119, whilst also including a first-floor addition.

The scheme now put forward seeks to overcome the previous reasons for refusal by omitting the first-floor extension from the proposal entirely, reducing the depth of the ground floor extension, and by reducing the height of the side infill element of the proposal so that the additional mass has a negligible impact on neighbours. The scheme now proposed is considered to be entirely reasonable and should be considered acceptable in planning terms, for the following reasons:

- The first floor extension has been removed entirely. The proposal now comprises solely a ground floor extension, common with countless extensions to similar properties across London, Haringey and indeed in the immediate vicinity of the application site. There can be no question that this addition is appropriately subordinate/subservient to the original three-storey dwellinghouse, and would not be out of keeping with the surrounding area;
- There have been numerous extensions of a similar scale, depth and width (including full-width extensions) approved including at nearby 107 Nelson Road and 143 Nelson Road;
- The length of the main extension into the back garden has been reduced to 4m, with a corresponding reduction in the length of the side return. The height of the main extension has also been reduced so there will be no detrimental impact on the outlook for No 115;
- The previously proposed heat pump has been removed from the scheme entirely so there can be no concern in relation to noise or amenity in this respect;
- The existing side window to the extension at No. 119 (to the north) is a secondary window to their open-plan space, the primary source of light and outlook to this room coming from the west-facing rear sliding doors. As such, any impact on this window would not undermine the amenity of this living space. The retained bedroom window looking westward from No.119 would also not be unacceptably impacted due to the reduced height of the proposed side infill;
- Notwithstanding all of the above, it is crucial to consider the proposals in the context of relevant permitted development rights afforded by the General Permitted Development Order. Specifically:
 - Firstly, it should be noted that a boundary fence can be erected to a height of 2m along the side of the property without the need for permission; given the proposed extension would only be 2.4m in height at the boundary, this difference in height is not substantial. This is also lower than the 2.5m height approved at both 143 and 107 Nelson Road;
 - Secondly; the building was originally erected as a single dwellinghouse, and if it remained as such (like many other identical buildings in the vicinity), it would benefit from householder permitted development rights under Schedule 2, Part 1, Class A of the GPDO. These rights were essentially designed exactly for buildings of this nature. With this in mind, it is important to note that this property could be extended back by up to 6m from the original

rear building without the need for planning permission, **up to a maximum height of 3m**. This establishes that the principle of an extension of only 4m in depth and with a height of 3m is acceptable in principle for this kind of property with respect to impact on neighbouring properties and character – regardless of the specific context of each and every property. Similarly, the infill extension could be erected to the full depth of the existing outrigger without the need for planning consent. Accordingly, were the house in its original use prior permission being to convert it into separate flats, almost the entirety of the application proposal could be built under permitted development rights, with the only exception to this the small corner of the side infill element which extends beyond the existing rear outrigger. This element of the scheme cannot be considered to have any significant or detrimental impact on the scale, mass or appearance of the extension, or on the amenity of the neighbours at No. 119;

- Finally, it is important to highlight the aesthetic benefits of the proposals, with references to the two images below;



IMAGE 1: Approved extension at 107 Nelson Road – this is full width, extends further into the garden than the application scheme, and was constructed from a non-matching red-brick with UPVC windows creating a low-quality and unsympathetic piece of architecture with a greater footprint than that proposed for No. 117. This was approved by the Council.



IMAGE 2: CGI showing proposed extension for No. 117, formed from matching brickwork with high quality architectural detailing, and a substantial proportion of lightweight crittall glazing.

- As the images above clearly highlight, the proposed extension has been designed to a very high quality, with brickwork to match the original host building and high quality, lightweight crittall glazing, as well as a green roof. These factors will combine to ensure a subtle, harmonious and well-designed extension - of a significantly higher standard than any of the other existing and approved extensions in the surrounding area. It will transform this dated, cellular property into a modern, long-term family home for the applicant, whilst maximising the efficient use of the site including the underused, dead space alongside the outrigger. The modest nature and appearance of the extension, in particular the infill element, is highlighted within the CGI below which also emphasises the high-quality yet unassuming and harmonious appearance of the proposed addition to the dwelling. There can be no question that this comprises a significantly higher quality proposal than the approved and implemented extension at No. 107 Nelson Road, and is far more sensitively and respectfully designed and will therefore have a much more appropriate impact on both the host building and the wider context aesthetically.

With all the above in mind, it is clear that the proposed scheme is acceptable in all respects and we hope that officers will be able to support the application.

Yours faithfully,

MARK SHEARMAN
Director