

Officer's Report

Application Number	HGY/2023/0372
Type	Householder planning permission
Location	39 Pages Lane, Hornsey, London, N10 1PU
Proposal	Loft extension and conversion involving: hip to gable extension, installation of a rear dormer and addition of rooflights. Removal of existing balcony, erection of new balcony with incorporated storage and extension of screening along boundary, together with other external alterations.
Case Officer	James Mead
Valid Date	07/02/2023
Applicant	Mrs Alicia Zur Szpiro
Agent	Ms Xanthe Wilkins

RECOMMENDATION

Approve with Conditions

1. SUMMARY OF RECOMMENDATION

GRANT PLANNING PERMISSION, subject to conditions.

2. CONSULTATION RESPONSES

- No responses received from consultees.

3. REPRESENTATIONS

3.1 1 objection has been received in response to notification and publicity of the application.

3.2 The following issues were raised in this representation and are addressed in the next section of this report:

- The terrace would be of excessive size, would be out of character and would set a precedent.
- The enlarged terrace would allow excessive overlooking of neighbours.
- The enlarged terrace would encourage noise pollution.
- The existing screening does not have planning permission.
- The existing and extended terrace would create loss of light and overshadowing impacting neighbours.
- If planning permission is granted, a condition should be applied requiring the screening to be 2 metres away from the boundary.
- If planning permission is granted, a condition should be applied requiring the existing fence to be removed and a translucent screen installed.
- This property has been used for short-term lets and there is concern regarding anti-social behaviour.
- The proposed foundations would be excessive for a terrace.

4. REASONS FOR GRANTING PLANNING PERMISSION

4.1 The application site is occupied by a two storey, semi-detached dwellinghouse. This property is located on the northern side of Pages Lane, in a line of semi-detached dwellings sitting between the junctions with Pages Hill and Creighton Avenue. The setting is generally residential in character, with numerous semi-detached properties present to the north, west and east. On the opposite side of the road there are community and educational buildings. The site is not within a Conservation Area (CA), however the Muswell Hill CA is a short distance to the south.

4.2 The planning history of the site has been taken into account when coming to this decision.

- HGY/2022/4282: Non-Material Amendment to planning permission: HGY/2022/1821 to allow: installation of two front rooflights rather than three rooflights, various alterations to fenestration and minor widening of balcony. Approved.

- HGY/2022/1821: Loft extension and conversion involving: hip to gable extension, installation of a rear dormer and addition of rooflights. Removal of balcony and erection of a single storey rear storage unit extension, incorporating a terrace/balcony. Alterations to fenestration. Approved with conditions.

Design & Appearance

Rear Dormer, Hip to Gable Extension & Rooflights

4.3 This current application proposes a loft extension, involving a hip to gable extension, a rear dormer and front rooflights. Officers note that a similar roof extension was approved under reference: HGY/2022/1821.

4.4 The existing property and the attached neighbour (41 Pages Lane) currently both retain their original hipped roof form. The scheme seeks to change this through a hip to gable extension of the host property. This alteration would result in the loss of the symmetry between the two properties. Whilst this is noted, officers acknowledge that a similar hip to gable extension could be undertaken through permitted development (PD). Furthermore, there are several pairs of semi-detached properties in the vicinity that have been unbalanced through hip to gable extensions. As such, visually unbalanced pairs do form part of the character of this locality. Noting this, it is not considered that the extended property would appear out of keeping in this street scene. Taking into account the character of the area, and given the possible PD fall-back, it is considered, on balance, that the hip to gable extension would be acceptable. Matching clay tiles would be used for the roof extension, which is appropriate. Two rooflights would be inserted onto the front roof slope and these features would not be visually intrusive.

4.5 A rear dormer is proposed as part of the roof extension. It is noted that the dormer would be of considerable width, covering a large portion of the rear roof slope. However, the dormer would be set in from the sides of the roof, pulled up from the eaves and set down slightly from the main ridge. These factors mean that some subservience would be afforded to the dormer. In addition, officers acknowledge that a similarly designed dormer could be constructed under PD and this weighs in favour of the proposal. There are other properties in the locality that incorporate comparably proportioned rear dormers meaning that this addition would not appear out of keeping. Noting the character of the area, and given the potential PD fall-back, it is considered, on balance, that the rear dormer would be of acceptable size. Tiling would be applied to the dormer and this is appropriate.

Rear Extension/Replacement Balcony

4.6 The existing property has a timber balcony structure to the rear. It is proposed to remove this and then construct a larger rear balcony, with storage space beneath. While the balcony would

extend across the majority of the rear elevation, it would not be excessive in overall height. Furthermore, the projection to the rear would be modest, in relation to the proportions of the host building. Due to the overall limited height and depth, of the replacement balcony, it is not considered that this addition would appear overly large or bulky. The replacement balcony would be of flat roof form and timber would be used as the main external material. The form and materials of the replacement balcony would ensure that this addition would appear domestic in character, which is appropriate to this residential setting.

