

Officer Report

Application Number:	HGY/2023/3247
Application Type:	Full planning permission
Address:	39-41 Norfolk Avenue, Tottenham, London, N15 6JX
Proposal:	Joint application for a first-floor extension for No. 39 and 41 Norfolk Avenue.
Case Officer:	Oskar Gregersen
Valid Date:	05/12/2023
Applicant:	3 Other NORFOLK INVESTMENTS LIMITED
Agent:	Mr Shloime Godlewsky

RECOMMENDATION

Approve with Conditions

REPRESENTATIONS

Two representations were received in response to notification and publicity of the application, a summary of which is below:

- There is already an extant permission for a joint first floor extension with Nos 37 and 39, and a refused application for a joint first floor extension across Nos 37 – 41 Norfolk Avenue. Thus an approval of this application would result in an over development of the site
- Certificate B was not properly served, and the owner of No.41 does not consent to the proposal

(Officer Comments: The proposal that was refused, relating to all three sites was deemed to be an overdevelopment of the site. This proposal will have a condition added, similar to HGY/2022/4200, that the proposal must be built out simultaneously to avoid the creation of an extension different from the approved drawings. Officers enquired with the agents who were able to provide proof that Certificate B was served, however as a condition will be added that the works approved be completed simultaneously, if the Owner of No.41 does not consent to the works then they will not be able to go ahead.)

REASONS FOR GRANTING PERMISSION

The application site is a pair of two-storey residential dwellinghouses, both with two-storey front bay windows and with rear extensions. The site is located within the catchment of the South Tottenham SPD and is not located within any conservation area and does not contain any locally listed buildings.

The planning history of the site has been taken into account when coming to this decision, and is as follows:

- HGY/2023/2621 | 37, 39, and 41 Norfolk Avenue | Erection of a first-floor rear extension to Nos. 37 and 39 and 41 Norfolk Avenue
Refuse

- HGY/2022/4200 | 37 and 39 Norfolk Avenue | Joint application for first-floor extensions to Nos. 37 and 39 Norfolk Avenue
Approve w/ Conditions

- HGY/2022/4189 | 39 Norfolk Avenue | Type-3 extension with front and rear rooflights
- Approve w/ Conditions

Permission is sought a joint first-floor rear extension, half the width of each dwellinghouse and 2.5m deep. The rear extensions would have a flat roof, being 2.53m tall and finished in materials similar to the existing dwellinghouses.

It is noted that South Tottenham is covered by its own Supplementary Planning Document, which makes allowances for upward extensions of properties not typically allowed in the rest of the borough. This SPD does not specifically make allowances for first floor rear extensions, however first floor extensions (often completed in pairs, no more than half width and 2.5m deep) have recently been allowed in various locations, on a case-by-case basis, throughout South Tottenham.

The proposed first floor rear extension is of a scale that would normally not be acceptable in the Borough, however by virtue of the location of the site within South Tottenham, and the proposal being no more than half-width and 2.5m deep, it is deemed that the scale and massing of the proposed joint first floor rear extension would be acceptable.

A similar proposal at this site, for a first-floor rear extension across three properties, Nos. 37, 39, & 41, was recently refused on the basis that it would result in 'overdevelopment and insubordinate extension to the host dwellinghouse' contrary to relevant policy. In contrast, to the refused scheme the proposal is now for a first-floor rear extension to both Nos 39 & 41. The projection from the rear elevations would be 2.5m and not as deep as the current single storey rear extensions. The width of the extensions would be inset from the shared side boundaries of with Nos 37 & 43. The ridge line would sit below the main eaves line. These factors lead to a more proportionate and balanced addition compared to that previously refused.

As seen in the above summary of representations, there have been some queries as to whether notice was properly served, which the agents were able to prove with images. Notwithstanding this, one of the representations submitted stated that the Owner of No.41 Norfolk Avenue would not agree to an extension on their property. As such, although this proposal is recommended for grant, the Owner of No. 41 will need to agree to the works as a condition will be added to ensure that the works are completed simultaneously.

With respect to neighbouring amenity, the proposed first floor extensions would not impinge on a line drawn at 45 degrees from the centre of the attached neighbour's rear habitable windows, which indicates that the proposed extension will not be harmful in terms of conditions of daylight, sunlight and outlook. The new fenestration on the rear elevation of the first-floor elevations will not introduce new overlooking. As such, the proposal is considered proportionate and subordinate to the host building and is in keeping with the pattern of development in the area. Therefore, the local character and visual amenity of the area will be protected.

The height and depth of the extension would comply with the guidelines set out by the South Tottenham SPD, and as such would not result in a material loss of sunlight or daylight, or have an overbearing appearance to the neighbouring property. There will be no material loss of privacy to neighbouring properties. The proposal is acceptable in amenity terms.

The proposed development is in general accordance with The South Tottenham SPD, Policies DM1, and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 and SP12 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

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

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.

- 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 All aspects of the development must be completed simultaneously, as per the approved drawings.

Reason: The condition is imposed to ensure that all aspects of the permission are build out, so as to avoid later developments causing unnecessary damage to the surrounding character and neighbour amenity.

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.