



Officer Report

Application Number:	HGY/2023/3340
Application Type:	Full planning permission
Address:	49 Park View Road, Tottenham, London, N17 9AU
Proposal:	Erection of single-storey dwelling with bin and bike store.
Case Officer:	Gareth Prosser
Valid Date:	01/02/2024
Applicant:	Mr Altaf
Agent:	Mr Dobson

RECOMMENDATION

Refuse

1. SUMMARY OF RECOMMENDATION

REFUSE PERMISSION

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

The scheme proposes the erection of single-storey dwelling with bin and bike store.

Site and Surroundings

The subject site contains land that has been annexed from the rear garden of no. 49 Park View Road, N17, in which a large single storey building has been erected. The surrounding uses are residential. The site does not contain a listed building and is not located within a conservation area.

Relevant Planning and Enforcement History

The most recent planning history relating to the site is as described below:

49 Park View Road, N17

HGY/2020/1786: Erection of part single storey rear extension and part double store side extension including internal modifications – Approved 01/09/2020

Relevant Planning Enforcement history

49 Park View Road, N17

UNW/2022/00298: Enforcement notice served for unauthorised erection of outbuilding to facilitate one self-contained dwelling and the erection of a fence which facilitates the sub-division of the rear

garden – June 23rd 2023, taking effect from 28 July 2023 with time for compliance by 29 December 2023

3. CONSULTATION RESPONSE

The following were consulted regarding the application:

- LBH Transportation – The proposal should be considered in conjunction with planning consent HGY/2020/1786 which would result in the loss of the garage for the dwelling. Standard conditions r.e. cycle storage and a construction management plan should be imposed if recommended for approval. The proposal should be subject to a section 106 agreement if approved to secure a car-free agreement. The existing crossover to no. 49 Park View Road should be reinstates at occupants expense.

4. LOCAL REPRESENTATIONS

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

No of individual responses: 0

Objecting: 0

Supporting: 0

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- None

The following issues raised are non-material planning considerations:

- None

5. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of Development;
2. Design & appearance;
4. Standard and quality of residential accommodation;
3. Impact on neighbouring amenity
5. Transport considerations;
6. Waste & recycling; and
7. Energy and sustainability.

Principle of the development

London Plan (2021) Table 4.1 sets out housing targets for London over the coming London Plan Policy H1 and Table 4.1 identify the overall housing targets for Boroughs (Haringey's 10-year target – 15,920). In addition, London Plan Policy H2 sets out a presumption in favour of development proposals for small sites (below 0.25 hectares in size) and in Table 4.2 a minimum target for housing delivery on small sites is identified for Boroughs (Haringey's 10-year target is 2,600).

The development here is viewed to be 'backland/ in-fill development' by virtue of where the development would sit. The local plan has a specific policy on backland, infill and garden land development. Policy DM7 of the Development Management DPD states that there will be a presumption against the loss of garden land but equally the subtext of the policy outlines that for the Council to meet its housing needs, optimising existing built sites it may be necessary, but importantly such development should be of "sensitive design in order not to detract from the character of the street scene, the architectural integrity and scale of adjacent buildings or from residential amenity". Part B of the policy outlines a number of criteria that should be met in relation to infill/ backland development as set out below:

- a. Relate appropriately and sensitively to the surrounding area as well as the established street scene, ensuring good access and where possible, retaining existing through routes;
- b. Provide a site specific and creative response to the built and natural features of the area;
- c. Where appropriate, repair or re-provide street frontages and provide additional passive surveillance and increased security;
- d. Safeguard privacy, amenity, and ensure no loss of security for adjoining houses and rear gardens;
- e. Retain and provide adequate amenity space for existing and new occupants;
- f. Incorporate at least one street frontage or be ancillary to the host dwelling and the adjacent houses/terraces; and
- g. Not result in 'gated' developments that prevent access which would normally be provided by a publicly accessible street.

In land use terms the principle of residential development could be considered acceptable, as the site meets some of the criteria above, namely has a street frontage. However in terms of other aspects of DM7, namely the need to respond sensitively to the surrounding area, protecting neighbouring amenity and providing good amenity space for future occupiers to such a unit accommodation the scheme here fails, as such meaning that the principle of an additional dwelling on this original plot cannot be supported. These matters shall be considered in further detail in subsequent sections of the report.

Design & appearance

London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D3 states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.

Policy DM7 in meeting the design expectations of Policies DM1 and DM2, require development proposals for backland/ infill sites to meet specific criteria; specifically to relate appropriately and sensitively to the surrounding area as well as the established street scene, to provide a site specific and creative response to the built and natural features of the area and to safeguard privacy and amenity to neighbouring occupiers.

