

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 27th July 2010

Report of
Assistant Director, Planning
& Environmental Protection

Contact Officers:
Aled Richards Tel: 020 8379 3857
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Ward:
Winchmore Hill

Application Number : TP/10/0614

Category: Householder
Development

LOCATION: 112 Woodberry Avenue, London N21 3LB

PROPOSAL: Single storey rear/side extension, rear conservatory and rear dormer with balustrade (PART-RETROSPECTIVE).

Applicant Name & Address:

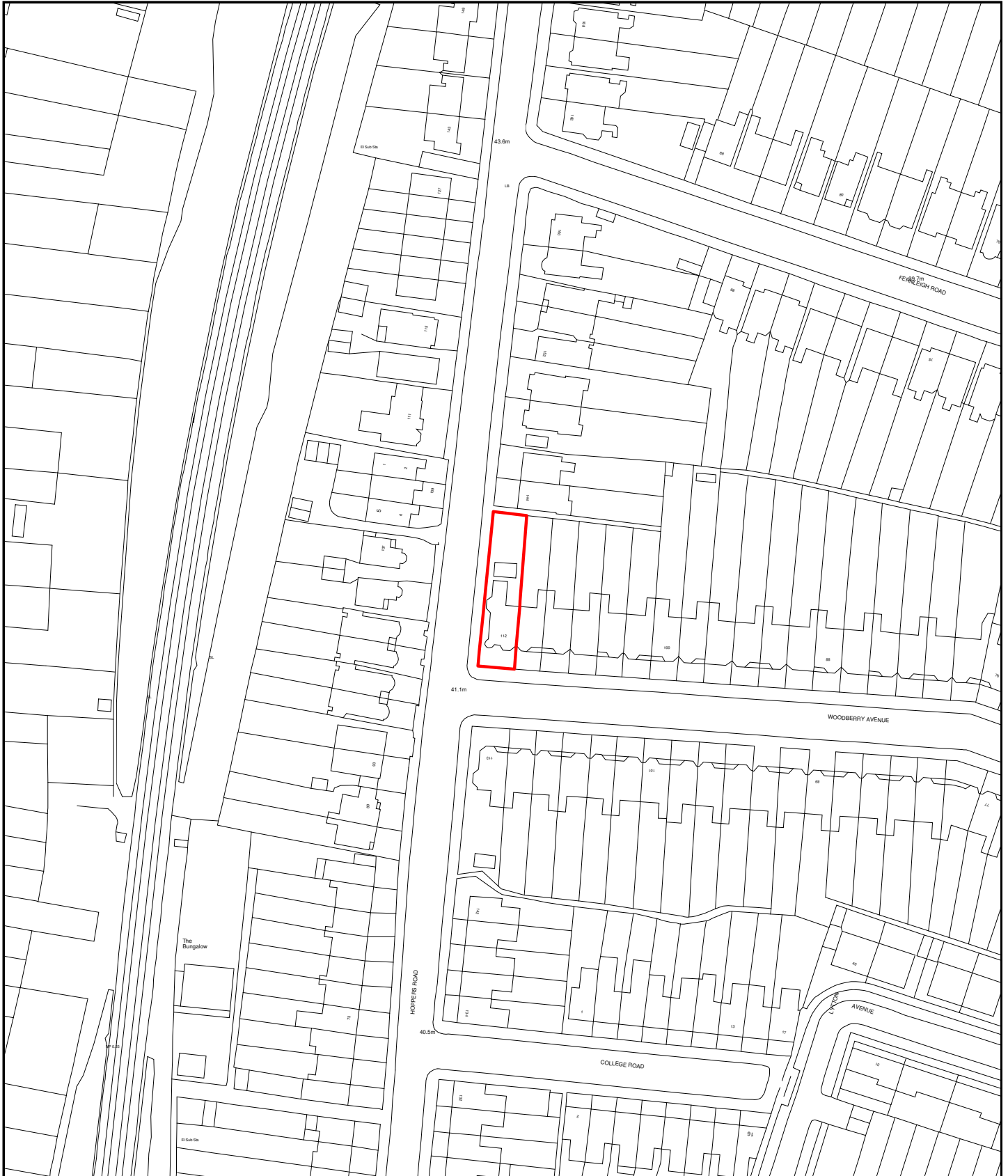
Mr B Joseph
112 Woodberry Avenue,
London
N21 3LB

Agent Name & Address:

Mr Philip Nicholas
Building Design Consultants
47 Deer Park Way,
Essex,
Waltham Abbey,
EN9 3YN

RECOMMENDATION:

That planning permission be **REFUSED**.



