



Officer Report

Application Number:	HGY/2023/2768
Application Type:	Full planning permission
Address:	First Floor Flat, 24 Harvey Road, Hornsey, London, N8 9PA
Proposal:	Formation of a roof terrace 1.5m deep with a hardwood balustrade a minimum of 1.8m in height along all sides. (Submission following pre-application advice given)
Case Officer:	Oskar Gregersen
Valid Date:	16/10/2023
Applicant:	Mr Andre Ramkissoon
Agent:	Mr andrew sparks

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for the formation of a roof terrace, 1.5m deep, from the rear of a roof extension approved under HGY/2022/2687. The roof terrace would be enclosed in part by a 1.8m high wooden balustrade and would sit on part of/ be cut into part of the roof outrigger to No 24 Harvey Road.

Site and Surroundings

The subject site is a residential dwelling, sub-divided into two flats in 1978 under permission OLD/1981/0518. The site is finished in attractive red brick and benefits from timber sash windows with fine window detailing. The site is not located within a conservation area.

Relevant Planning and Enforcement history

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

OLD/1981 | Conversion into two self-contained flats - Approve w/Conditions

HGY/2022/2687 | Erection of rear dormer, rear roof extension and two rooflights to front slope roof - Approve w/ Conditions

2. LOCAL REPRESENTATIONS

The application has been publicised by way of 24 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: 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:

- Out of character for area
- Overshadowing
- Overlooking

(Officer Comments: With regards objections raised, the key issue pertains to a refused permission for No. 26 Harvey Road, ref: HGY/2021/1049. This application was refused on the basis that it was proposed to cover over 50% of the outrigger and would have appeared overbearing. The proposed application here, would be of a lesser scale than the aforementioned application, with the approved dormer for No. 24 Harvey Road being in line with those to Nos 26 – 28 with a small roof terrace added beyond this.

The following issues raised are not material planning considerations:

- Procedural matters e.g. Discrepancies in drawings. (Officer Comment: It was highlighted in the comments that there are some differences in the drawings to what is on site. Notably, this refers to the chimney on site. A chimney is shown on the proposed plans, however in planning terms its removal does not require planning consent).

3. 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.

Permission is sought for the formation of a 1.5m deep roof terrace, inset into the roof of the outrigger roof to this property. Pre-application advice had been sought for this proposal, where the LPA advised that the roof terrace be limited to 1.5m depth from the rear dormer extension (Approved under HGY/2022/2687) and enclosed by screening i.e. 1.8m tall to prevent direct overlooking could be supported.

Following the advice given by the LPA, the submitted application is for a roof terrace 1.5m in depth with screening.

There is in place a previous application for an L-shaped rear dormer and outrigger roof extension (approved under ref: HGY/2023/2768). This extension would be of the same scale as the extensions in place at Nos. 26-28 Harvey Road.

By virtue of the size of the outrigger, it is deemed that the depth of the proposed roof terrace at 1.5m would not appear overly dominant or highly visible. Additionally, the hardwood balustrades (1.8m) along the edges of the roof terrace help to conceal it to appear sub-ordinate to the host dwellinghouse.

Overall, the modest depth of the roof terrace relative to the outrigger and measures to in part conceal this within the current roof form help achieve an acceptable design, and as such the proposal is viewed to be in compliance with DPD Policies DM1 and DM12.

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.

With regard to neighbouring amenity, objections were raised with respect to the roof terrace causing overlooking and affecting light to neighbouring properties. Officers note that the proposed roof terrace would have screening at a height of 1.8m in height.

Screening at 1.8 was recommended at pre-application stage in an effort to mitigate any potential overlooking, as 1.8m is deemed to be tall enough to prevent the vast majority of people looking over into neighbouring windows or gardens, above the standard 1.7m requirement.

As such, the proposed height at the boundary of 1.8m is deemed to be sufficient such that the impact on neighbouring amenity is mitigated.

In respect of the impact on a window to No 26, the element of screening over and above the current brick wall to form the side of the roof terrace, is not significant in height. The placing of such an element of screen in terms of depth and size will not materially affect light to this window. Specifically, open and clear aspect from most of this window will still remain. Equally, in considering this application it needs to be borne in mind that this does not serve a habitable room, but even if it were a habitable room the amount of visible sky lost associated with the introduction of such a feature would be significant/ not merit the refusing of such an application when applying tests to consider impact on daylight.

Overall, it is deemed that the proposed roof terrace would not be harmful to neighbouring amenity.

Conclusion

The proposal is considered acceptable as it would not appear overly dominant to the host dwelling, nor would it be detrimental to neighbouring amenity. As such the proposal is generally compliant with policies outlined above and is deemed to be acceptable.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

5. CIL APPLICABLE

N/A

6. RECOMMENDATION

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.

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.