



Officer Report

Application Number:	HGY/2023/2604
Application Type:	Full planning permission
Address:	7 Oxford Road, Hornsey, London, N4 3HA
Proposal:	Single storey rear extension; three new rooflights; and amalgamation of 7no. studio flats to form 1no. 3bed 4person flat, 1no, 1bed 2person flat and 1no.2bed 3person flat.
Case Officer:	Nathan Keyte
Valid Date:	28/09/2023
Applicant:	Mr Andreas Dinglis
Agent:	Mr Gary Arnaoutis

1. Site and Surroundings

The site application is located on Oxford Road at the southern end of the Borough of Haringey, off Upper Tollington Park and split by Woodstock Road, the property is located on the eastern end and is within the Stroud Green conservation area and Family Housing Protection Zone. The building is not a listed building.

The properties at this end are all residential 3-storey Victorian terrace houses with rear outriggers and pitch tiled roofs. The terrace forms part of a triangular block with the centre filled by an commercial property breaking up the boundaries between the rear of all gardens on the block.

Photos were provided by the Agent of the rear of the site. The front of the site was viewed on 10.10.2023.

2. The Proposal

This is an application for the following works:

- o Amalgamation of 7no. studio flats to form 1 x 3b4p; 1x 1b2p; 1x2b3p flats (amended from time of submission, originally a 3b5p ground floor flat was proposed);
- o Addition of single storey rear wrap around/ infill extension with courtyard;
- o other external alterations, including 2 x rooflights, cycle and bin storage.

3. Relevant Planning and Enforcement history

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

HGY/2022/0771,

Address: 7, Oxford Road, London, N4 3HA

Proposal: Certificate of lawfulness for the use of 7no self-contained dwelling flats,

Received Date: 22 February 2022

Valid Date: 22 February 2022

Decision Date: 19 April 2022

Decision: Approve with Conditions

HGY/2023/1879,

Address: 7 Oxford Road, Hornsey, London, N4 3HA

Proposal: Erection of part single, part 2 storey rear extension to rear outrigger and amalgamation of 7no. studio flats to form 2no. 3bed flats and 1no. 2bed flat.,

Received Date: 14 July 2023

Valid Date: 14 July 2023

Decision Date: 8 September 2023

Decision: Refuse. Reasons for refusal:

The proposed conversion of the property would result in the provision of substandard residential accommodation for future occupiers due to inadequate floor space for two flats, poor outlook, poor natural light, lack of cycling parking storage or adequate refuse and recycling storage contrary to Policy D6 of the London Plan 2021, Policies SP11 and SP2 of the Haringey Local Plan 2017, Policies DM16 of Haringey's Development Management DPD (2017) and the Major's Housing SPG 2016

The extensions would be out of character and combined ground/ first rear extensions would result in an excessively large and over bearing addition along the shared boundary with both adjoining properties, resulting in sense of enclosure, overbearing and loss of outlook to neighbouring properties to the detriment of their occupiers residential amenity, contrary to Policy SP11 of the Haringey Local Plan 2017, Policy D3, D6 of the London Plan 2021 and Policies DM1 and DM12 of the Development Management, Development Plan Document 2017

4. Consultation responses

The following were consulted on the planning application:

- LBH Transportation – no comment
- Stroud Green CAAC – no comment
- LBH Conservation Officer – the following comments were made:

The extension proposed is quite large. Whilst others in the wider area have some large flat roof single storey extensions the ones which project as deeply as the existing do not extend across the full width of the building and those that do project over the full width of the building are shallower. The combination of the full width and the depth of the extension would not mean that it would be seen as a subordinate addition. There is no in principle objection to a replacement extension, nor altering the flat number and composition but it should consider the size of extensions in the vicinity and limit itself to these examples so that it not a dominant addition.

[Officers comment: these points are addressed further in the report].

5. Local Representatives

The application has been publicised by way of a site notice displayed in the vicinity of the site, a notice placed in the local press, and letters sent to neighbouring occupants. No representations were received on the application.

6. Material Planning Considerations

The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Design and heritage;
3. Impact on neighbouring amenity;
4. Transport and Refuse.

Principle of development

Loss of flats

As noted above the house is currently comprised of seven self-contained studios, arranged over, ground, first and second floors and loft.

