

Officer's Report

Application Number	HGY/2023/0207
Type	Householder planning permission
Location	70 Kimberley Gardens, Tottenham, London, N4 1LE
Proposal	Proposed erection of a single storey rear infill incorporating four skylights, the insertion of a new skylight on the existing rear extension's roof and a loft conversion incorporating an L-shaped rear dormer extension with six solar panels on the new dormer roof, one solar panel on the retained pitched roof of the outrigger and the installation of two rooflights on the front roof slope.
Case Officer	Daniel Kwasi
Valid Date	23/01/2023
Applicant	Mr James Polke
Agent	Mr Johann Schnaus

RECOMMENDATION

Approve with Conditions

REPRESENTATIONS

One representation was received in response to notification and publicity of the application.

The response raised no objection to the proposed extensions and solar panels, but did object to the roof terrace originally proposed at 2nd floor level.

Officer Comment: The application has been amended since it was originally submitted and no longer proposes a roof terrace

REASONS FOR GRANTING PERMISSION

The subject site is a terraced property located Kimberley Gardens. The site is not located within conservation area and does not fall within the curtilage of a listed building.

The planning history of the site has been taken into account when coming to this decision. There are examples rear extensions, rear dormers, and solar panels at the neighbouring properties.

The proposal is for an L shaped extension to replace the existing rear extension. It would provide a bigger dining and kitchen area. The proposed side extension would infill the space between the common boundary with No.72 and extend for the full width of the main side wall. The proposed rear extension would only extend 3m from the original wall of the outrigger, which shorter than the existing extension. The proposal also includes a rear dormer above the main roof and half the outrigger that would include a Juliet balcony and solar panels. The proposed development has been revised to remove the roof terrace to prevent overlooking into neighbouring properties and because it is not in-keeping with the development in the surrounding area. The proposal is considered proportionate and subordinate to the host building. Therefore, the local character and visual amenity of the area will be protected.

Given that the height of the proposed extension is 2.3 metres at the boundary with No.72 Kimberley Gardens it is therefore considered that there will be no significant harm to that property. In relation to No.68 the proposed extension is not considered to impact on their amenity.

The height and depth of the extension would not result in a material loss of sunlight or daylight, or have an overbearing appearance to the neighbouring property. There will be no material loss of privacy to neighbouring properties. The proposal is acceptable in amenity terms. The proposed extensions are subservient and complementary to the existing building and therefore in accordance with Policies DM1 and 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 2016 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.

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 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 No part of any structure hereby granted shall be used as a roof terrace or balcony.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

Informatives:

- **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: 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.