

Officer's Report

Application Number	HGY/2023/1114
Type	Full planning permission
Location	Flat 2, 79 Mayfield Road, Hornsey, London, N8 9LN
Proposal	Proposed second floor roof terrace and associated works.
Case Officer	Josh Parker
Valid Date	24/04/2023
Applicant	Mr Brian Welsh
Agent	Mr Nicholas Stockley

RECOMMENDATION

Approve with Conditions

REPRESENTATIONS

The application has been publicised by way of neighbour letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

1 objection. Objection summarised:

- Noise generated from terrace
- Loss of privacy
- Lack of precedent of terraces
- Terrace preventing ventilation for neighbouring address.

REASONS FOR GRANTING PERMISSION

The application site is a flat on the first-floor level in mid-terrace residential property that is two-storey in height with a dormer. The site is not within any conservation area nor is it within the curtilage of a listed building. The surrounding area is predominantly residential in character with two-storey Edwardian terrace buildings, some of which have has loft extensions and conversions.

The planning history of the site has been taken into account when coming to this decision. Neighbouring properties have received permission for extensions, alterations, and residential conversions, although no examples of planning permission for a roof terrace.

Design and Appearance

This is an application for the proposed roof terrace off the existing loft extension on the flat roof above the outrigger, and associated changes. The proposed terrace addition would be accessed via the existing stairs and will fence off the already flat roof by 1.7m opaque glazing to the north and south and 1.1m opaque glazing facing the rear garden.

The revised plans show a 1.7m high obscure glazed screen with a floor space of 3.5m by 2.75m. This conversion would provide an external amenity space for the existing flat on the first floor level. The edges of the proposed roof terrace would be stepped back from the edges of the outrigger by approximately 0.75m from the northern elevation and would be flush on the southern elevation.

Terraces are not prevalent within the terrace however the revised size of the terrace is proportionate and subservient to the host building. Therefore, the local character and visual amenity of the area will be protected.

Impact on Neighbouring Amenity

The boundary treatment of the roof terrace has been designed to reduce the amount of overlooking into neighbouring properties. There are also examples of roof terraces on the rear side of houses above the outriggers in the immediate area between Western Park and Inderwick Road. In heavily built up areas urban/sub-urban areas there is already a degree of mutual overlooking between properties from upper floor windows into rear gardens below.

Noise generated through the use of the proposed roof terrace would not be significant in the context of the residential setting and, can be likened to noise associated with the use of a rear garden. Furthermore, the roof terrace has been revised, shrinking the usable floor space of the terrace by 6.125sqm after discussion with officers. This not only creates a setback from the northern neighbours to prevent overlooking/overshadowing from the privacy screening it also minimises the capacity of the terrace and potential the noise effects on both adjoining neighbours. It is noted that other environmental protection legislation exists to protect neighbours from abnormal noise levels resulting from the unreasonable behaviour. The proposed roof terrace would not result in an unacceptable impact upon the amenities of neighbouring occupants, and therefore the proposal is considered to be acceptable.

The ventilation for the staircase raised in the objection may have a minor changes for some winds however, the small window is for a staircase will not be blocked off. Effects on staircase windows cannot hold substantial weight when officers are considering amenity effects on neighbours. Effects are typically assessed in conjunction with habitable/ living room. With that said, the terraces impact on the ventilation of the neighbouring property is also considered to be acceptable.

The proposed development is in general 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 2021 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 The proposed screen along the side of the roof terrace as shown on approved drawing numbers 182265-01-102C; 182265-01-203C; 182265-01-204C & 182265-01-302C 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.