Section 55 of the 'Town and Country Planning Act 1990 provides that the use of a single dwelling house as two or more dwellings constitutes development. It is equally

pointed out that the Act does not cover the situation where a house is being converted back to its original use, however the courts have held that the loss of housing and where there would be a change in character of the use of the land is development.

Policy DM10 states that Council will resist the loss of all existing housing unless housing is replaced with at least equivalent new residential floor space. Policy DM16: Residential Conversions outlines the Local Plans aim 'To maintain a supply of larger family homes to meet Haringey's housing need'. A core part of the policy is the protection of family housing, which typically requires the re-provision of a 3-bed as part of a conversion as to avoid the loss of family sized accommodation. The subject site is noted as being within the Family Housing Protection Zone of Stroud Green.

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.

As such it is necessary to consider the extent to which such a change would have a 'significant planning consequence' as a matter of fact and degree. The submitted plans show that the existing flats relate to one bedroom studio units, with none of the units being family sized or meeting current London Plan floorspace standards, but which were issued a certificate of lawfulness (HGY/2022/0771) on the basis of the required existing and continual use being demonstrated. Access to outdoor amenity space is also not available for four of the seven units.

The space standards of the three proposed units are as follows in relation to the London Plan requirements:

Flat	Proposed	Required	Living Space	Dual aspect
Flat A	3b4p 74sqm	74	Ok	Ok
Flat B	1b2p 45.5sqm	50 (-4.5)	None	Ok
Flat C	2b3p 73sqm	70	ok	Ok

The sections provided also indicate that internal minimum ceiling height will be acceptable, with most floor to ceiling being approximately 2.5m in height. Proposed bedrooms all have access to external glazing, though in the case of the two single bedrooms at ground floor this is noted as being via glazed doors into the shared courtyard space. The size of the courtyard space proposed is larger than under the

refused scheme, with details of glazed doors being provided. On balance, this is considered to be acceptable, noting the area of glazing in the living area and access to the rear garden for the ground floor unit.

It is undisputed that the effects of the proposal would be the net loss of residential unit from the overall housing supply, however the loss is not viewed to be significant in planning consequences, i.e. given the layout, size and quality of accommodation.

It is accepted if such existing housing was to a higher standard, it could be protected; however the decision needs to be made on what is currently in-situ. Equally, in making a decision on this application it needs to be borne in mind that the site falls within a Family Housing Protection Zone as set out in the Haringey Development Management DPD (2017) – policy DM16, specifically introduced to limit the number of conversions.

As such a reduction in total number of units, but where this provides for family housing, and housing that better (though not fully) meets the sizing requirements accommodation of the London Plan, the principle of development is considered acceptable in this case.

Design & Heritage

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, to be sensitive to context.

Rear extension

It is noted that concerns are raised by the Conservation Officer about the rear extension in terms of its size being overly dominant. The proposal is a reduction in bulk from the previously refused scheme (HGY/2023/1879), with no first-floor addition proposed and where the height of part of the proposed rear extension has been reduced following submission of the application.

The proposed rear extension is essentially an infill extension, noting the existing rear extension on the property, with the rear elevation of same depth to the existing single storey extension. Full width rear extensions are noted in the surrounding area such as at no. 25 & 27 Oxford Road, and Perth Road. Considering the extension will be single storey and to the rear of the host building, it is not considered to result in built form that would dominate the host building.

Nevertheless, following consideration of the comments, the scheme has since been revised to provide an angle to the roof of the infill, reducing the height to 2.3m at the boundary. This will serve to mitigate the bulk of the building introduced in addition to the retention of the rear garden space of approximately 43 sq. m, measuring approximately 8.0m in depth.

Considering these points, the existence of the rear extension, and the proposed extension now being at ground level, the extension is considered to remain subordinate to the host building.

Front garden and roof lights

Two rooflights are shown to be introduced on the front principal roof. The site is not located within an Article 4 area restricting the installation of windows, and therefore would otherwise be permitted development. Notwithstanding this, noting the site is within a Conservation Area, a condition is recommended to ensure the rooflights on the principal roof will be conservation rooflights in style. Considering these points, the proposed rooflights are considered to be acceptable.