The first issue to highlight in the assessment of the proposal regarding design, character and appearance is that the building and boundary fencing that effectively annexes the land within the site is not authorised development and subject to planning enforcement action. Therefore, the proposal is being considered from the perspective of the site as forming part of the rear garden of no. 49 Park View Road, and not with the existing outbuilding and fencing in situ.

The red line of the site would occupy approximately half the rear garden area of no. 49 Park View Road. The proposed building would occupy the majority of the annexed area of the rear garden, set at the same building line at no. 49 Buller Road, but at a slightly splayed angle to this neighbouring property due to the shape of the site. It would have a flat roof design, measuring 3.136 metres height. It would be externally clad in brick with a largely glazed frontage, slightly set-back from the southern site boundary on Buller Road, with a front garden area occupied by bin/cycle storage and a soft/hard landscaped area.

Whilst the building would not be of significant height above the existing brick boundary walls, it would occupy the large majority of the site and would be set against the boundary shared with no. 49 Buller Road, and marginally set-off the annexed rear garden area retained within no. 49 Park View Road, by 0.45 metres.

The proposed development, by virtue of its footprint, scale, massing and close proximity between neighbouring properties nos. 49 Park View Road and Buller Road, would have a cramped and enclosed appearance that would be out of keeping with the original layout and design of the street. It would not constitute a satisfactory standard of design that would blend sympathetically in with the character and appearance of the locality. It would represent a poor standard of backland, in-fill development on a site that is not of an appropriate size or layout to accommodate a new residential dwelling.

Overall, the scheme would fail to accord with policies DM1 and DM7 of Haringey's Local Plan Development Management Development Plan Document (DPD) or with policy SP11 of Haringey's Local Plan Strategic Policies (2017).

Standard and quality of residential accommodation

London Plan Policy D6 requires housing development to provide adequately sized rooms with comfortable and functional layouts. Dwellings must at least have the gross internal floor area (GIA) set out in Table 3.1 of the London Plan and an acceptable floor to ceiling height should be delivered. Dual aspect dwellings should be maximised and single aspect units should normally be avoided. This policy also requires sufficient daylight and sunlight to be supplied to new residential units, whilst also ensuring that overheating would be avoided. Private outdoor space should be provided for new dwellings, in line with the requirements of London Plan Policy D6. Proposals should achieve the highest standards of accessible and inclusive design, in accordance with London Plan Policy D5.

The proposal has been submitted indicating that it is for a proposed studio unit, but the layout indicates that a separate bedroom – divided from the living space by a wall and door entrance - would be provided with a double-bed and floorspace of 12m², which exceeds the 11.5m² to be considered as a 2-person bedroom. It is therefore considered to be a proposed one-bedroom 2-person unit that would require a minimum floorspace of 50m² and not 37.5m² for a 1-bedroom 1-person unit as outlined in policy D6 of the London Plan. The proposal provides 37.5m² floorspace which is well below the 50m² requirement. The kitchen/living space would have a southern aspect and would benefit from adequate outlook and light.

However, the proposal would also include a privacy canopy above the proposed bedroom window, to limit scope for overlooking into these windows from the adjacent windows of nos. 49 and 50 Park View Road. No contextual elevations have been provided alongside the submission to

demonstrate that this would be effective in removing potential issues with overlooking between these properties. However, given the limited separation distance between the proposed bedroom windows and the upper floor windows of these neighbouring properties, it is likely that there would be some overlooking afforded into this area of the site. Notwithstanding this, in any case, the inclusion of the canopy in conjunction with the limited 1.8 metre outlook onto the 1.8 metre height boundary fence would result in a poor means of outlook and natural light for the bedroom of the property.

The 5.7m² rear courtyard would also act as the external amenity space for the unit, but the privacy canopy would mean that this area would be largely overshadowed, forming a dark, cramped, enclosed and overall substandard form of external amenity space.

The proposal would therefore provide a sub-standard form of accommodation for future occupants, by virtue of its insufficient floor space, poor means of outlook, light and privacy, contrary to Policy D6 of the London Plan (2021), Policy SP11 of Haringey's Local Plan Strategic Policies (2017) and Policies DM1 and DM7 of the Haringey Development Management DPD (2017).

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. 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 siting, bulk, scale, massing and positioning of windows/amenity spaces would not result in any adverse impact on no. 49 Buller Road. Whilst the dwelling would be set against the rear garden of no. 50 Park View Road, it would not be of an excessive scale or footprint to result in an unacceptable impact on occupants of this neighbouring property by reason of loss of light, outlook or visually overbearing impact. There is one side window located close to the rear garden boundary shared with no. 50 Park View Road that would serve the bathroom of the new dwelling. Whilst in very close proximity to this neighbouring property, it would be treated with opaque glazing and would be largely limited from view due to proposed boundary fence.

