



Officer Report

Application Number:	HGY/2023/2241
Application Type:	Householder planning permission
Address:	33 Chesterfield Gardens, Tottenham, London, N4 1LJ
Proposal:	Erection of rear extension and installation of rear rooflight and Air Source Heat Pump
Case Officer:	Cameron Sturges
Valid Date:	17/08/2023
Applicant:	Mr and Mr Kevin and Silvano Charles and Mazzon
Agent:	Mr Hugh McEwen

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

1.1 This application is for a single storey wraparound extension, insertion of rooflights and an ASHP.

Site and Surroundings

1.2 The application site is a two-storey terraced house located at the centre of Chesterfield Gardens. It is not in a conservation area nor is it a listed building.

1.3 A number of homes on Chesterfield Gardens include side/rear extensions, namely Nos. 39, 41, 43 and 45 in proximity to the applications site. The rear extensions here also amount to approximately 3m in depth.

Relevant Planning and Enforcement History

1.4 No relevant history.

2. REPRESENTATIONS

2.1 The application has been publicised by way of 6 letters to neighbours.

No of individual responses:

Objecting: 1

Supporting: 0

2.2 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 light; and
- Noise from ASHP.

2.3 The following issues were raised in representations that are not material to the determination of the application and are addressed in the next section of this report:

- Structural damage; and
- Leak in the rear bedroom/loft.

3. MATERIAL PLANNING CONSIDERATIONS

3.1 The main planning considerations raised by the proposed development are:

1. Design & Appearance; and
2. Neighbour Amenity.

Design and appearance

3.2 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.

3.3 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.

3.4 The proposed extension extends about 8.8m on the side. The rear portion of the extension projects 3m and is 4.95m in width. It features a flat roof design which is at a height of 3m. Given its context and modest scale at the rear, it is subordinate to the host building.

3.5 4no. rooflights are proposed, 3no. of which are on the roof of the side extension and 1no. within the rear roof slope to allow an acceptable amount of daylight in the property. An ASHP is also proposed above the extension and its placement in this location is considered acceptable. Materials used in the scheme include triple glazed timber frame aluminium clad composite windows and single ply membrane with sedum roof. These materials are considered subordinate and acceptable.

3.6 Therefore, the scheme does not undermine the existing uniformity of the host building and surrounding rear terraces. As such, the proposal is considered in line with the above policies.

Impact on neighbouring amenity

3.7 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.

3.8 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.

3.9 The rear extension would not be overbearing or provide a large amount of bulk to the neighbouring property at No.31. It is noted that there is a kitchen window that projects outwards to the rear gardens from No.31 which would be able to view the extension, however, the applicant has demonstrated via a 45-degree angle when drawn from the top of the extension that there would be approximately half of the window covered by a shadow and as such, officers are satisfied that the proposal will not have a detrimental impact on the neighbouring amenity here.

3.10 The proposed extension would project slightly beyond that of the neighbouring extension at No.35, however, there would not be a significant loss of light or privacy as a result of the proposed extension.

3.11 No issues such as overlooking would occur here, given that there is also a significant amount of mutual overlooking into rear gardens from neighbouring properties within this terrace. Therefore, the proposal would have an acceptable impact on the sense of enclosure, daylight or overlooking on the neighbours.

3.12 It will be conditioned that the noise level from the operation of the air source heat pump 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.

3.13 As such, in terms of amenity, the proposal is considered in line with the above policies.

4. CONCLUSION

4.1 The proposal is considered acceptable in design and amenity terms and is consistent with policies DPD Policies DM1 and DM12, Local Plan (2017) Policy SP11 and London Plan Policy D6. Furthermore, the scheme is proportionate to the design and appearance of the host property and is keeping within the uniformity of development consistent with the rear terraces along Chesterfield Gardens.

4.2 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.

5. 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.

6. RECOMMENDATION

GRANT PERMISSION subject to condition(s):

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 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.

- 4 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 results 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: 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.

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.