

Officer's Report

Application Number	HGY/2023/0975
Type	Householder planning permission
Location	11 Ermine Road, Tottenham, London, N15 6DB
Proposal	Excavation of basement with rear lightwells under the rear extension
Case Officer	Zara Seelig
Valid Date	05/04/2023
Applicant	Mike Kahan
Agent	Mr. Heshy Friedman

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

Excavation of basement with rear lightwells under the rear extension

Site and Surroundings

The application site is a three storey mid terrace building situated on the western side of Ermine Road. The site is not located within a conservation area, it is not a listed building and there are no TPO's on the site.

Relevant Planning and Enforcement History

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

HGY/2023/0532 - Erection of single storey extension which extends beyond the rear wall of the original house by 6m, for which the maximum height would be 3.5m and for which the height of the eaves would be 3m – Not required

HGY/2023/0533 - Certificate of lawfulness for a proposed dormer extension on the property's rear roof slope and roof lights on the front roof slope. – Lawful

HGY/2023/0869 – Erection of part ground and first floor rear extension – Current application

HGY/2023/0967 – Alterations to the front elevation and enlargement to front balcony – Current application

CONSULTATION RESPONSE

The responses below were received following consultation on the application:

Internal: Building Control – Consulted – No response received

External: None

LOCAL REPRESENTATIONS

The application has been publicised by way of 3 neighbour consultation letters. No representations received from neighbours, local groups, etc in response to notification and publicity of the application.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance;
2. 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 proposal would be located under the existing rear extension, the only external visible works are the two lightwells located to the rear. The proposal would be considered acceptable in design terms, the materials will be conditioned to match the existing.

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.

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.

A basement impact assessment was submitted as part of the application and it is considered that providing they follow one of the methods set out and a suitable structural engineer is instructed, the works would be acceptable. This will be conditioned as part of the approval. The proposal, due to its location and nature would not adversely impact the amenities of neighbouring properties by reason of overbearingness, loss of daylight/sunlight or loss of privacy.

Conclusion

The proposal is considered acceptable in terms of its design and impact on neighbouring amenity and complies with relevant planning policies.

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

CIL APPLICABLE

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 PERMISSION with 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 external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.

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.

- 4 Works to implement the approved basement extension and lightwells shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body.

Reason: The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring residential properties and to comply with the policy DM18 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: 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.