

Officer Report

Application Number:	HGY/2023/01119
Application Type:	Householder planning permission
Address:	Site rear of 38 Broadwater Road, London N17 6ES
Proposal:	Alterations to roof to form a mezzanine level within a new pitched roof including the insertion of rooflights and solar panels. Infill of garage door facing Linley Road to form part of the boundary wall and installation of Air Source Heat Pump.
Case Officer:	Mercy Oruwari
Valid Date:	24/04/2023
Applicant:	3
Agent:	Mr Mark Wagner

RECOMMENDATION

Approve with Conditions

1. REPRESENTATIONS

No representations were received in response to notification and publicity of the application.

2. REASONS FOR GRANTING PERMISSION

The subject site is the original double garage at rear of the garden of a two storey end of terrace. The double garage was converted into a studio flat/workshop (known as Rear of 38 Broadwater Road) with independent access at the rear of the site from Linley Road in a partitioned section of the garden. The site is not located within a conservation area and does not fall within the curtilage of a listed building.

The planning history of the site has been taken into account when coming to this decision:

- HGY/2022/2057 - Certificate of lawfulness for the existing use of the conversion of a double garage into a residential dwelling and art studio. Granted
- UNW/2017/00579 – Unauthorised conversion of outbuilding into residential. Case Closed – Immune
- UNW/2016/00377 – Unauthorised conversion of outbuilding into residential. Case Closed – No breach
- HGY/2013/1398 - Erection of a pitch roof over existing garage to create a workshop. Refused
- HGY/2013/0185 - Use of property as 6 self-contained flats (Certificate of Lawfulness for an existing use). Granted

- HGY/2013/0006 - Rear of 38 - Erection of side extension and pitch roof with dormer extension to existing garage to provide 2-bedroom house. Refused
- HGY/2005/1380 - Erection of a 2 storey 2 bed dwelling with rooms at basement level in rear garden. Refused – Appeal Dismissed (APP/Y5420/A/05/1193717)
- HGY/2004/2120 - Erection of 2 storey 2 bed live/work unit with rooms at basement level in rear garden. Refused
- OLD/1984/0127 - 2/4/84 Erection of double garage. Granted

Permission is sought to alter the existing building. The works would include alterations to the roof of the main part of the building. Externally the existing roof is a pent (monopitch) style. This would be replaced with a gabled styled roof with 4 new rooflights installed, two on either side. To the southern side of the roof facing Linley Road it would be covered in black solar panels. On the northern side it would be covered in slate tiles. As the proposed roof would be higher the internal space would be used to create a mezzanine level.

The works would also include removal of the existing garage door on the exterior wall facing Linley Road. The space on the wall would be infilled with matching brick to form part of the boundary wall.

The last significant part of the proposal would be the installation of the Air Source Heat Pump. As a low carbon, low emission source of heating ASHP units are supported as a measure to reduce energy consumption/ reduce CO2 emissions, in turn addressing climate change and working towards Haringey's objective to be zero carbon by 2041 as set out in Haringey's Climate Change Action Plan (HCCAP) as well as meeting the requirements of policies SP4 and DM21. The installation of these types of units assists in Haringey meeting the above requirements.

The ASHP would be small in size and would not be visually prominent or harmful to neighbouring amenity, given where it will be located. Specifically, there would be limited views of the ASHP given it would be screened from views from outside the site by the presence of intervening fences, walls and vegetation along the boundaries of the site.

The proposed works are considered proportionate and subordinate to the host building. The alterations would enhance the appearance of the structure and the streetscene. Therefore, the local character and visual amenity of the area will be protected.

Due to the location of the building the height and depth of the extension would not result in a material loss of sunlight or daylight, or have an overbearing appearance to the neighbouring properties. The 2x velux windows on the northern side of the roof facing the rear gardens of Broadwater Road would be non-opening. Therefore, there will be no material loss of privacy to neighbouring properties. The proposal is acceptable in amenity terms.

The ASHP based on the siting and the separation distances to neighbouring properties, in specific habitable windows, the proposal will not harm amenity of neighbouring occupiers, falling below the permitted noise level of 42dB associated with ASHPs, as such meeting the requirement of policies DM1, DM21 and DM23. The permitted noise level of 42dB stipulate that noise levels must remain at or below 42 decibels (dB) from 1 metre away from any habitable room for an ASHP on its own. A condition is being imposed relation to such a noise rating level. This condition is permanent and would relate to the maintenance of the unit to remain below the permitted noise level outlined above.

The proposed development is in general accordance with Policies DM1, DM12 and DM23 of the Development Management, Development Plan Document 2017, and policies SP4, SP11 and SP12 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 noise level from the operation of the air source heat pump hereby approved must not exceed 42dB LAeq (5 min) at 1 metre from the window of a habitable room on the façade of any neighbouring residential property. If, in the opinion of the Local Planning Authority the proposed air source heat pump result in any noise nuisance to the occupant of any neighbouring dwelling the Applicant shall install noise mitigation measures in agreement with the Planning Authority.

Reason: In order to protect the amenities of nearby residential occupiers consistent with Policy D14 of the London Plan 2021 and Policies DM1 and DM23 of The Development Management DPD 2017.

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: 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.