

# Officer Report

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| <b>Application Number:</b> | <b>HGY/2023/1710</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Application Type:</b>   | <b>Full planning permission</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Address:</b>            | 22 Upper Tollington Park, Hornsey, London, N4 3EL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Proposal:</b>           | Side and rear ground floor extension, 1st & 2nd floor rear extension and formation of butterfly pitched roof and loft conversion with roof terraces located at 1st floor and loft floor levels. Internal alterations to accommodate the amalgamation of six studio flats into the following: one 3-bedroom flat on the ground floor, one 2-bedroom flat on the 1st floor and one 3-bedroom maisonette flat on the 2nds and loft floors. Cycle and refuse facilities. (This scheme reduces the size of the proposed extensions and terraces) |
| <b>Case Officer:</b>       | Zara Seelig                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Valid Date:</b>         | 28/06/2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                            | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Applicant:</b>          | Mr ANDREAS DINGLIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Agent:</b>              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

## **RECOMMENDATION**

### **Refuse**

#### Site Description

The application site is a three-storey end of terrace building situated on the South-Eastern side of Upper Tollington Park, that has been converted into 6 self-contained flats (this was recently confirmed lawful by the Council). The site is adjacent to Osborne Grove Nursing Home. The site is located within Stroud Green Conservation Area, it is not a listed building.

#### Description of Development

Side and rear ground floor extension, 1st & 2nd floor rear extension and formation of butterfly pitched roof and loft conversion with roof terraces located at 1st floor and loft floor levels. Internal alterations to accommodate the amalgamation of six studio flats into the following: one 3-bedroom flat on the ground floor, one 2-bedroom flat on the 1st floor and one 3-bedroom maisonette flat on the 2nds and loft floors. Cycle and refuse facilities. (This scheme reduces the size of the proposed extensions and terraces)

#### Relevant Planning and Enforcement History

HGY/2022/1120 - Use of property as 6 self-contained flats arranged as 5 x 1-bed flats and 1 studio flat (certificate of lawfulness: existing use) - Granted Permission

HGY/2022/2499 - Side and rear ground floor extension, 1st & 2nd floor rear infill extension and formation of butterfly pitched roof and loft conversion with roof terraces located at 1st floor and loft floor levels. Internal alterations to accommodate the amalgamation of 6no. studio flats into the following: 3bed flat to ground floor, 2bed flat to 1st floor and 3bed maisonette flat to 2nd floor and loft floor. – Refused Permission.

Reasons for refusal:

- 1) The proposed development would be out of keeping with the general pattern and character of the area and due to its design, size, bulk and massing, and would not appear as a suitably subordinate addition, contrary to policy SP11 and SP12 of the Haringey Local Plan, policies DM1, DM9 & DM12 of The Development Management DPD (2017) and Policies HC1 and D6 of the London Plan (2021).
- 2) The proposed roof terraces would enable direct and inappropriate overlooking towards the gardens of neighbouring properties, resulting in a loss of privacy for neighbouring occupiers. As such, the amenity and living conditions of neighbouring properties would be unacceptably harmed, contrary to Policy D6 and D14 of the London Plan (2021) and Policy D1 of the Development Management DPD (2017).

HGY/2022/4492 - Side and rear ground floor extension, 1st & 2nd floor rear infill extension and formation of butterfly pitched roof and loft conversion with roof terraces located at 1st floor and loft floor levels. Internal alterations to accommodate the amalgamation of six studio flats into the following: one 3-bedroom flat on the ground floor, one 2-bedroom flat on the 1st floor and one 3-bedroom maisonette flat on the 2nds and loft floors. - Refused permission.

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#### Consultation Response

The responses below were received following consultation on the application:

Internal:

LBH Conservation Officer: Verbally Consulted - comments discussed in the design section below.

LBH Transportation officer: Consulted - Comments in the Transport section below.

External: None

#### Local Representations

The application has been publicised by way of a site notice and 16 neighbour consultation letters. Four representations in objecting have been received in relation to this proposal.

No of individual responses: 2

Objecting: 2  
Supporting: 0  
Neither: 0

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Concerns over loss of privacy
- Similar to previous refusals
- Butterfly roof is out of character
- Loss of light and overshadowing

The following issues raised are not material planning considerations:

- Noise and disruption as a result of the construction works

### Material Planning Considerations

The main planning considerations raised by the proposed development are:

1. Principle of Development;
2. Design, appearance and Impact on the character and appearance of the conservation area;
3. Impact on neighbouring amenity;
4. Standard of Accommodation; and
5. Transport Considerations

### Principle of Development

London Plan (2021) Policy H2A outlines a clear presumption in favour of development proposals for small sites (below 0.25 hectares in size) and sets out a minimum target in Table 4.2 for boroughs (Haringey -10-year target is 2,600).

London Plan Policy D3 seeks to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services.

