

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

1. APPLICATION DETAILS

Reference No: HGY/2015/2567

Ward: Fortis Green

Address: 3 Fordington Road, N6 4TD

Proposal: Erection of a part single-storey, part two-storey rear extension

Applicant: Ms Helen Croke

Ownership: Private

Case Officer Contact: Adam Flynn

Date received: 02/09/2015

Drawing number of plans: FR/001; FR/002; FR/003; FR/004; FR/005; FR/006; FR/008; FR/009; FR/010; FR/011; FR/012; FR/013; FR/014; FR/015; FR/016; FR/020; FR/021; Photograph Sheet (x2)

1.1 The application has been referred to the Planning Sub-Committee for a decision due to the amount of local objections.

1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development would respect the character of the area.
- The proposed development would not impact on the amenity of the neighbouring residential properties.

2. RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission and that the Head of Development Management is authorised to issue the planning permission and impose the conditions and informatives set out below.

Conditions

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Materials to match existing
- 4) Obscure glazing

Informatives

- 1) Co-operation
- 2) Hours of construction
- 3) Party Wall Act

CONTENTS

- 3.0 PROPOSED DEVELOPMENT AND SITE LOCATION DETAILS
- 4.0 CONSULTATION RESPONSE
- 5.0 LOCAL REPRESENTATIONS
- 6.0 MATERIAL PLANNING CONSIDERATIONS
- 7.0 RECOMMENDATION

APPENDICES:

Appendix 1: Consultation responses

Appendix 2: Plans and images

3.0 PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Proposed development

The application is a householder application for the erection of a part single-storey, part two-storey rear extension, together with a single-storey side extension. The application also contains details of a hip-to-gable extension and rear dormer which have been deemed lawful by virtue of an application for a certificate of lawfulness (see below).

3.2 Site and Surroundings

The property is a two-storey, plus loft space, detached residential property located on the south-western side of Fordington Road. The surrounding properties comprise large detached properties arranged in a broadly linear form set back along both sides Fordington Road. The dwellings have a range of differing elevational and roof treatments within a broadly similar architectural style. A number of the properties have been extended.

The property is not listed or located within a Conservation Area.

3.4 Relevant Planning and Enforcement history

HGY/2015/1375 – Certificate of lawfulness for construction of side extension, rear extension and loft conversion – Granted 17/07/2015

HGY/2014/2238 – Single storey side extension, double storey rear extension and loft extension – Withdrawn 27/04/2015

4. CONSULTATION RESPONSE

4.1 No consultation of internal or external agencies was required.

5. LOCAL REPRESENTATIONS

5.1 The following were consulted:

140 Neighbouring properties
1 Residents Association

5.2 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: 53
Objecting: 53
Supporting: 0
Others: 0

5.3 The following local groups/societies made representations:

- Muswell Hill and Fortis Green Association
- Highgate Society

5.4 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 (full responses to comments are contained in Appendix 1):

- Contrary to policies and Housing SPD
- Increased bulk will affect amenity of neighbouring properties
- Design out of keeping with character and appearance of adjacent properties and existing property
- Sense of enclosure
- Overdevelopment
- Previous certificate of lawfulness has been exceeded by this proposal
- Scale is excessive
- Parking
- Excessive glazing
- Impact on rear building line
- Overlooking and loss of privacy

5.5 The following issues raised are not material planning considerations:

- Errors on forms and plans (*Response: Additional plans have been received clarifying the points raised*)
- Precedent (*Response: Precedent is not a material planning consideration, as each case is assessed on its own merits*)

6. MATERIAL PLANNING CONSIDERATIONS

The main planning issues raised by the proposed development are:

1. Principle of the development and planning history of the site
2. The impact of the proposed development on the character and appearance of the area
3. The impact on the amenity of adjoining occupiers
4. Highways

