

Officer's Report

Application Number	HGY/2023/0260
Type	Householder planning permission
Location	17 Downhills Park Road, Tottenham, London, N17 6PE
Proposal	Construction of a roof terrace with glazed balustrade around perimeter above the flat roof of the dormer above the outrigger and amended window and access door.
Case Officer	Daniel Kwasi
Valid Date	26/01/2023
Applicant	Malene Oddershede Bach
Agent	Mr Tim Gebhard

RECOMMENDATION

Refuse

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This is an application for the construction of a roof terrace with glazed balustrade around perimeter above the flat roof of the dormer above the outrigger and amended window and access door. The proposed roof terrace would be at the third floor level that would be accessed from the recently approved rear dormer under HGY/2023/0260. It would comprise an amended window and door to the recently approved rear dormer, and a glazed balustrade around the parameter of the roof, and would be a full depth roof terrace.

Site and Surroundings

The subject site is a three storey, mid-terrace dwelling located on the south-western side part of Downhills Park Road that is bound by Keston Road to the north and Kirkstall Avenue to the south. The site is not located within any conservation area. The property is registered for Council tax purposes as a single family dwelling, as well as the adjoining property at No 19, with No 15 divided into 2 flats.

Relevant Planning and Enforcement History

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

HGY/2022/2424 – Proposed loft extension with rear box dormer to main roof, and box dormer over back addition with rooflights. Single storey rear and side infill extension with rooflights – Granted permission on 23rd November 2022

LOCAL REPRESENTATIONS

The application has been publicised by way of 18 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: 1
Supporting: 0

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

Loss of privacy to neighbouring amenity.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

Design and appearance; and
Impact on neighbouring amenity.

Design and appearance

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.

The application site is a dwellinghouse that benefits from private outdoor space in the form of a rear garden. The proposed roof terrace would not be a sensitive feature in relation to the surrounding area as there are no roof terraces present in the local context. It would not be in-keeping with the character of the development in the surrounding area as it does not respond to the existing character of the area, and therefore it is considered to be unacceptable.

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.

The proposed development would not be in-keeping with the character of the development in the surrounding area. The proposed roof terrace would lead to a loss of privacy to the neighbouring properties due to overlooking and it would be detrimental to their amenity, and therefore the proposal is considered to be unacceptable. In particular this would introduce additional overlooking of adjoining properties that doesn't currently occur. While screening could mitigate overlooking issues the size of the terrace would mean the required amount of screening would exacerbate concerns regarding the developments design and appearance discussed above.

In addition due to its position and size the terrace could give rise to level of noise and general disturbance that would impact on neighbouring properties, particularly higher level flats and habitable rooms to a significantly higher degree than existing rear gardens.

Conclusion

The proposal is considered not acceptable in terms of the design and appearance in the context of the surrounding area, and it would lead to a loss of neighbouring amenity.

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

RECOMMENDATION

REFUSE PERMISSION for the following reason(s):

Refusal Reasons:

The proposed development by reason of its scale, massing and design, would appear an obtrusive and incongruous form of development, out of keeping with the general pattern of development and character of the area contrary to policy SP11 of the Haringey Local Plan and policies DM1 & DM12 of the Development Management DPD 2017 and Policy D3 of the London Plan 2021.

The proposed roof terrace by reason of its size and siting would give rise to overlooking of adjoining properties rear windows and gardens and to additional noise and general disturbance, to the detriment of neighbouring occupiers residential amenity and contrary to policies DM1 & DM12 of the Development Management DPD 2017 and Policy D6 of the London Plan 2021.

Informatives:

- **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 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. In addition, where appropriate, further guidance was offered to the applicant during the consideration of the application.
- **INFORMATIVE: Pre-application Advice**
Taking the reason(s) for refusal into account, you may wish to prepare a revised proposal for comment prior to submitting a further planning application. To do so we strongly recommend you seek pre-application advice and refer you to our Pre-Application Planning Advice (PAPA) Service. <https://www.haringey.gov.uk/planning-and-building-control/planning>