



Officer Report

Application Number: HGY/2024/0504
Application Type: Householder planning permission
Address: Flat C, 17 Whitley Road, Tottenham, London, N17 6RJ
Proposal: Erection of a single storey rear extension (retrospective application).
Case Officer: Daniel Boama
Valid Date: 27/02/2024
Applicant: Mrs Annette Lynch
Agent: Mr Richard Bowen

RECOMMENDATION

Approve with Conditions

1. SITE DESCRIPTION

The application site is a two storey mid terraced property located on the west side of Whitley Road. The site does not fall within a conservation area nor is in within the curtilage of a listed building.

2. THE PROPOSAL

The proposed is a retrospective application for the retention of single storey rear extension.

The proposed drawings were revised to show that the height of the as built wall on the infill side facing No.15 would be retained (as approved under HGY/2023/0119) for 2.05m of depth from the rear wall. After 2.05m of depth, the height would be reduced down to 2.3m for the remaining 4.6m depth by sloping the mono-pitched roof.

3. RELEVANT PLANNING & HISTORY

Flat C 17 Whitley Road

HGY/2023/0119 - Proposed 3m ground floor rear extension and upper floor rear access to rear garden. Granted permission on 10/3/2023.

HGY/2022/1084 - Erection of rear/side extensions including installation of external staircase and formation of roof terrace (amended description). Refused permission on 27/9/2022.

17 Whitley Road

HGY/2006/2226 - Erection of two storey rear extension. Refused permission on 21/12/2006.

4. CONSULTATION RESPONSES

The number of representations received from neighbours in response to notification and publicity of the application were as follows:

No of individual responses **11**
Objecting **4**
Support **5**

The following issues were raised in representations and are addressed further on in this report or below:

- **No.15:** They state that they are an aged pensioner, and owner of this property. They have lived at their address for more than sixty years. They are not willing to accept the single storey rear extension build at Flat C, 17 Whitley Road, Tottenham, London, N17 6RJ, because of the reasons they have set out below:- 1. The new build that is currently in place has prevented them from immediate means to daylight and sunlight. 2. There was the unacceptable removal of their small brick wall on their property border, and in its place is the wall of the build of the extension. Their wall, no matter how historical, should have never been removed. They would expect the plans to have not advised for the removal of a wall that is clearly situated on their property. 3. Their permanent fixed fence, which was broken due to a fallen tree located in the garden of number 17, is no nearer to being replaced for them to have privacy. The fence should have been made good before work started at No. 17. As a result and from what they could see daily is that the builders used their garden as free range to build the incomplete extension that is now in place. 4. Having to rely on someone with online access to LBH, they have been able to view a print-out of the (CIL) whereby the description of the development shows 3M and not the size of 4.6M that is up at this time. To them this has further made them unhappy with the entire development.
- **No.19:** They state that having started work on their extension in October, it was immediately clear the extension is far bigger than the one approved in the original planning documents. Having raised this with their neighbour and their architect during the build, and then with the builder, who's response was 'it's been built now' - it seems there is complete disregard for both planning regulation or neighbour relations. Their concerns specifically as below: 1. The extension is 1.6m longer and a whole doorway wider than in the plans - it really is much more imposing than the one agreed in the original planning permission and not in keeping with houses in the row - if the other side were to do the same our garden would be in a tunnel. 2. The work done to the party wall looks extremely poor. They have no qualms about neighbours extending or doing building work to their properties, we just ask people follow the rules which are there for a reason. They state that ideally the extension would be simply taken back to the size originally agreed, which seems like a pretty fair ask. There is no roof on the build so it should be quite straightforward. They've always had a good relationship with the tenants at no.17 and they don't want any negativity - just for the work to be done properly.
- **No.21:** They state that this retrospective application only exists because neighbours have had to stop rogue builders from building an illegal structure. They state that the structure which has been put up is much bigger (1.6m longer) and wider than what was approved by Haringey council and is completely imposing on all of its neighbouring properties, not adding any value for surrounding residents. Especially Nr 15. right to light must be severely compromised considering the direction of the sun and how much shade it is creating in their back garden due to the tall and deep structure. Regarding Nr.19 they state that their original outbuilding is completely drowned by this ugly eyesore which is poorly build. They state that the applicant at Nr.17 and their architects have not shown any consideration of neighbour's concerns Haringey Council needs to do the right thing an object to these plans as otherwise it makes a mockery of people who stick to planning.
- **No.81 Broadwater Road (BR):** They stated that they submitted their objection very late because they misunderstood when they received the planning application for number 19, and stated that the site is a nice property thought through extension to a family home. The conversion of number 17 Effectively turns it into a house of multiple occupancy. It could easily end up having up to 12 adults living inside it, (That's assuming two people to each bedroom, Could actually be more). They object to the increasing conversion of these lovely Victorian homes to HMO. It has a detrimental impact on the area. Their tenants, (though I'm sure, hard-working and deserving) tend to be transient, not to look after the buildings properly, and be untidy and noisy. They do not wish to see another HMO at the end of their garden and object on this basis.