4.7 A neighbour objection has raised concern that the replacement balcony would be out of keeping and would set a precedent. This comment is noted, however officers consider that the new balcony would appear domestic in character. Furthermore, there would be limited visibility of the addition from public vantage points. Noting these observations, it is not considered that the replacement balcony would appear as an out of keeping or incongruous addition to the site or the locality.

Other External Alterations

4.8 There are other external alterations shown on the submitted drawings, with changes to side/rear fenestration proposed and the blocking up of existing doors/windows intended. These other works would be minor in nature, and as such would not result in a harmful visual impact on the appearance of the property.

4.9 Overall, the full scope of works proposed in this application would be of acceptable design. The character, appearance and setting of the host property, the surrounding area and the nearby Muswell Hill CA would not be adversely impacted.

Neighbour Amenity

4.10 41 Pages Lane is the attached neighbour to the east of the site. The loft extension and replacement balcony would be constructed up to the boundary with No.41. However, these extensions would not be of such scale to cause undue: overbearing impacts, loss of light, overshadowing or restriction of outlook.

4.11 No.41 has a terrace adjacent to the boundary. There are currently fencing panels between this neighbouring terrace and the existing balcony at No.39. These fencing panels provide screening between terraces, limiting overlooking. A neighbour objection refers to the existing fence panels and suggests that these are unauthorised. This comment is noted, however officers have already considered this matter and have not raised concerns regarding the fencing. Therefore, officers must accept the presence of these current fencing panels. This current application intends to extend the fencing panels a further 0.8 metres to the rear. The limited nature of this extension means that material: overbearing impacts, loss of light, overshadowing or restriction of outlook would not impact the terrace or rear facing windows of No.41. The extended fencing panels would only sit marginally further to the rear than the terrace of No.41. Therefore, it is not considered that the enjoyment of the garden of No.41 would be unduly harmed. The extended screening would ensure that inappropriate views would not be possible from the enlarged balcony into the rear windows or over the terrace of No.41. As such, the privacy of No.41 would be suitably protected.

4.12 To the west of the site is 37 Pages Lane. While the proposed extensions would be undertaken close to the boundary with No.37, officers consider that none of the extensions would be of such scale or siting to cause undue: loss of light, overshadowing, harm to outlook or overbearing impacts. The alterations to fenestration on the western elevation of the host property would be undertaken at ground floor level, and as such would not allow harmful overlooking towards No.37. The enlarged balcony would not be of such depth to facilitate material views into the rear windows of No.37. Furthermore, any views towards the side windows of No.37 from the enlarged balcony

would be at such an angle that there would not be a material invasion of the privacy of this neighbour.

4.13 The works would be some distance from the boundary with the property to the rear of the site (1 Pages Hill). Therefore, harmful amenity impacts would not arise for this neighbour. The enlarged terrace and dormer window may allow increased views over the gardens of all the neighbouring properties. However, visibility across rear gardens is common in urban areas. Therefore, such views over gardens would not equate to a harmful invasion of privacy. A neighbour objection has raised concern regarding increased noise. However, the enlarged balcony would be used in association with the residential occupation of No.39. Residential uses themselves are not noise generating uses, and as such there are not significant concerns regarding increased noise.

4.14 Overall, the amenity, privacy and living conditions of all the neighbouring properties would be adequately protected.

Other Matters

4.15 A neighbour objection has suggested that if planning permission is granted, a condition should be included requiring the screening to be set-away from the boundary. Furthermore, this objection outlines that a condition should require the screening to be altered to be translucent. These comments are noted, however such conditions would not be 'relevant to the development to be permitted', and therefore would not pass the statutory tests for planning conditions. Such conditions would seek to alter the development as proposed on the submitted drawings. Therefore, the suggested conditions would not be suitable. Notwithstanding this, the development has been assessed on the basis of the submitted drawings and has been found to be acceptable.

4.16 The neighbour comment has raised concern regarding anti-social behaviour associated with the use No.39 as short-term lets. This is noted, however this application does not propose the change of use No.39 to short-term lets and there is no evidence available to officers to suggest that an unauthorised use is present. Consequently, such a matter is not entirely relevant to this application. It is not considered that an enlarged balcony to be used for residential purposes would be a development that in itself would create anti-social behaviour.

4.17 Concern regarding the nature of the foundations for the enlarged balcony has been raised in the neighbour objection. This comment is acknowledged, however the scale or type of foundations is not a matter to consider under a planning application. Instead, this would be assessed at Building Regulations stage.

Conclusion

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

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

GRANT PERMISSION subject to conditions.

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 approved plans comprise drawing nos: CW-0246-001 Revision 00, CW-0246-010 Revision 01, CW-0246-120 Revision 00, CW-0246-220 Revision 00, CW-0246-320 Revision 00, CW-0246-130 Revision 01, CW-0246-230 Revision 01 and CW-0246-330 Revision 01. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

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

- 3 The external materials to be used for the proposed development shall match those as specified on the approved plans and submitted application form.

Reason: In order to ensure a satisfactory appearance for the proposed development, consistent with Policies SP11 & SP12 of the Haringey Local Plan 2017 and Policies DM1, DM9 & DM12 of the Development Management DPD 2017.

Informatives:

- **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.
- **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.