6.1 Principle of the development

- 6.1.1 Whilst noting the significant volume of comment surrounding the proposal, the Local Plan and NPPF do not prevent, as a matter of principle, extensions to residential properties to provide additional residential accommodation. Instead, local and national policy considerations focus upon ensuring that enlargements to dwellings are, inter alia, appropriate to their context and that impacts arising are properly balanced having regard to the public interest and the impacts upon an area.
- 6.1.2 A Certificate of Lawfulness (ref. HGY/2015/1375) has previously been granted (on 17/07/2015) for the construction of side extension, rear extension and loft conversion. This included a 3.4 metre deep ground floor extension to the western side of the rear elevation, to replace an existing original conservatory, and a 3 metre deep ground floor extension to an original rear projection to the eastern side of the rear extension. 3 metre deep first floor extensions were also included above these extensions, but with a narrower width in accordance with the conditions for permitted development so that they remained 2 metres from the boundaries. The certificate also included a 2.5 metre wide ground floor side extension, and a hip-to-gable roof conversion with rear dormer. These works have not yet been undertaken.
- 6.1.3 This proposal seeks permission for a part single-storey and part two-storey extension to the rear of the property. The submitted plans also include the side extension and roof extensions that have been deemed to be permitted development. The extensions permitted under the certificate would result in a stepped-back portion in the centre of the rear extension. This application incorporates these earlier permitted works and adds to them with a proposal to 'infill' the space between the two rear "wings" that did not amount to permitted development. This is the reason that planning permission is required. The additional floor area proposed by the application amounts to 13.9sqm (8.5sqm at ground floor, 5.4sqm at first floor).
- 6.1.4 The development covered by the Certificate of Lawfulness amounts to a fall back position for the purposes of this planning application. In seeking to "infill" a part of the lawful "permitted development" extension that has not yet been constructed, the proposed works detailed in the application nevertheless fall to be considered

on their merits. The proposed plans accordingly include details of all of the previous works of found to be permitted development.

6.2 Impact on character and appearance of the area

- 6.2.1 London Plan 2015 Policies 3.5 and 7.6 and Local Plan 2013 Policy SP11 identify that all development proposals should respect their surroundings, by being sympathetic to their form, scale, materials and architectural detail. The site is not located within or near a conservation area.
- 6.2.2 In terms of the design of the extension, it is noted that it takes the form of flat roofed rear projections. While this approach is normally acceptable at ground floor level, a pitched roof would usually be expected at first floor level. The works indicated on the drawing involve comprehensive changes to the main roof of the dwelling that are permitted development. The effect of the flat roof on the first floor rear extension is to reduce the apparent scale of the extensions and introduce a more obvious junction between the original house and the new additions. Representations received raise concern about the bulk and scale of the proposals. The lower roof to the rear (together with extensive glazed openings) would reduce this apparent scale and potential loss of light but arguably creates a less unified (but not unique) built form.
- 6.2.3 The applicant has intended to break up the bulk of the extensions by using large areas of glazing. This provides the extensions with a more lightweight appearance, reducing the visual bulk of the proposals but increases potential for intervisibility between the rooms and spaces outside.
- 6.2.4 The property is not located in a conservation area. Although relatively unified in terms of streetscape, with generous setbacks and a degree of coherence to architectural styles and forms when viewed from the streets, the more discrete rear gardens to properties on Fordington Road display more mixed characteristics – reflecting the legacy of permitted development and changes to buildings over time. The design and form of the works proposed are considered to have a coherence that is not harmful to the character of the existing dwelling or at odds with and harmful to the character of the street or locality. More ambitious alterations to homes are in evidence nearby – such that the scale and form of the extension, which retains significant rear garden space, is considered proportionate to the original dwelling and the surrounding family homes. Moreover, when considered having regard to the fall back position, the additional bulk and scale of the proposals, and their impact upon the character of the area, is not considered material. Contrary to the objections received, officers consider that whilst the infilling of the space between the proposed rear “wings” would change the appearance of the rear elevation from nearby garden spaces, the overall scale and form of the resultant dwelling would not be alien to or out of character with the locality.

- 6.2.5 A number of concerns have been raised regarding the impact of the extensions on the rear building line. Whilst it is acknowledged that there is some uniformity to buildings' siting within this portion of Fordington Road, this is not on its own, considered to be a component of the character of the locality of such significance that it justifies specific preservation. There are already large extensions to the property on the corner of the road, which is the first property seen in the context of the building line. Moreover, evidence of earlier extensions (and the scope for permitted development at ground and first floor) suggests that this element of the character of the area will be likely to continue to change over time. There is also no set form of roof line along the street, with a number of differing roof forms evident.
- 6.2.6 The proposed works to the building detailed in the plans would be apparent from the street through primarily the changes to the main roof of the dwelling and the side extension. The "additional" works to infill the space between the permitted rear wings would not be visible from the front of the property nor prominent in the more limited public views of the rear elevation. Notwithstanding the objections received, and having regard to the fall back position created by the permitted proposals, the impact of the proposals on the character and appearance of the locality is accordingly considered to be acceptable and consistent with London Plan 2015 Policies 3.5 and 7.6 and Local Plan 2013 Policy SP11.

