

# Officer Report

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| <b>Application Number:</b> | <b>HGY/2024/0506</b>                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Application Type:</b>   | <b>Householder planning permission</b>                                                                                                                                                                                                                                                                                                                                                            |
| <b>Address:</b>            | 42 Seymour Road, Hornsey, London, N8 0BE                                                                                                                                                                                                                                                                                                                                                          |
| <b>Proposal:</b>           | Erection of a rear single storey extension, erection of an L-shaped roof extension, insertion of 4 x front and 1 x rear facing rooflights, insertion of Juliet balcony at rear second floor level, removal of rear and outrigger chimneys, replacement of all existing windows with new double glazed uPVC windows, replacement of existing front door with a new oak door (Amended Description). |
| <b>Case Officer:</b>       | Iliyan Topalov                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Valid Date:</b>         | 02/04/2024                                                                                                                                                                                                                                                                                                                                                                                        |
|                            | 4                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Applicant:</b>          | Mr Bhupendra Persand                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Agent:</b>              | Mr Vinay Persand                                                                                                                                                                                                                                                                                                                                                                                  |

## **RECOMMENDATION**

### **Approve with Conditions**

#### REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

#### **1. PROPOSED DEVELOPMENT AND LOCATION DETAILS**

##### Proposed development

Erection of a rear single storey extension, erection of an L-shaped roof extension, insertion of 4 x front and 1 x rear facing rooflights, insertion of Juliet balcony at rear second floor level, removal of rear and outrigger chimneys, replacement of all existing windows with new double glazed uPVC windows, replacement of existing front door with a new oak door (Amended Description).

##### Site and Surroundings

The application site is located on the southern side of Seymour Road N8 and contains a mid-terrace dwelling with two storey rear outrigger. The roofs of neighbouring sites have been relatively unaltered, but there are three sites with a full width dormer directly opposite this site and others in the vicinity. The site does not contain a listed building, and it is not located within a conservation area.

##### Relevant Planning and Enforcement history

The most recent planning history in relation to the site is as follows.

HGY/2024/0476 - Certificate of Lawful Development (Proposed Use) for removal of the rear outrigger chimney, erection of an L-shaped rear dormer spanning the rear main roof and rear outrigger, with two rear-facing Juliet balconies. Refused: 29/02/2024

Reason for refusal – Extension positioned less than 0.2m from the eaves of the outrigger.

## **2. Consultation response**

The responses below were received following consultation on the application:

- No responses

## **3. LOCAL REPRESENTATIONS**

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

No of individual responses: 1

Objecting: 1

Supporting: 0

Summary of objections:

There are inaccuracies in the submitted plans. The proposed development will negatively impact the privacy and amenity of the neighbouring properties due to its scale. The proposed dormer breaches 45 degrees angle when measured from the midpoint of the closest neighbouring habitable room window. The Juliet balconies will have overly dominant design and lead to significant overlooking and loss of privacy. Some parts of the development are not complying with building control regulations.

Officer comment: The issues with inaccuracies in the plans have been addressed through the submission of revised plans that addressed such concerns. Whilst it is the responsibility of the applicant to ensure any proposal complies with building regulations, matters relating to compliance to building control legislation cannot prejudice the determination of the planning application, which needs to be determined on the basis of material planning considerations.

The following local groups/societies made representations:

- No responses

The following Councillor(s) made representations:

- No responses

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:

- Design and appearance;
- Impact on neighbouring amenity;

The following issues raised are not material planning considerations:

- Not complying with building regulations (Officer Comment: As this application is not for a change of use class or conversion to flats, the interior works are not seen as material consideration from planning perspective, however, they will still need to be carried out with compliance to any building control requirements to be deemed lawful, but this is a separate process.)
- Inaccuracies in the submitted plans. (Officer Comment: Revised plans were submitted addressing the inaccuracies.)

#### **4. MATERIAL PLANNING CONSIDERATIONS**

The main planning considerations raised by the proposed development are:

- Design and appearance;
- Impact on neighbouring amenity;

##### Design 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.

##### *Juliet Balconies:*

The initial proposal was for the formation of 4 x Juliet balconies at the rear of the property (2x at first floor and 2x at the dormer extension), however, this was amended to only 1 x Juliet balconies within the second floor (with 1 also to the proposed roof extension). Although Juliet balconies are not typical of the original character of properties within the street, they are not uncommon additions within the locality. The addition of the juliet balcony features at solely at roof level as revised are acceptable with regards to design and character considerations.

