

Officer Report

Application Number:	HGY/2023/1449
Application Type:	Full planning permission
Address:	Flat A, 1 Rathcoole Avenue, Hornsey, London, N8 9LY
Proposal:	Part retrospective application for roof extension and alterations to elevations
Case Officer:	Josh Parker
Valid Date:	31/05/2023
Applicant:	3 Mr Paul Lashley
Agent:	Mr Mateusz Ley

RECOMMENDATION

Approve with Conditions

SITE AND SURROUNDING

The subject site contains a part two storey, part three storey dwellinghouse located on the eastern side of Rathcoole Avenue, close to the junction with Tottenham Lane, N8. The surrounding uses are a mix of residential uses on Rathcoole Avenue, with a mix of largely town-centre commercial uses at ground floor with largely residential uses located on the upper floors of properties to the north on Tottenham Lane.

The site does not contain a listed building and is not located within a conservation area.

PROPOSED DEVELOPMENT

The applicant is 'part retrospective application for roof extension and alterations to elevations'.

SITE HISTORY AND ENFORCEMENT

All existing planning applications have been considered for this application.

HGY/2021/2510- Creation of part two-storey, part three-storey extension, and creation of roof terrace above two-storey element with associated screening panels. Approved 08/10/2021.

HGY/2015/3098- Erection of roof extension of the existing dwelling house to form an additional set back storey with a new bedroom and a roof terrace. Approved 21/03/2016.

Enforcement:

CON/2021/00611- Without planning permission, the erection of a roof extension to form an additional setback storey, associated roof terrace and the installation of render to the front elevation of the property. Served 17/02/2023.

Suggested action from enforcement officer:

1. Demolish the roof extension.
 2. Remove the render installed on the front elevation of the property.
 3. Return of the property to its condition, prior to the unlawful works being carried out.
 4. Remove from the land any debris resulting from carrying out steps 1, 2 and 3 above.
 5. Resubmit planning application HGY/2015/3098 (Erection of roof extension of the existing dwelling house to form an additional set back storey with a new bedroom and a roof terrace)
 6. Amend proposal to it matches with any subsequently approved plans.
- A period of nine (9) months from the effective date of the notice should be allowed for compliance with requirements (1), (2), (3) and (4) or (5) and (6)

CONSULTATION

LBH Planning Enforcement – The proposed works, if implemented right should be sufficient to restore the building.

LOCAL REPRESENTATIONS

The application has been publicised by the way of letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

Objections:0

Support:0

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 Comments:

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. DPD Policy D9 requires development to preserve or enhance the character and appearance of the Borough's conservation areas.

This application relates to an existing dwelling house which underwent unauthorized alterations. The applicant obtained planning permission (ref. HGY/2015/3098) for 'Erection of roof extension of the existing dwelling house to form an additional set back storey with a new bedroom and a roof terrace' on 21 March 2016. The applicant has insufficient evidence to support his claim that the construction was started within 3 years from the date when planning permission was issued. In addition, alterations to the dwelling house have not been carried out in full compliance with the approved drawings (render used for elevation treatment instead of brick and cladding, changes to fenestration in the extended part).

The applicant was served an Enforcement Notice, stating the following breach: 'Without planning permission, the erection of a roof extension to form an additional set back storey, associated roof

terrace and installation of render to the front elevation of the property' as referenced above in the site history.

Subsequently, solutions were discussed with the enforcement officer, where it was concluded that a part retrospective planning application was needed, seeking a retrospective planning approval for a roof extension and terrace, with proposed changes to elevations to make the overall appearance of the building acceptable from a planning view. The advice from the planning officer was that the current blocky appearance of the property would cause significant harm. The roof extension would need to be made to look like part of the roof, visually different from the original two storey building. It was also concluded that a reinstatement of brick treatment to the lower part of the building would be recommended.

The applicant has proposed slim layer elevation materials that achieve realistic look of brick and slate, such as acrylic brick slips and bitumen slates. These would be fixed to the existing render with a suitable adhesive. The coping stone projection seen around the terrace would be continued along the side wall to accentuate the transition from brick to slate treatment. This way, the overall thickness of the additional elevation treatment would be approximately 20mm or less. This solution appears to be the most pragmatic as stripping out of the existing render is likely going to damage the existing brick fabric of the wall and result in a much more complex process.

The materials have been selected carefully to match or enhance the existing and a condition is imposed to secure this. The additions are subordinate and therefore, acceptable from a design lens.

Amenity Comments

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.

The changes from the 2015 application are as discussed above which are largely a design and material discussion when looking at the planning considerations however it should be mentioned that all replacement new windows would be sited in similar configurations as 2015 permissions. All works proposed meet all amenity tests when considering effects on light, bulk, sense of enclosure and privacy for the observations discussed above.

Conclusion

The proposal is considered moderate and acceptable. All other relevant policies and considerations, including equalities, have been considered. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

CIL

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.

Conditions:

- 3 Prior to the commencement of buildings works above grade, detailed drawings, including sections, to a scale of 1:20 to confirm the detailed design and materials of the:

- a) Detailing of roof and parapet treatment;
- c) Facing Brickwork: sample panels of proposed bricks to be used showing the colour, texture, pointing, bond, mortar, and brickwork detailing shall be provided;
- h) Any other external materials to be used,

Shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and together with a full schedule of the exact product references for all materials.

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality in compliance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 2017.

- 4 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.

- 5 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.

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: 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.

