

Officer's Report

Application Number	HGY/2023/0596
Type	Householder planning permission
Location	First Floor Flat, 82 Inderwick Road, Hornsey, London, N8 9JY
Proposal	Formation of rear roof terrace to be accessed via the rear dormer extension approved under planning permission reference number HGY/2022/4064.
Case Officer	Mercy Oruwari
Valid Date	28/02/2023
Applicant	Mr Paul Batt
Agent	Mrs Nihila Maruthayanar

RECOMMENDATION

Approve with Conditions

1. SUMMARY OF RECOMMENDATION

GRANT PERMISSION subject to conditions

Conditions:

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Materials to match existing
- 4) Balcony screen

Informatives:

- 1) Hours of construction
- 2) Party Wall Act
- 3) Land ownership

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

2.1 This is an application for the formation of a rear roof terrace accessed via the approved dormer (HGY/2022/4064).

Site and Surroundings

2.2 The subject site is the first floor flat of a converted two storey mid-terraced property. The properties have 2 storey bay windows at the front and 2 storey outriggers at the rear. The site is not located within any conservation area and does not fall within the curtilage of a listed building.

Relevant Planning and Enforcement history

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

- HGY/2022/4064 - Erection of a rear dormer and roof extension including the installation of 2x front rooflight for the first floor flat. Granted
- HGY/2022/4017 - Erection of single storey wraparound extension with a partial infill to create of a courtyard. Pending
- OLD/1983/0723 - 28/2/83 Conversion into two self-contained flats. Granted

2.4 Enforcement cases;

- ENF/2023/0217 - Investigation into unauthorised roof terrace. Ongoing.

3. **CONSULTATION RESPONSE**

3.1 There were no internal or external comments sought.

4. **LOCAL REPRESENTATIONS**

4.1 The application has been publicised by way of 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: 2

Objecting: 0

Supporting: 2

4.2 Two representations of support for the works were submitted.

5 **MATERIAL PLANNING CONSIDERATIONS**

5.1 The main planning considerations raised by the proposed development are:

1. Design and appearance;
2. Impact on neighbouring amenity;

Design and appearance

5.2 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.

5.3 The previously approved roof extension (HGY/2022/4064) was the maximum that would have been considered acceptable as it covered just under 50% of the roof of the outrigger. The original proposal was to retain the unauthorised roof terrace on which work has already commenced and which is currently the subject of an enforcement investigation (see history above). The roof terrace as built, combined with the approved L shaped dormer, would have been considered to be a dominant feature as almost 100% of the roof would have been covered. The size of the roof terrace has been significantly reduced in depth and set in from the side resulting in a more modest sized space. This would be considered to be sufficiently subordinate to the roof of the outrigger.

5.4 The proposal overall is considered proportionate and subordinate to the host building and is in keeping with the pattern of development in the area. Therefore, the local character and visual amenity of the area will be protected.

Impact on neighbouring amenity

5.5 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.

5.6 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.

5.7 The revised roof terrace has been reduced in depth and is sufficiently set in from the edge of the roof. The structure will also have bamboo screening installed on the side at a height of 1.7 metres to prevent any potential overlooking issues. The reduction of the size of the terrace would provide sufficient distance to neighbouring windows to mitigate any potential issues of the combined dormer/screening of the terrace to appear overbearing, result in a perceived sense of enclosure, or impact daylight and outlook for neighbouring properties. The proposal is therefore acceptable in amenity terms.

Conclusion

5.8 The proposal is considered acceptable.

5.9 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

6. 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.

7. RECOMMENDATION

GRANT PERMISSION subject to the following 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 unless otherwise stated within the approved plans.

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 The proposed privacy screen along the side of the roof terrace as shown on approved drawing number 221004 L 028 Rev A shall be installed in accordance with the approved details prior to the first use of the balcony/terrace area and the screening shall be retained in perpetuity unless otherwise agreed in writing by the Planning Authority.

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.