The principle of converting the building from 6 studio units to 1 x 3-bedroom flat, 1 x 2-bedroom flat and 1 x 3-bedroom maisonette in general terms could be considered acceptable. This would provide much needed family sized units and positively contribute to the identified need within this part of the Borough, subject to all other relevant material planning considerations.

### Design and Appearance and Impact on the 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.

London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account. In relation to extensions or alterations to residential buildings, including roof extensions, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

The proposal would introduce a significant, uncharacteristic scale, design and type of extension to this row of properties which, due to its excessive bulk and massing, is considered to be an overdevelopment of the site. The proposal, including its roof form, is uncharacteristic of the pattern of development within the surrounding properties and would adversely impact the character of the conservation area. The application site is end of terrace and so the works to the rear would also be highly visible from the street scene. The councils conservation officer was verbally consulted on the application and agreed with the recommendation for refusal on design for the above reasons and agrees the previous reason for refusal on design has not been overcome. As such, the proposal would not be acceptable in terms of design and impact on the conservation area and would not comply with the relevant policies.

#### 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 residents.

The concerns regarding impact on neighbouring properties that was previously considered a reason for refusal has been overcome as the roof terraces have been set in. The outrigger would act as a form of obscurity for the first floor roof terrace, the roof terrace located at roof level would be obscured by the rear dormer and the Juliet balcony proposed at second floor level would cause no more overlooking than the existing window. The proposal is to be set in from the boundary line with adjacent Osborne Grove Nursing Home, the proposal would be no higher/deeper along the boundary line with no. 24. The proposal would not adversely impact the amenities of neighbouring properties by reason of overbearingness, loss of daylight/sunlight or loss of privacy.

#### Standard and quality of residential accommodation

London Plan Policy D6 requires housing developments to be of high quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.

Three Flats are proposed. None are in compliance with The London Plan (2021) space standards.

| Flat no. | Flat type       | Space (sqm) | London Plan Requires | Complies? |
|----------|-----------------|-------------|----------------------|-----------|
| 1        | 3B5P - 1 storey | 78.16       | 86                   | N         |

|   |                 |       |     |   |
|---|-----------------|-------|-----|---|
| 2 | 2B4P - 1 storey | 56.08 | 70  | N |
| 3 | 3B6P – 2 storey | 84.52 | 102 | N |

The quality of residential accommodation to be provided is poor. None of the 3 units proposed comply with the nationally described space standards minimum floorspace provision. The proposal would therefore not comply with policy D6 of the London Plan (2021), policies SP2 and SP11 of the Haringey Local Plan (2013), the Mayor of London's Housing SPG and policies DM1, DM11 and DM12 of Development Management DPD (2017).

#### Transport considerations

London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

Local Plan Policy SP7 'Transport' states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DPD Policy DM31 'Sustainable Transport'.

#### **CAR FREE**

DPD Policy DM32 'Parking' states that the Council will support proposals for new development with limited or no on-site parking where there are alternative and accessible means of transport available, public transport accessibility is at least 4 as defined in the Public Transport Accessibility Index, a Controlled Parking Zone (CPZ) exists or will be provided prior to the occupation of the development, parking is provided for disabled people; and parking is designated for occupiers of developments specified as 'car capped'.

The Council's Transportation Team has been consulted and their comments are as follows:

Transport comments:

- a. The site has excellent public transport accessibility and is located within a CPZ.
- b. The proposed development is car free.
- c. The application form indicates that 4 cycles parking spaces would be provided. This would not meet London Plan minimum requirement of 2 cycle parking spaces for each of the three dwellings. Details of cycle parking layout and access should be provided to demonstrate compliance with London Cycling Design standards. The cycle parking must be secure, sheltered, and accessible.
- d. Details and plan of provision for refuse storage is required.
- e. A condition requiring submission of a construction management statement for approval prior to start of works is recommended.
- f. No assessment of parking stress has been undertaken to consider potential impact of the proposed development.

To note: the above details would be required for any resubmission, they would be required by way of condition should the recommendation be for approval and the details/statement/assessments requested not be submitted.

## Conclusion

The proposal is considered unacceptable in terms of design, impact on the character and appearance of the conservation area and standard of residential accommodation and does not comply with relevant planning policy.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

## Recommendation

Refuse permission for the following reasons:

### **Refusal Reasons:**

The proposed development would be out of keeping with the general pattern and character of the area and due to its design, size, bulk and massing, and would not appear as a suitably subordinate addition, contrary to policy SP11 and SP12 of the Haringey Local Plan, policies DM1, DM9 & DM12 of The Development Management DPD (2017) and Policies HC1 and D6 of the London Plan (2021).

The proposed development would result in the provision of units with poor floorspace provision, resulting in a poor living environment for future occupiers. As such, the proposal would be contrary to Policies D6 of the London Plan (2021), policies SP2 and SP11 of the Haringey Local Plan (2013), the Mayor of London's Housing SPG and policies DM1, DM11 and DM12 of Development Management DPD (2017).