



Officer Report

Application Number:	HGY/2023/1864
Application Type:	Householder planning permission
Address:	130 Manor Road, Tottenham, London, N17 0JE
Proposal:	Two-storey side extension, rear dormer extension and erection of ancillary garden office.
Case Officer:	Zara Seelig
Valid Date:	14/07/2023
Applicant:	c/o Agent c/o Agent
Agent:	Zoe Tozer

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This is an application for a two-storey side extension, rear dormer extension and erection of ancillary garden office.

Site and Surroundings

The application site is a two storey end of terrace dwelling situated on the Northern side of Manor Road. The site is not located within a conservation area, it is not a listed building and there are no TPO's on the site.

Relevant Planning and Enforcement History

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

HGY/2023/0780 - Two storey side extension, roof extensions and ancillary outbuilding – Refused permission

CONSULTATION RESPONSE

The responses below were received following consultation on the application:

Internal: None
External: None

LOCAL REPRESENTATIONS

The application has been publicised by way of 19 neighbour consultation 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:

Supporting: None

Objecting: 3

The following local groups/societies made representations:

- None

The following Councillors made representation:

- Cllr John Bevan - Objection:

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 observe that there is already an extension at the back, am unsure if this was given planning permission?

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 new garden building will be put to?

I am also concerned that this application could result in future permanent change to the existing property from one unit of family housing to a HMO. I would also not support this proposed new garden building being used for residential use.

In view of the lack of details concerning the use of this new garden building and also that I consider this application to be over development. I am therefore opposing this application and request that permission be refused.

I am also requesting a site visit by the Planning Officer involved.

Officer comments: Regarding the extension to the rear of the outrigger, this may have been constructed under permitted development, although no certificate of lawfulness appears to have been submitted to confirm this. As the proposal increases the floor area, it wouldn't result in an adverse impact in terms of unacceptable size standards. The concerns over standards of light and single aspect issues would be no different compared with the existing situation. The proposed outbuilding is shown on the plans as being used as a store and a garden office, this outbuilding will be conditioned to ensure it remains ancillary to the main dwelling. Regarding the raised concern over its conversion to an HMO, that is not part of this proposal and so cannot be commented upon. Any unlawful conversion to an HMO should be raised with the Planning Enforcement team.

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:

- Loss of privacy
- Loss of daylight/sunlight
- Impact character and appearance of application site and the road
- It is not believed the extension and outbuilding will be used as living rooms/office space and will possibly be used as part of an HMO.

- The extra occupants will result in greater footfall, noise disturbance, light disturbance etc and adversely impact parking.

Officer comment: The outbuilding will be conditioned to ensure it is ancillary to the main building. This application is considered, as presented, as being a family dwelling. Any concerns of the property being used as an unlawful HMO should be reported to the councils Planning Enforcement team.

The following issues raised are not material planning considerations:

- Potential damage to trees and disruption as a result of the proposed outbuilding

Officer comment: The trees are not protected and so would their potential damage would not be a consideration of this planning application

- Security risk for adjoining gardens – the gate is likely to be left open allowing access to adjoining gardens.

Officer comment: This could also be a risk as existing and would not be a material planning consideration of this application.

- There is an existing outbuilding on the site that is in poor condition.

Officer comment: we cannot ensure the maintenance of this outbuilding under this application, the building control team deal with dangerous structures

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance;
2. Impact on neighbouring amenity.

Design and appearance

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.

The proposed two storey infill extension to the rear has been set in slightly from that previously refused, with proposed materials to match the existing. There is a mixture of design of built form within the surrounding area. The proposed rear dormer has been reduced in size following requested amendments and is now considered a subservient addition. The proposed outbuilding is simple in its design and would be conditioned to ensure it remains ancillary to the application

dwelling. The proposal would not be considered acceptable in terms of design regarding the rear dormer and two storey side/rear extension.

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.

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 two storey side/rear extension would be set in from the boundary line with adjacent neighbouring property of no. 132 by over 2m at the closest point. This is considered an acceptable distance so as to not adversely impact the amenities of this neighbouring property. The rear dormer would cause no more of an impact on neighbouring amenity than a dormer allowed under permitted development and there are no windows proposed in the side elevations of the dormer. Due to the location of the outbuilding, there would be no impact to neighbouring amenity. The proposal would therefore not adversely impact the amenities of neighbouring properties by reason of overbearingness, loss of daylight/sunlight or loss of privacy.

Conclusion

The proposal is considered acceptable and complies with relevant planning policies.

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.

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

Grant Permission (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.

- 3 The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 4 No part of any structure hereby granted shall be used as a roof terrace or balcony.

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.

- 5 The outbuilding hereby approved shall be used for purposes incidental to the use of the main residence and shall not be used as an independent dwelling or for commercial purposes, without the prior approval in writing of the local planning authority.

Reason: In the interests of the amenities of the area and to comply with London Plan 2021 Policy D6 and Haringey Local Plan 2017 Policy SP2 which set out appropriate standards and requirements for all new dwellings.

Informatives:

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.

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.