Development Control



Scale - 1:1250
Time of plot: 10:51

Date of plot: 16/07/2010

1. Site and Surroundings

1.1 Site

1.1.1 The application site is located at the corner of Woodberry Avenue and Hoppers Road and comprises a traditional two storey end of terrace property. The property is characterised by its frontage to both of these streets and its corner feature.

1.2 Surroundings

1.2.1 The surrounding area is predominantly residential in character and is occupied by a range of terraced and semi-detached dwellings.

1.2.2 The property is not located within a Conservation Area, nor is it a listed building.

2. Proposal

2.1 The application property has recently been extended without the benefit of planning permission, involving both a single storey rear extension and rear dormer window. This application seeks to retain the rear dormer window and part of the rear extension, with the remainder of the rear extension demolished.

2.2 The proposed rear extension involves two elements. The first lies to the rear of the main building, along the common boundary with 110 Woodberry Avenue. It extends to a depth of 3 metres and has glazed walls and roof above a dwarf wall. The second element of the extension projects to the rear of the two storey outrigger. It extends to a depth of 1.6 metres and is of brick construction with a mono-pitched roof above. It replaces a former attached outside toilet of a similar depth.

2.3 The proposed roof extension involves a rear dormer that is 3.8 metres wide, 5.3 metres deep and 2.6 metres high. The dormer is set up from the eaves and down from the ridge by 0.3 and 0.1 metres, respectively. However, it projects beyond the hipped tile by some 1.5 metres. The dormer has a flat roof and is constructed from hanging tiles. Two velux rooflights are also provided to the front slope. This element of the application seeks retention of the dormer as constructed.

3. Relevant Planning Decisions

3.1 TP/10/0081 Single storey rear extension and rear dormer (RETROSPECTIVE), refused on 13-Apr-2010 for the following reasons:

The proposed rear extension by reason of its size, siting, height and excessive rearward projection would have a more overbearing impact on the residential amenities of the adjoining occupiers resulting in a loss of light and sense of enclosure to no. 110 Woodberry Avenue, contrary to Policies (I)GD1, (I)GD2 and (II)H12 of the Unitary Development Plan, as well as the objectives of PPS1 and PPS3.

The proposed rear dormer due to its size, siting and projection beyond the plane of the roof fronting Hoppers Road would appear as an overly dominant, visually discordant and intrusive form of development detrimental to the appearance of the property and the visual amenities of the area when viewed from neighbouring properties. This would be contrary to Policies (II)H15, (I)GD1, (I)GD2 and (II)GD3 of the Unitary Development Plan.

- 3.2 LDC/09/0382 Erection of rear conservatory and a rear dormer window, refused on 11-Dec-2009 for the following reason:

The proposed development, due to the excessive depth of the rear conservatory and the extension of the rear dormer beyond the plane of the existing roof slope which forms the principal elevation of the dwellinghouse and fronts the Hoppers Road, would breach requirements A.1(e)(i) and B.1(b) of Schedule 2, Part 1, Classes A and B, respectively, of the Town and Country Planning (General Permitted Development) Order 1995 (As amended by Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008). The proposal, therefore, does not constitute permitted development.

4. Consultations

4.1 Statutory and non-statutory consultees

- 4.1.1 Winchmore Hill Residents' Association objects to the application stating that it is the third such application, which, with the exception of the ground floor conservatory, is the same as the previous schemes. As the main objection and reason for refusal was the shape and dominance of the roof extension, the Association does not believe there is any significant change to warrant approval.

4.2 Public

- 4.2.1 Consultation letters were sent to 14 neighbouring properties. At the time of writing no responses have been received.