6.3 Impact on the amenity of adjoining occupiers

- 6.3.1 Saved UDP Policy UD3 states that development proposals are required to demonstrate that there is no significant adverse impact on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy, overlooking. Similarly London Plan Policy 7.6 requires buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy.
- 6.3.2 In terms of the ground floor extensions, there is not considered to be a significant adverse impact on number 5 to the west, as the proposed extension would replace an existing, and original, conservatory along this boundary. The depth and height of the proposed extension is the same as the existing conservatory, and in addition it sits alongside the existing garage at number 5. In terms of impact on number 1, the proposed extension is located 3 metres from the boundary with number 1. Given this separation, and as the extension proposed is 3.2 metres in depth at this point, the eastern end of the ground floor is not considered to impact on number 1.
- 6.3.3 In terms of the extension at first floor level, the proposed extension would be 3.3 metres from the boundary with number 5, and 3 metres from the boundary with number 1. Such a set back from these properties would reduce the physical impact on these properties, especially given the further setback from the common boundary of these neighbouring dwellings. Although the first floor extension

adjacent to number 1 would be closer to this property than number 5, the extension would only extend 1.5 metres past the existing rear wall at this point. The extension would maintain a 45 degree sightline from the rear of both neighbours, and would not be overly prominent in any views from the rear of these properties. On that basis, notwithstanding comments received, the proposals are not considered to be overbearing on the neighbouring properties.

6.3.4 With regard to any loss of privacy, it is not considered that the proposal would result in any significant additional overlooking from that existing at present (or permitted). It is noted that the extent of glazing would provide a greater intervisibility between properties, but in terms of overlooking the position of the windows would not allow overlooking of the garden area immediately to the rear of the neighbouring dwellings and does not, in officers view, increase levels of overlooking towards the rear of these neighbouring gardens to an unacceptable degree. It is noted that the proposal include new windows in the side elevations. Obscure glazing would be required in the flank windows and secured by condition to maintain privacy. The new dormer roof windows will allow elevated views from the roofspace (and are permitted development). The cumulative effect of this element is nevertheless not considered to alter the conclusions above on overlooking from this domestic home.

6.3.5 As such, the proposal does not harm the amenities of neighbours and is in accordance with saved UDP 2006 Policy UD3 and concurrent London Plan 2015 Policy 7.6.

6.4 Highways

6.4.1 An objection has been raised on parking grounds. The property will remain a single-family dwelling, and would not result in an intensification of the use. As such, the parking (and policy) requirements will not alter, and the existing provision is satisfactory.

6.5 Conclusion

6.5.1 The proposed development has prompted considerable local interest. The proposed alterations are considered however, to be acceptable, having regard to impacts upon the character and appearance of the area and upon neighbouring residential amenity. Elements of the proposed development form the subject of a lawful development certificate that is capable of being a material planning consideration as part of a fall back argument. For the above reasons however the proposals are considered to be acceptable and consistent with the objectives of the Development plan for the area.

6.5.2 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

6.6 CIL

- 6.6.1 The increase in internal floor area would not exceed 100sqm and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

7.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s) FR/001; FR/002; FR/003; FR/004; FR/005; FR/006; FR/008; FR/009; FR/010; FR/011; FR/012; FR/013; FR/014; FR/015; FR/016; FR/020; FR/021; Photograph Sheet (x2)

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in accordance with the following approved plans and specifications: FR/001; FR/002; FR/003; FR/004; FR/005; FR/006; FR/008; FR/009; FR/010; FR/011; FR/012; FR/013; FR/014; FR/015; FR/016; FR/020; FR/021; Photograph Sheet (x2)

Reason: In order to avoid doubt and in the interests of good 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 7.6 of the London Plan 2015, Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

4. Before the first occupation of the extension hereby permitted, the flank window in the elevation of the first floor facing 1 Fordington Road shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening and fixed shut. The window shall be permanently retained in that condition thereafter.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 General Principles of the Haringey Unitary Development Plan 2006.

Informatives:

INFORMATIVE:

In dealing with this application, Haringey Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 to foster the delivery of sustainable development in a positive and proactive manner.

