



Officer Report

Application Number:	HGY/2023/0870
Application Type:	Full planning permission
Address:	First Floor Flat, 164 Weston Park, N8 9PN
Proposal:	Proposed access stair into a garden for the First Floor Flat at 164 Weston Park, N8 9PN above the roof of the existing ground floor extension at no.166 Weston Park.
Case Officer:	Ben Coffie
Valid Date:	02/05/2023
Applicant:	Mrs Frances Lea and Mr Joe Bramble
Agent:	Lucia Pflucker

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

The proposed access stair into a garden for the First Floor Flat at 164 Weston Park, N8 9PN above the roof of the existing ground floor extension at no.166 Weston Park.

The application underwent changes which involved the proposal of a spiral stair instead of the initially proposed 8m length external stairs, along the boundary with no.162 and with the reduced boundary fence/screening to 2.25m in height and a width of 1.8m.

Further changes have been made whereby the proposed spiral stairs has been shifted away from the boundary fence by 1.3m, a new access above the existing flat roof with the introduction of a plant box and a 1.7m privacy screen.

Site and Surroundings

The application site is a two storey property located on the north side of Weston Park. The property is converted into flats and is characterised by red brick finish on the front elevation. At the rear the property has undergone developments including rear extensions and roof extensions.

The site is not located in a conservation area and is not a Listed Building.

REPRESENTATIONS

The application has been publicised 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: 2

Supporting: 0

3.2 All objections received are from one individual before and after amendments were issued by the applicant. All concerns which are planning considerations are summarised below:

1. Objection received on 15th June 2023

- Overlooking Impacts - In the case of 164 Weston Park there is ample space on top of the ground floor extension to allow overlooking into our garden and our rear bedroom. On ascending the stairway, they would be facing into our rear bedroom.

No rear extension in neighbours garden which would conceal views of the stairway at 164.

- Loss of outlook- It would be unreasonable to expect anybody to have to draw the curtains to have privacy in their own bedroom.

- Sense of enclosure- proposal to increase the height of the fencing along our boundary, The proposal is to increase the height of this part of the fencing considerably and install fencing on top of the rear extension, which would be oppressive.

2. Objection received on 7th August 2023

- Noise and disturbance - The decision notice in that case prohibited the use of the ground floor extension roof as a roof terrace. That should have been the end of any consideration of the ground floor extension roof being used for any purpose other than maintenance. Whatever the intention, this revised plan would enable much of the roof space to be used to stand and sit on. The Juliet balcony is the only way to prevent people gathering on the roof and this would be removed under the new plan.

- There is enough room for people to stand and lean on any part of the railings and there is nothing to stop them remaining there for as long as they like. There is enough room for chairs or stools to be placed by the railings on a nice day.

- Overlooking Impacts - Panoramic views will be available over our garden from the flat roof, the stairway and the platform at the top of the stairway.

- Stairway to the garden will inevitably infringe on the privacy of either the occupants of 162 or 166 Weston Park.

- Due to the increasing number of violent storms due to climate change, the trellis fence may not be a permanent structure in any event.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and character and appearance of the conservation area; and
2. Impact on neighbouring amenity.

Design and character and appearance of the conservation area

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.

With regards to above policy, it is concluded that the proposed spiral stairs installation would not represent an incompatible and intrusive addition to the rear of the property. The change to spiral stairs is less incongruous and less dominant to the rear garden environment. The development would not be visible from the front, therefore there would be no impact against the character and appearance of the front streetscene.

No concerns are raised against the proposed railings and privacy screen as they would not have a detrimental impact against the rear garden environment.

Consequently, the proposed development is considered acceptable and would have a detrimental impact on the character and appearance of the host property and the rear garden area.

As such the proposed development is compliant with the Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 of Haringey's Local Plan Strategic Policies 2017.

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.

Due to changes in the proposal involving the shift of the stairs from the shared boundary with no.162 by 1.3m and the omission of the heightened fence, the development would not give rise to an increased sense of enclosure against the occupiers of no. 162. The proposed privacy screen is considered acceptable in scale and would not cause overshadowing or sense of enclosure.

Officers consider the impact of the overlooking and take note that the proposed stairway is solely for the purpose of access to the rear garden, moreover there is some degree of overlooking into garden areas from the application property through the existing double doors and the terrace above. It is not thought that the access way would give rise to overbearing levels of overlooking above what is currently experienced as the access ways would serve residential occupiers.

Lastly the proposed access way due to its small width would restrict the use of the flat roof as a terrace and is not wide enough to allow a large number of people. The proposal is acceptable in respect of the potential for undue noise and disturbance.

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 its impact upon the character and appearance of the host property and surrounding area.

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.

RECOMMENDATION

Approve with 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.

Informatives:

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.

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.