

Officer's Report

Application Number	HGY/2023/0770
Type	Full planning permission
Location	173 Albert Road, Wood Green, London, N22 7AQ
Proposal	Insertion of first floor rear door with spiral staircase and balustrade, to provide access to rear garden, insertion of 2 rear rooflights.
Case Officer	Neil McClellan
Valid Date	20/03/2023
Applicant	Sara Sheldon
Agent	Ms Ana Alonso Truan

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposal

Insertion of first floor rear door with spiral staircase and balustrade, to provide access to rear garden, insertion of 2 rear rooflights.

Site Description

The subject site is a flat located on the first floor of a mid-terrace building located in Albert Road opposite the Oliver Tambo recreation ground.

Although the building appears to be an example of the late Victorian/Edwardian suburban terraced family dwellinghouses common to the area, it actually forms part of a terrace (inc. 147-217 Albert Road) of purpose-built ground and first-floor flats. Each flat has direct access to a small rear garden with the first-floor flats access through an internal rear staircase located within the outrigger.

The site is not located within a Conservation Area and is not listed or close to any listed buildings or structures.

Planning and Enforcement History

Permission has recently been granted (Ref: HGY/2023/0210) for the conversion of the flat's loft including the formation of dormer roof extensions to the main roof slope and to the outrigger roof slope.

Very similar, almost identical external staircases have been approved at 62 Albert Road (Ref: HGY/2022/4304), 101 Albert Road (Ref: HGY/2022/2543), 117 Albert Road (Ref: HGY/2021/1257), 85 Albert Road (HGY/2019/2910), 159 Albert Road (HGY/2018/1903) and 25 Albert Road (HGY/2016/3174). The example at 159 Albert Road is visible from the applicant's garden.

REPRESENTATIONS

Three representations have been received objecting to the proposal on the following grounds:

- Proximity of the proposed external staircase to adjoining rear gardens.
- All the upper floor maisonettes already have internal staircases to access their gardens.
- Proposed staircase, its landing and the glazed door to access it, will create additional overlooking into rear gardens, and resulting in an unacceptable loss of privacy.
- Additional noise and disturbance from the use of the proposed staircase.
- The occupiers of the property might use the staircase landing as a balcony. A similar structure has been erected further along the terrace, which although quite a few doors away, causes disturbance and intrusion from people sitting, standing and talking on the landing.
- The proposed staircase will be an overlarge and obtrusive structure.
- The planning statement says 'Similar works have been carried out on neighbouring properties' However there is only one other example in our long terrace.
- The submitted plans do not show the newly built loft conversion. The increased occupancy of the flat resulting from this extension will increase use of the proposed staircase, exacerbating the issues raised above.
- The external staircase could be unsafe to use when made slippery by the weather.
- Concern that the proposed works, together with the newly built dormer extension, could have structural implications for properties in the terrace.
- Why were addresses to the rear of the site in Clifton Road notified of the application, they are too far from the proposal to be affected by it.

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.

While the proposed external staircase would be an unusual feature along this stretch of properties, its relatively modest size, design and discreet siting to the rear of the terrace would not materially impact the character and appearance of the area or materially harm local visual amenity.

The modest size of the proposed rooflights and their location would not impact to any materially degree on the existing buildings external appearance.

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.

The staircase is intended solely to provide access to the flats rear garden, replacing the existing rear internal staircase allowing for the enlargement of its kitchen. The small landing area at the top of the proposed stair is not considered large enough to act as a conventional balcony and it is not anticipated that the occupiers of the flat would spend a significant amount of time on it. While people using the staircase would be afforded views into neighbour's rear gardens this would not be a degree that would be considered significantly more harmful than overlooking that already occurs from adjoining properties first floor windows. The proposal would therefore not result in what we be considered a materially harmful loss of privacy.

The use of the staircase may result in some additional noise and general disturbance, but given its nature and size, not to a degree that would be considered out of place or harmful given the context of a relatively dense suburban setting where noise from the normal domestic use of rear gardens and from open rear windows is normal.

Given its size and design, the proposed staircase would not be considered overbearing, or likely to result in a materially harmful impact on neighbour's outlook or daylight and sunlight.

The proposed rooflights in the existing outrigger roof given their high location would not afford any overlooking of neighbouring properties.

Concerns raised by neighbours regarding the structural implications of the proposed staircase would be dealt with under the Building Regulations and Part Wall Act.

As such, due to the above considerations the proposed development would not inflict any adverse impact against the amenity currently enjoyed by neighbouring properties and is in compliance with policy D6 of the London Plan and policy DM1 of the DPD.

Conclusion

The proposal is considered acceptable in terms of design and 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.

COMMUNITY INFRASTRUCTURE LEVY

The increase in internal floor area would not exceed 100 sqm. and therefore, the proposal is not liable for the Mayoral or Haringey's CIL charge.

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 platform to the staircase hereby approved shall not be used as a roof terrace or sitting out area.

Reason: In order to restrict the use of the premises to one compatible with the surrounding area because other uses within the same Use Class or another Use Class are not necessarily considered to be acceptable consistent with Policy DM1 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: 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: 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.