Officer Response

- The proposed drawings have been revised to address the concerns raised by No.15. From the rear wall the side wall would remain at the as built height to a depth of 2.05m, which was approved under HGY/2023/0119. The revision applies to the remaining depth (4.6m) of the side wall, which would have the height reduced down to 2.3m along the boundary with No.15 by creating a mono-pitched roof.
- Upon visiting the site, the structure is within the curtilage of the site, and the side wall does not go beyond where the previous boundary wall were located considering where the line posts are located.
- The applicant's daughter, whom I met on site, stated that the broken fence would be replaced along the boundary.
- Regarding the side facing No.19, although the extension is 1.6m deeper than what was approved in the previous application, it is similar in depth and height as the previous lean-to that it has replaced as shown in the drawings.
- The as built wall facing No.19 does not go beyond the boundary fence.
- The use of the ground floor as three bedsits is established use, considered to be immune from enforcement and confirmed as part of planning permission HGY/2023/0119.

5. PLANNING CONSIDERATIONS

Design & Appearance

Policy SP11 of the Strategic Plan and Policy DM1 of the Development Management DPD both aim to enhance the built environment through high quality design that respects local context and positive aspects of the area. Policy DM1 sets out that development should relate positively to its locality in terms of building height, form, scale, massing, building lines and architectural details and styles.

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 and 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.

The proposed single storey wraparound extension would be 7.4m wide and 6.65m deep. Revised drawings have been provided to show that the height of the as built wall on the infill side facing No.15 would be retained (as approved under HGY/2023/0119) for 2.05m of depth from the rear wall. After 2.05m of depth, the height would be reduced down to 2.3m for the remaining 4.6m depth by sloping the monopitched roof. This would reduce the overall bulk of the extension. The extension would not directly abut the boundary with No.15 and would extend 4.6m on the shared boundary with No.19. It would have a flat roof with a maximum height of 3.3m (3m at the eaves) and 1no. of roof lights, and a monopitched sloped roof in the infill adjacent to the No.15. Although the proposed revised extension would be bulkier than what was previously approved under HGY/2023/0119, it would be less bulky than what has been built and be more subordinate to the main building.

The extension would be finished in materials to match those of the existing dwelling, and the frosted glass for the conservatory would soften the bulk of the extension, an approach which considered acceptable.

With the proposed changes to the as built building and various sizes of development in this group of terraces, the proposal is considered proportionate and subordinate to the host building and would not negatively impact the amenity of the site, or adjoining properties. Therefore, the local character and visual amenity of the area would be protected.

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.

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 the amenity of neighbouring residents.

The proposed extension exceeds the depth of the new extension at No.19. However, the height would be similar to the various extensions along this row of terraces, and significantly shorter than the two storey rear extension at No.13. Therefore, considering the various heights and depths of the extensions within the area, and with the presence of roof terraces in the area that leads to a degree of mutual overlooking, the revised wraparound extension would not adversely impact the amenity of neighbouring properties.

The revised drawings show that the as built extension is proposed to be softened in the infill side facing No.15. Part of the wall would be remained as built, but the height of the remaining depth of the wall would be reduced down to 2.3m by sloping the roof down to this height for the remaining 4.6m depth of the as built wall. This would ensure that No.15 receives enough natural daylight and sunlight into their infill area and remaining garden. The applicant has also stated that they return the fence along boundary with No.15.

Other Considerations

Details of the applicant's medical records have been submitted by the applicant's daughter. The applicant is in a wheelchair and has been approved to have a disability Blue Badge since August 2023. They were involved incident with TfL buses in October 2023, which they are recovering from. They will be using Bedsit 3 and so the space that is provide within the proposed building would help aid their recovery. While the Council is sensitive to the individual needs of

applicants and will try where possible to balance these needs against other considerations, it will not support proposals where it is considered there to be unacceptable harm to the residential amenities of neighbours. Notwithstanding the above, in this particular case the proposed changes to the as built extension are considered to reduce the material impact of the extension on neighbouring amenity to acceptable level.

6. CONCLUSION

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

The proposal is considered acceptable in respect of its character, appearance and impact on the site and would not result in material harm to the residential amenity of neighbours. All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

7. RECOMMENDATION

The application is recommended for approval subject to the following conditions.

Conditions:

- 1 The approved development shall be completed within 3 months of the date of this decision.

Reason: To ensure the timely removal of the unauthorised works in the interest of neighbouring residential amenity.
- 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 unless otherwise stated on the plans hereby approved.

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 No part of any structure hereby granted shall be used as a roof terrace or balcony.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

Informatives:

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.

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.