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.

Appendix 1 Consultation Responses

Stakeholder	Question/Comment	Response
EXTERNAL		
Muswell Hill and Fortis Green Association	<p>OBJECTIONS:</p> <p>1. The proposed development is too big and out of character and proportion with the original house and surrounding area. It would detract from the quality of the built environment and does not meet the criteria set by a number of Haringey planning policies.</p> <p>2. Is it correct that this application should be treated as a separate application to HGY/2015/1375? It seems that they amount to one development and should be treated as such for planning purposes. Consequently a new hybrid application of the subject matter of this application and HGY/2015/1375 should be made to enable the totally of the works proposed to be subject to the planning process.</p>	<p>The proposal is considered to be of a scale that is in accordance with policy in this instance.</p> <p>This application has been treated as new application.</p>
Highgate Society	<p>On behalf of the Highgate Society, I would like to submit the following comments on the designs for the redevelopment of 3 Fordington Road, N6 4TD, which are currently under consideration as per the application reference above.</p> <p>1. The Society is concerned by aspects of how the present application has been submitted: separately from, yet clearly intended as a completion stage to the COL HGY/2015/1375. As such, they both give the misleading impression of small-scale additions and alterations of a piecemeal nature, when in reality, the two schemes together will create a rear and side extension and loft</p>	<p>This application has been treated as new application. A number of the extensions have been approved previously as permitted development, and form part of a fall back position.</p>

Stakeholder	Question/Comment	Response
	<p>expansion which are not dissimilar in scale or bulk to the withdrawn proposals of HGY/2014/2238. Aerial views of the area make it clear that the proposed extensions (two-storey to the rear) in conjunction with the loft conversion to a hip-to-gable-end roof represent a significant encroachment into previously green and open space and one which is entirely uncharacteristic of the houses in the vicinity. These proposals thereby directly contravene Haringey Council's Saved Policy UD3 and London Plan 2011 Policy 7.4, both of which call for any new development to scrupulously respect the local environment in which it is situated.</p> <p>2. Following on from the above, the extensions are overbearing on immediate neighbours and out of keeping in terms of size and scale with other houses in the vicinity. They will, furthermore, result in an unacceptable level of overlooking and deprivation of amenity for the homes immediately adjacent, numbers 1 and 5. Conversely, the outlook from those properties' gardens will be severely damaged by the intrusive nature of such a large and dominant structure within previously unbuilt and landscaped garden area. I would draw attention once more to Saved Policy UD3, where the first of the General Principles specifically cites the importance of preventing adverse effects on neighbours regarding their privacy and aspect, or subjection to overlooking, which might arise from any development proposal.</p> <p>3. The blunt, cuboid form of the proposed extensions does not represent a high quality addition to or</p>	<p>The extension would maintain a 45 degree sightline from the rear of both neighbours, and would not be overly prominent in any views from the rear of these properties.</p> <p>With regard to any loss of privacy, it is not considered that the proposal would result in any additional overlooking from that existing at present.</p>

Stakeholder	Question/Comment	Response
	<p>enhancement of the area housing, as stipulated by Haringey Local Plan 2013 SP11, and is conspicuously inconsistent with the more articulated profiles of the traditional architecture which characterise the streetscape. In addition, the expanse of glazing stretching across the whole of the proposed garden front on two floors is out of keeping with the area's period homes, and represents an intrusive contemporary style which is awkwardly appended to the host building. Combined with the greatly enlarged and projecting second floor dormer window, it will further contribute to an unacceptable level of overlooking and loss of privacy to the neighbouring properties.</p> <p>4. The Society is anxious to see that the planning system is responsive to and respectful of the concerns of local residents, and note that there has been sustained and vigorous opposition from neighbours to each of the iterations of this scheme, all of which have represented a substantial enlargement of the property. Overall, the street has maintained its integrity as an early 20th-century neighbourhood of moderately-sized family homes, and this is especially true of the stretch of houses in close proximity to number 3. An extension of the scale and impact here proposed is to be firmly avoided in an area which has otherwise resisted the incursion of largescale redevelopment and over-building of green buffer zones between its houses. Where these have occurred in some nearby roads, they have resulted in an obviously detrimental erosion of the streets' architectural quality and interest.</p>	<p>In this instance however, the first floor extension has also been proposed with a flat roof so it would not compromise the roof level of the property. This also results in the bulk of the extension being reduced, as a pitched roof form would add additional bulk at roof level.</p> <p>The applicant has intended to break up the bulk of the extensions by using large areas of glazing. This provides the extensions with a more lightweight appearance, reducing the visual bulk of the proposals.</p> <p>The proposal is considered to be of a scale that is in accordance with policy in this instance.</p>