##### *Roof Extension:*

The proposed roof extension would occupy a large proportion of the rear roof slope. However, it is set down by 0.9 metres from the ridge of the original roof, and has been set-back 0.8 metres from the rear extent of the original roof. It also has to be taken into consideration that aside from the absence of a full 0.2m set-in from the flank wall of the outrigger, the roof extension could be erected using permitted development rights, given that its volume would be less than the 40m<sup>3</sup> permitted for householder to extend their dwelling by if a terraced dwelling. The revised design would see the roof extension externally clad in tiles to match the existing dwelling. On balance therefore, the proposed roof extension would not result in an unacceptable impact on the character and appearance of the host building, given the prevalence of a number of large l-shape roof extensions that have been added to properties within the wider locality.

##### *Rear Extension:*

The existing infill extension/structures would be removed to be replaced by a single storey side-to-rear wrap around extension, that would infill the gap between the outrigger and the side boundary and would extend 3m from and would wrap around the rear wall of the outrigger. The materials used in the construction will be matching to those used in the construction of the original

dwellinghouse. The proposal is considered proportionate and subordinate to the host building and is in keeping with the pattern of development in the area, as such the scale of the rear extension and design are deemed to be acceptable.

#### *Replacement Windows and Front Door:*

The current windows are poor-quality aluminium units, all windows will be replaced by double glazed uPVC units. The new entrance oak door will have vision panels similar in design to those of the other properties on the street and the area. Given the prevalence of uPVC units of a similar design to those proposed and the poor appearance of the existing units, the replacement door and windows would respect the character and appearance of the existing dwelling and the wider locality.

#### 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.

#### *Roof extension:*

The initial proposal was breaching the 45-degree angle when measured from the midpoint of the closest neighbouring habitable room window. However, this was amended by introducing a setback of 814mm at the rear elevation of the dwelling, and a setback of 0.15m at the side elevation. The proposed dormer does not have any side facing windows. As such, the proposed roof extension would not result in an unacceptable loss of outlook. It does not project beyond the height of the ridge of the dwelling, and would not result in an unacceptable overshadowing impact. As such, the proposed roof extension is deemed acceptable with regards to amenity impact considerations.

#### *Rear Extension:*

The existing rear ground floor infill structures would be replaced by the proposed single storey side to rear infill extension. Whilst the replacement extension in comparison to the existing structure, the increase would not be unacceptable in their impact with regards to loss of light or outlook. The neighbouring property No. 40 Seymour Road, has an existing extension running along the boundary with No. 42 Seymour Road. The proposed extension at No.42 will extend by 3m from the rear extent of the property and it will project by 2.2m beyond the existing extension at No.40, which is not to an extent that will result in unacceptable loss of outlook. The height of the proposed extension is 2.98m which is acceptable, and it will not result in unacceptable overshadowing or loss of light.

The extension would not result in an unacceptable loss of light or outlook on the occupants of no. 44, projecting 3 metres beyond the rear extent of this property at a height of 2.98 metres, which is within the limits permitted under permitted development rights.

### Other matters:

It was noted that the proposed drawings indicate that the proposal would increase the number of bedrooms shown on the submitted plans from 3 to 6, with 4 being made ensuite. An informative shall be included that permission is granted solely on the basis that the development is in conjunction with the continued use of the property as a single family dwellinghouse and for no other purpose, such as a large house of multiple occupation, for which a licence as well as full planning permission would be required.

### Conclusion

The proposal is considered acceptable in terms of the impact upon the character and appearance of the host property and the residential amenity of neighbouring occupiers.

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

## **5. 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.

## **6. RECOMMENDATION**

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.

**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.

**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:** The consent hereby approved is given in relation to the use of this property as a single-family dwelling. The subdivision of this property into self-contained flats or use as a small House in Multiple Occupation (HMO) (Use Class C4) or large House in Multiple Occupation (Sui Generis) would require planning permission. Permitted development rights to change the use of a single family dwelling to a small HMO have been withdrawn through an Article 4 Direction (30th November 2013). Please refer to the link below for further information:

[http://www.haringey.gov.uk/index/housing\\_and\\_planning/planning-mainpage/policy\\_and\\_projects/article\\_4\\_direction.htm](http://www.haringey.gov.uk/index/housing_and_planning/planning-mainpage/policy_and_projects/article_4_direction.htm)