However, notwithstanding the privacy canopy, the close proximity of the east-facing bedroom windows and amenity space would give rise to an unacceptable erosion of neighbouring privacy levels for the occupants of nos. 49 and 50 Park View Road, by virtue of views into and out of this area of the site from upper floor windows, and noise and general disturbance likely to result from day-to-day activity by future occupants of the development in such close proximity to the rear gardens and windows of these neighbouring properties.

Overall, the proposal is considered to be unacceptable in amenity terms and would harm the residential amenities of the occupiers of neighbouring properties.

Transport Considerations

London Plan Policy T1 outlines that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and

cycling routes. The cumulative impacts of development on public transport and the road network capacity, including walking and cycling, should be taken into account, in accordance with London Plan Policy T4.

Local Plan Policy SP7 outlines that the Council will tackle climate change, improve local place shaping, enhance public realm, improve environmental quality and enhance transport quality by: minimising congestion, promoting public transport, promoting walking/cycling, promoting road safety and seeking to locate major trip generating development in locations with good access to public transport. This is supported by DPD Policy DM31 'Sustainable transport'.

The application site is located within The Hale controlled parking zone (CPZ). Whilst no off-street parking is proposed, the proposal would only add one small 1-bedroom dwelling to the site, in which it would be envisaged there would be sufficient on-street parking capacity to accommodate the parking demand arising from a small residential development of this nature. It is not deemed an appropriate development to be subject to a car-free development.

A bike store is proposed in the front garden area of the site which would appear to be capable of accommodating 2 bicycles in line with London Plan requirements. Further details could be conditioned if recommended for approval.

Waste & recycling

DM DPD Policy DM4 requires proposals to sustainably manage waste that arises from development during the design, construction and occupation phases. All proposals should make on-site provision for general waste, the separation of recyclable materials and organic material. Adequate internal and external storage space should be provided to manage the volume of waste arising from the site. Accessible and safe access to on-site storage facilities both for occupiers and collection operatives should be supplied.

The proposed drawings indicate that bin storage would be provided to the front of the site, screened from view, with this considered acceptable. Further details of bin storage could be conditioned if the scheme was to be recommended for approval.

Energy and sustainability

The London Plan sets out detailed policies in relation to energy efficiency, renewable energy, climate change and water resources. Local Plan Policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions through on-site renewable energy generation.

DPD Policy DM21 also requires new development to consider and implement sustainable design, layout and construction techniques, with proposals required to apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements. An energy report to explain how the proposal meets or seeks to address the above policy requirements was not submitted with this application. As such in the absence of such information it cannot be demonstrated that appropriate measures have been taken at the planning application stage to reduce energy use and carbon emissions and as such the proposal is considered contrary to policy.

Conclusion

The development would appear incongruous and cramped, unsympathetic to the streetscene, harmful to neighbouring amenity, and would provide a sub-standard form of accommodation.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

6. CIL APPLICABLE

Based on the information given on the plans, the Mayoral CIL charge will be £2,597.63 (37.5sqm x £69.27) and the Haringey CIL charge will be £2,151.75 (37.5sqm x £57.38). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

7. RECOMMENDATION

REFUSE PERMISSION for the following reasons:

Refusal Reasons:

The proposed development, by virtue of its excessive bulk, scale, massing and footprint, within a small original corner plot in close proximity to the back of No 49 Park View Road, would appear visually dominant, incongruous and at odds with the original layout and design of the street, contrary to Policies D3 of the London Plan (2021), Policy SP11 of Haringey's Local Plan Strategic Policies (2017), Policies DM1, DM7 & DM12 of the Development Management DPD (2017).

The proposed development by reason of its limited plot size, insufficient floorspace, close proximity to boundary enclosures would fail to provide an acceptable quality of accommodation for future occupiers, in terms of floorspace provision, light, outlook and privacy, contrary to Policy D6 of the London Plan (2021), Policy SP11 of Haringey's Local Plan Strategic Policies (2017) and Policies DM1 and DM7 of the Haringey Development Management DPD (2017).

The proposed development by reason of its siting and limited separation distances in relation to neighbouring windows and gardens would appear visually overbearing and harmful to privacy and residential amenity, contrary to Policies DM1, DM7 and DM12 of the Haringey Development Management DPD (2017) and Policy D6 of the London Plan (2021).

In the absence of an energy report outlining details for the reduction of energy use and carbon emissions during design, construction and occupation of such a dwelling, the proposal fails to satisfy the requirements of Policy DM21 of the Haringey Development Management DPD (2017) and Policy SP4 of the London Plan (2021).