Stakeholder	Question/Comment	Response
	On the basis of the above points, the Society continues to object strongly to the proposed extension scheme.	
NEIGHBOURING PROPERTIES		
53 Responses received	Proposals are contrary to strategic policy SP11 which states that all new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe - this one does not - in fact it works contrary to that.	For the reasons discussed in the report, the proposal is considered to comply with policy SP11.
	Proposals are contrary to the Council's Housing SPD which states that the extensions should respect the architectural unity of a block of houses and character of the surrounding area The proposed scale and extent of the extension would not. So I object on these grounds.	For the reasons discussed in the report, the proposal is considered to comply with SPG1a.
	The proposals breach policy UD3 because the established building line will be breached. The building line is clearly visible from Woodside Avenue. UD3 states that development much complement the character of the local area and be of a nature and scale that is sensitive to the surrounding area. This proposed development fails to meet these criteria.	For the reasons discussed in the report, the proposal is considered to comply with policy UD3. Whilst it is acknowledged that there is some uniformity of building locations within this portion of Fordington Road, this has already been deteriorated by a large number of rear extensions and roof extensions carried out down this street.
	The extent and scale of the proposed rearward two storey extension at the rear of the house, together with	A set back from these properties would avoid any overbearing impacts on these

Stakeholder	Question/Comment	Response
	<p>the roof extension presents a huge increase in the bulk of the line of the property. It will have an adverse affect on the amenity of the neighbouring properties.</p>	<p>properties, especially given the further setback from the boundaries of these dwellings. The extension would maintain a 45 degree sightline from the rear of both neighbours, and would not be overly prominent in any views from the rear of these properties.</p>
	<p>The design is out of keeping with the character and appearance of the adjacent properties and with existing design of No 3. The proposed flat roofs do not respect the traditional style of the property nor do they match the existing pitched roofs. The huge expanse of glazing proposed across the rear extension at both ground and first floor is not in keeping with the more traditional fenestration currently at No 3. The modern boxy form is totally out of keeping with the age character and appearance of the No 3.</p>	<p>In this instance the first floor extension has also been proposed with a flat roof so it would not compromise the roof level of the property. This also results in the bulk of the extension being reduced, as a pitched roof form would add additional bulk at roof level.</p>
	<p>The proposed development extends significantly further into the rear garden than the existing property resulting in an unacceptable sense of enclosure. The bulk of the first floor rear extension is a wider continuous extension than that which constitutes permitted development - over two thirds of the width of the house – which will give an increased sense of enclosure to Nos 1 and 5.</p>	<p>With regard to any loss of privacy, it is not considered that the proposal would result in any additional overlooking from that existing at present.</p>
	<p>The Application proposals represent an overdevelopment of the site and extend far beyond the limits of permitted development.</p>	<p>The proposal is considered to be of a scale that is in accordance with policy in this instance.</p>
	<p>Were planning permission to be granted it would set a</p>	<p>Precedent is not a material planning</p>

Stakeholder	Question/Comment	Response
	dangerous precedent.	consideration, as each case is assessed on its own merits.
	The plans are not accurate. There are many discrepancies, e.g. There is a step in the roof on the proposed south elevation which is not shown correctly on the south east elevation. The existing and proposed north-east elevations have not been submitted. This is a new and separate application from the certificate of lawfulness and therefore cannot rely on the previous plans.	These plans have now been submitted for information and completeness.
	The Certificate of Lawfulness has been surreptitiously exceeded in this design.	This application has been treated as new application.
	Parking is already a problem and expansion of the houses into multiple dwellings will exacerbate this problem.	There is no proposed change to the dwelling, and therefore no impact on parking would occur.
	The substantial expanse of proposed glazing across the rear extension at both ground and first floor levels also appears out of keeping with the appearance and more traditional style of fenestration found on the existing property, and with that of the rear elevations of our property at no.1 and that of no.5.	The glazing proposed gives the extensions a lightweight appearance reducing the visual bulk.