With regard to works in the front garden to provide for refuse storage, the bin storage will be in brick to match the surrounding front yard treatment. A single steel

bike store is proposed along the shared boundary with no. 9 Oxford Road. While having the potential to result in a cramped front yard, the works in the front yard will be partly screened by the existing two mature trees and hedge, which are to be retained, and which differs from the majority of the front boundary treatment along Oxford Road (uneven), which is low brick wall.

Overall, having given great weight to the conservation of the heritage asset (the conservation area), it is concluded that the proposed works and alterations as described above are acceptable in design and heritage terms and would have a neutral effect on the character and appearance of this property and the character and appearance to this part of the conservation area. Consequently, as demonstrable harm would not arise it is not necessary to consider the weight that would be attached to the public benefits of this proposal.

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. Policy DH3 of the HNP also states that proposals should not harm the amenity of adjacent properties.

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 regards to no. 5 Oxford Road, the proposed rear infill extension will not extend beyond the existing building line and will therefore not have any significant impact upon the amenity of those occupiers.

Regarding no. 9 Oxford Road, there is an existing high fence noted along the shared boundary, with the adjoining space between the boundary and the wall of the rear return/ rear extension of no. 9 being approximately 1.5m. There is a window noted on the rear wall of the principal building. While the infill extension will introduce additional built form approximately 7.0m in length along the side boundary, this is mitigated by the reduction in height to 2.3m along the boundary and giving consideration to the existing environment and rear garden space to be retained. The proposed rear extension is not considered to result in adverse effects on the amenity of the adjoining property at no.9 (in particular at ground level) that would be so significant as to warrant refusal of the application.

A terrace is noted on the on the rear return of the subject building. This is in existence and was regularized under permission HGY/2022/0771. It is noted that as a result of the development the use of the terrace will change from that from a studio to a two-bedroom flat. Impacts related to privacy and overlooking will be similar to what would currently be experienced, and while the change in size of the unit associated with the terrace may result in an increase in usage, in the context of the existing environment, this is not considered to be so significant as to warrant refusal of the application.

Taking the above into consideration, the proposal is acceptable with regards to amenity considerations.

Refuse and Transport

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'.

The site is located within PTAL of 6a and is located within a Finsbury Park CPZ. The proposal will result in a reduction of the number of units on the site which would be eligible for Parking Permits.

Suitable refuse storage will be provided on-site for the number of flats proposed.

Regarding cycle and parking spaces, while two covered and secured cycle spaces are proposed in the rear garden for use by the ground floor flat, and a single covered secure bicycle store is proposed in the front yard, there will be a shortfall of two covered and secured spaces on the site. This is due to the nature of the development, involving conversion of an existing building, and the limitations in space this brings.

Consideration was given by officers as to whether additional cycle storage could be provided inside, but this would need to be on the ground floor, where the floor space of the ground floor flat meets the requirements of the London Plan 2021.

Therefore, on balance, and considering the limitations of the site, a shortfall in the number of secured covered cycle spaces is accepted in this instance.

Conclusion

The proposed extensions and alterations, as amended, are considered acceptable in design terms, in terms of the appearance of the dwelling and in relation to the adjacent dwellings and the character and appearance to this part of the conservation area, leaving it preserved. The extensions and alterations would also be acceptable with regards to effects on the amenities of adjoining neighbours. All other relevant policies and considerations, including equalities, have been considered. On balance, planning permission should be granted for the reasons set out above.

7. CIL Applicable

The additional floorspace is less than 100 square metres and where the number of units will reduce from seven to three.

8. Recommendation

Grant Permission – subject to conditions

Conditions:

- | | |
|---|--|
| 1 | <p>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.</p> <p>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.</p> |
| 2 | <p>The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building except where provided for by other conditions.</p> <p>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.</p> |

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The two front rooflight(s) hereby approved on the principal roof shall be 'Conservation style', flush with the roof plane in which they are installed, and shall be maintained as such for the lifespan of the development.

Reason: In order to ensure a satisfactory appearance for the Conservation Area and to comply with policies DM1, DM9, and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 and SP12 of Haringey's Local Plan Strategic Policies 2017.

Informatives:

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.

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.