



Officer Report

Application Number:	HGY/2023/2582
Application Type:	Householder planning permission
Address:	21 Nelson Road, Hornsey, London, N8 9RX
Proposal:	Erection of a single-storey side infill extension with 3no. velux windows on the roof, and side glazing.
Case Officer:	Roland Sheldon
Valid Date:	26/09/2023
Applicant:	Sophie O'Dowell
Agent:	Mrs Rachel Colquhoun

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This application is for erection of a single-storey side infill extension with 3no. velux windows on the roof, and side glazing.

2. SITE AND SURROUNDINGS

The subject site contains a two-storey (with split rear lower ground floor level) mid-terraced dwelling with an original three-storey rear outrigger. The property is located on the western side of Nelson Road. The surrounding area is predominantly residential, and defined by similar terraced properties. The property is not located within a Conservation Area and does not contain a listed building.

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

HGY/2017/2357 - Erection of a single storey rear/side extension – REFUSED 13/09/2017

1. The proposed development is considered to have a material adverse impact on the amenities of the adjoining property at 23 Nelson Road resulting in a loss of daylight, loss of outlook and sense of enclosure to this property. In addition, an unacceptable level of overlooking from the property at 23 Nelson Road into the living areas of 21 Nelson Road will occur as a result of the fully glazed roof of the proposed extension. The proposed development is contrary to Policies DM1 and DM12 of Haringey's Adopted Development Management Development Plan Document (July 2017), Policy 7.6 of The London Plan (MALP 2016) and the National Planning Policy Framework.

4. REPRESENTATIONS

The application has been publicised by way of 12 letters to neighbours. Two objections from adjoining occupiers were received, highlighting the following concerns:

- loss of light
- loss of privacy

5. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design, Character & Appearance; and
2. Neighbouring Amenity

Design, Character 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.

Following refusal of the previous application for erection of an infill extension under planning reference HGY/2017/2357, the current proposal has been amended in the following ways:

- Whilst the extension maintains the same depth and height of 2.3 metres at the shared boundary, the fully glazed roof has been removed and replaced by a tiled roof, with 3 rooflights
- A band of obscure glazed non-opening flank glazing has been introduced, with the intention to reduce the visual bulk of the proposed extension.

The proposed extension extends 6.7m in depth and is 2.1m in width. It features a pitched roof design which is at a height of 2.96m at its highest point (from ground level of host building) and slopes downwards towards No.19 to a height of 2.3m. The scale, massing and form of the extension is considered subordinate and proportionate to the host building.

A glass door is also proposed to the rear of the extension. The extension would be externally clad in brick. Whilst no detail has been provided of the appearance of the brick, a condition could be imposed on the development that requires the materials used to match those of the host building, if the scheme was to be recommended for approval.

Subject to compliance with such a condition, the proposed extension would not undermine the existing uniformity and character of the host building and surrounding rear terraces. Therefore, the proposal is considered to be acceptable with regards to design and character considerations.

Impact on neighbouring amenity

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 residents.

The previously refused scheme HGY/2017/2357 was for an extension of similar appearance to the proposed scheme. It is noted that in considering this application, concerns were raised in respect of loss of daylight, loss of outlook and sense of enclosure to this property. Furthermore, the fully glazed roof was viewed to result in opportunities for overlooking.

The proposed scheme has made no alterations to the height of the extension, which would remain at 2.8 metres high on the shared boundary when measured from the adjacent ground level of neighbouring property No. 23 Nelson Road, which is located on 0.48 metres lower than the adjacent ground level of the host building. However, in order to attempt to mitigate for the impact on the occupants of no. 23, the current proposal has introduced a band of obscure glazed non-opening glazing on the flank wall, and removed the fully glazed roof, replaced with 3 rooflights. Such changes serve to break up the bulk and appearance to such an extension.

During the assessment of the application, as requested by the LPA, the occupants of No. 23 Nelson Road provided contextual photos of the existing situation on site. The photos revealed that there is a limited level of visible sky from the 2 adjacent ground rear windows of this neighbouring property, above the existing fenceline. They also show the height of the current infill side extension, which is lowered with this scheme as well as the backdrop of the current high flank wall to No 21.

Whilst the proposal would remove a small proportion of this existing visible skyline above the existing fenceline height, it would not be a significant proportion. Furthermore, the inclusion of the band of glazing would serve to visually soften the appearance of the extension on the side boundary, whilst the obscure glazed, non-opening treatment would ensure that their inclusion would not impact amenity. It is considered that the increase in height, over and above the fence line, in conjunction with the element of glazing, would not result in an unacceptable sense of enclosure or harmful to outlook and conditions of light.

Equally on examining photos provided and understanding what is currently visible from neighbouring windows at eye level, it is viewed that the lacing of such an extension here would not breach BRE guideline for assessing impact in terms of daylight/ sunlight.

The removal of the fully glazed roof equally would remove the previous concerns with regards impact on privacy between these two neighbouring properties when the extension would be viewed from the upper floor windows of No. 23 Nelson Road.

Taking the above into consideration, it is considered that on balance, the proposal is acceptable with regards to neighbouring amenity considerations.

6. CONCLUSION

The proposal as revised, is on balance considered to address the previous concerns with regards to amenity impacts and as such considered acceptable in planning terms.

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.

7. 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.

8. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following 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 The band of flank glazing as shown in approved plan '08 - Proposed Side Elevation - Rev B', shall be installed as obscure glazed and non-opening, prior to first use of the development hereby approved, and shall be maintained as such for the lifespan of the development. The glazing shall remain obscure glazed and non-opening for the lifespan of the development.

Reason: In the interests of protecting the amenities of neighbouring residential occupants, in accordance with policy DM1 of the Haringey Development Management DPD 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.