

Officer's Report

Application Number	HGY/2023/0214
Type	Full planning permission
Location	Flat C, 38 Upper Tollington Park, Hornsey, London, N4 4BX
Proposal	Erection of rear dormer and insertion of 2 x rooflights to front elevation to facilitate a loft conversion.
Case Officer	Michelle Meskell
Valid Date	23/01/2023
Applicant	Rudhraigh McGrath
Agent	

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This is an application for erection of rear dormer and insertion of 2 x rooflights to front elevation to facilitate a loft conversion.

Site and Surroundings

The application site relates to a second floor flat property, located on the southern side of Upper Tollington Park. The building at 38 Upper Tollington Park is registered for Council Tax purposes as three flats. The road is predominately residential in character, characterised by low density housing

The site is located within Stroud Green conservation area and does not fall within the curtilage of a listed building. The site is also located within the Family Housing Protection Zone as designated by Policy DM16 of the Development Management DPD.

Relevant Planning and Enforcement History

The most recent planning history in relation to the site is as follows;

OLD/1973/1800 Conversion into three self-contained flats Granted 26/01/1973

Local Representations

The application has been publicised by way of 31 letters. No representations received from neighbours, local groups, in response to notification and publicity of the application.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design, appearance & impact on the character of the conservation area:
2. Impact on neighbouring amenity.

Design, appearance & impact on the character 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.

There is no adopted appraisal or management plan for the Stroud Green conservation area.

The part of the Stroud Green Conservation Area that contains the subject property is comprised of predominantly residential streets containing Victorian terraces, which are three storeys in height. The particular terrace of buildings, containing the subject site, has a cohesive appearance and makes a positive contribution to the character and appearance of the conservation area and its significance.

The proposed dormer measures just 2.7 metres wide, being set in from both party walls by approximately 1.2 and 1.8 metres respectively and taking up less than half the width of the roof. It also has a significant set up from the eaves of approximately 1.5 metres. The proposed dormer is therefore considered a modest addition and appropriately subordinate to the existing property. The submitted plans are annotated to indicate that the proposed dormer would have cheeks tiled to match the existing roof with lead flashings.

The proposed dormer would be clearly visible from Oxford Road, however given its modest and subordinate size, it would not appear an obtrusive or incongruous form of development.

There is an existing similar proportioned dormer to the rear of 46 Upper Tollington Park, and other examples elsewhere within the Stroud Green conservation area.

Most recently an appeal against enforcement notice in respect of an unauthorised dormer extension at 73 Upper Tollington Park was allowed on 16th August 2022 (APP/Y5420/W/22/3298209). That dormer was similarly proportioned and visible from the street. In reaching their decision the inspector stated the following: 'The appeal dormer is set in from the party walls and eaves and sits below the ridgeline such that it is subordinate to the host building. Furthermore, the dormer is also constructed from materials which match the main roof and I observed during my site visit that there were a number of similar rear dormer roof extensions in the

vicinity of the site within the CA, all visible from the public realm. Therefore, in this context, and given the sub-ordinate nature of extension, the development does not harm the character and appearance of the host building nor the CA as a whole’.

The two proposed front rooflights are referred to as being conservation style roof lights. There are a number of examples of these in the street. It is noted that such development is permitted development within the Stroud Green conservation area.

It is concluded that the development preserves the character and appearance of the conservation area, in accordance with Policies D3, D4 and HC1 of the London Plan (2021), Policies SP11 and SP12 of the Haringey’s Local Plan (2017), and Policies DM1, DM9 and DM12 of the Haringey’s Development Management DPD (2017).

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.

Given its size and siting. the proposed dormer would not result in a material loss of sunlight or daylight or loss of outlook to any neighbouring properties. It would not have an overbearing appearance. It is considered that the degree of overlooking of neighbouring properties and their gardens created by the dormer is not sufficient to be considered materially harmful given the current extent of overlooking from first floor windows and existing dormers within the vicinity. The proposal is therefore acceptable in amenity terms.

Conclusion

The proposed development is in general accordance with Policies DM1, DM9, and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 and SP12 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.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

CIL

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 planning 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.

- 3 The proposed rooflight(s) hereby approved shall be 'Conservation style', flush with the roof plane in which they are installed, and shall be maintained as such for the lifespan of the development.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and to preserve the character and appearance of the Conservation Area, consistent with Policy HC1 of the London Plan 2021, Policy SP12 of the Haringey Local Plan 2017 and Policies DM1 and DM9 of The Development Management DPD 2017.

- 4 The external materials to be used on the proposed development shall match those indicated on the approved drawings.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

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: 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.
- **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.