



Officer Report

Application Number:	HGY/2023/1738
Application Type:	Householder planning permission
Address:	13 St Pauls Road, Tottenham, London, N17 0NB
Proposal:	Erection of a single storey outbuilding incidental to main dwelling in the rear garden.
Case Officer:	Daniel Kwasi
Valid Date:	30/06/2023
Applicant:	Mr Tanim Tanimul
Agent:	Mr David Barnard

RECOMMENDATION

Refuse

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

The proposed development is for the erection of single storey outbuilding in the rear garden of that would be incidental to the main dwelling. The building would comprises a double pitched roof at a height of 4m to the ridge and 2.5m to the eaves. There would be fenestrations on the front elevation including a door and two windows – one of which would be obscure and would serve a W/C. No fenestrations are proposed on the rear and side elevations. The room is proposed to be used as a garden store/activity/playroom that is incidental the enjoyment of the main house. It would measure 7.2m in width and 11.9m in depth. It would be 0.8m more prominent than the neighbouring outbuilding at no.11 and 3.2m deeper at the rear, which as mentioned above, was granted a certificate by error. The internal floor area would be 72.5sqm.

Site and Surroundings

The subject site is a two storey semi-detached dwelling situated on the western side of St Pauls Road, with a reasonably large rear garden. The site is not located within a conservation area, it is not a listed building and there are no TPO's on the site. The surrounding area is predominantly residential in character.

Relevant Planning and Enforcement History

The most recent planning history in relation to the site is as follows.

13 St Pauls Road

HGY/2023/1723 | REF 24/8/2023 Certificate of Lawfulness for proposed erection of an outbuilding in the rear garden.

HGY/2023/0744 | REF 11/4/2023 Certificate of lawfulness for the proposed erection of an outbuilding in the rear garden.

HGY/2022/4518 | GTD 29/3/2023 Erection of a rear ground floor extension and the conversion of the property into two self-contained flats (Class C3 Use).

HGY/2022/4514 | REF 29/3/2023 Proposed change of use of property to a House in Multiple Occupation (HMO) for up to 6 occupants (Class C4 Use).

HGY/2020/1605 | GTD 21/8/2020 Certificate of lawfulness for the formation of a rear dormer and roof extension including the insertion of 2 front rooflights and a single storey rear extension (Proposed).

11 St Pauls Road

HGY/2022/0426 | GTD 01/4/2022 Side and rear dormer roof extension and erection of outbuilding in rear garden (Certificate of lawfulness: proposed use)

As mentioned in the report under reference HGY/2023/0744 this certificate was granted in error, as the outbuilding exceeds the height restrictions for outbuildings sited within 2 metres of the property's boundary

REPRESENTATIONS

The application has been publicised by way of x site notice displayed in the vicinity of the site and x 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: 1

Supporting: 1

The following Councillor(s) made representations:

Objection - Cllr Bevan - As a Cllr of long standing, I am responding to this application. I have visited the above address and my comments are below and are based on my observations and local knowledge during my 20 years as a Cllr for this ward and as the Design Champion for Haringey. I have repeated my previous submission concerning application number 1723 for the same site. In addition, I now refer to the MAYOR of London's Planning Guidance, March 21, in particular the requirements of the size standards that The Mayor now requires. I would require that this proposal does comply with the above standards and indeed building regulations. I note that The Mayor is maintaining the existing size standards in the above London Plan. I have concerns as to an acceptable standard of light and single aspect issues that may impact, including to internal areas and to any loss of amenity space? Even more so as it is not clear as to what use this building will be put to? I am also concerned that this application could result in future permanent change to the existing property. I would not support this building being used for residential use. I am requesting that any documentation produced to support this application have a VERY RIGOROUS check as previous experience with this type of application confirms a need for a rigorous check of all such documentation, even more so concerning the 4 /10 years documentary evidence required. No photocopied documentation allowed. In view of the lack of details concerning the use of this building I am opposing this application and request that permission be refused.

The following issues raised are not material planning considerations:

Land Ownership: Support - Can Some one explain us once for all what is land this days stand for ?? There is a big plot of land in the back of this property why shouldn't be a nice office or a exercise place ? There is a big and nice side excess {entrance} to that land . As a landlord of the next door i am fully supportive on that application

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

Design and appearance;
Impact on neighbouring amenity.

Design and appearance

London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D4 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.

The proposed outbuilding is not proposed to be used for residential use, however, if permission were to be granted for this application, a condition should be imposed that requires that would retain control over the nature of its use.

Although the neighbouring property at no.11 has an outbuilding that is of a similar height, it was certified as lawful by error. In regard to this proposal, although the outbuilding is simple in appearance and design, the proposed building height at 4m would be too high and the general bulk and massing of the outbuilding would be an overdevelopment of the site, and therefore is considered to be unacceptable.

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.

The proposed outbuilding is not considered to result in a material loss of sunlight or daylight, or have an overbearing appearance to the neighbouring property. There will be no material loss of privacy to neighbouring properties. The proposal is acceptable in amenity terms.

Conclusion

The proposal is considered not acceptable in terms of design and appearance.

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.

CIL APPLICABLE

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

RECOMMENDATION

REFUSE PERMISSION for the following reason(s):

Refusal Reasons:

The proposed outbuilding by reason of its size, bulk and massing would appear an obtrusive, overbearing and unneighbourly form of development and an overdevelopment of the site, detrimental to neighbouring amenity, local visual amenity and the character of the area contrary to policy SP11 of the Haringey Local Plan (2017) and policies DM1 & DM12 of The Development Management DPD (2017).