5. Relevant Policy

5.1 UDP Policies

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|---------|--|
| (I)GD1 | Regard to Surroundings / Integrated into Local Community |
| (I)GD2 | Quality of Life and Visual Amenity |
| (II)GD1 | Appropriate location |
| (II)GD3 | Character / Design |
| (II)GD6 | Traffic Generation |
| (II)GD8 | Site Access and Servicing |
| (II)H6 | Size and tenure of new developments |
| (II)H8 | Privacy and Overlooking |
| (II)H9 | Amenity Space |
| (II)H12 | Residential Extensions |
| (II)H15 | Roof Extensions |

5.2 Local Development Framework – Core Strategy:

5.2.1 The Enfield Plan is now proceeding through the Examination in Public process into the soundness of the Plan. It is considered some weight can now be attributed to the policies contained in the Core Strategy and the following policies from this document are of relevance:

SO1 Enabling and focusing change
SO2 Environmental sustainability
SO8 Transportation and accessibility
SO9 Natural environment
SO10 Built environment

CP4 Housing quality
CP30 Maintaining and improving the quality of the built and open environment
CP36 Biodiversity

5.3 London Plan

2A.1 Sustainability criteria
3C.23 Parking Strategy
4A.1 Tackling Climate Change
4A.3 Sustainable Design and Construction
4B.1 Design principle for a compact city
4B.6 Sustainable design and construction
4B.8 Respect local context and communities

5.4 Other Relevant Considerations

PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport

6. **Analysis**

6.1 Background

6.1.1 This proposal follows an application for a certificate of lawful existing use or development (CLEUD) and a previous planning application that were both refused. The proposed single storey rear extension has been reduced in size, but the rear dormer remains unchanged from these previously considered schemes.

6.1.2 The main issues to be considered are the impact of the proposed rear extension on no. 110 Woodberry Avenue and the impact of the proposed dormer on the street scene and character of the area. Each is addressed in turn below:

6.2 Impact on Neighbouring Properties

6.2.1 The adopted policies on rear extensions permit projections of up to 2.8 metres. However, the recent changes to permitted development rights allow for a depth of up to 3 metres and thus, it is considered appropriate to apply this higher standard. The proposed depth of the conservatory element of the proposal has been reduced from 6 metres in the previously refused scheme

to 3 metres in this case. This now accords with the adopted standard and is considered acceptable.

- 6.2.2 The remaining element of the proposal would project some 6 metres from the rear elevation of no. 110 Woodberry Avenue. However, this part of the extension is set some 2.3 metres in from the common boundary with this property. As a result, it is considered it would be sufficiently distant to ensure there would be no unacceptable impact to the amenities of the occupiers of no. 110 Woodberry Avenue.
- 6.2.3 It is considered the proposed rear extensions would not have any adverse impacts on other properties.
- 6.2.4 The proposed rear dormer would include doors with a Juliet balcony. However, these are common features of such roof extensions and it is not considered these will result in an unacceptable level of overlooking to the neighbouring properties.
- 6.2.5 Overall, the impact on the neighbouring properties is considered acceptable.

6.3 Impact on Character of Surrounding Area

- 6.3.1 The proposed rear extensions are of a scale that is in keeping with the character of the property and would not harm the visual amenities of the surrounding area. This element is considered acceptable.
- 6.3.2 Roof dormers on rear facing roofs may be accepted under Policy (II) H15 of the UDP provided they are of an appropriate size and location within the roof plane, are in keeping with the character of the property, and are not dominant when viewed from the surrounding area.
- 6.3.3 The proposed rear dormer would have a modest set in from the party wall with No 110 whilst being set up from the eaves and set down from the ridge of the property. Nevertheless, there are concerns that these provide only limited separation resulting in a dormer that is too large for the roof space. Moreover, when viewed in the context of the projection of the rear dormer towards Hoppers Road, it is clear that together, these elements provide for an overly dominant addition. In particular, this is accentuated by the proposal breaches the plane of the roof fronting Hoppers Road. This projection is visible and prominent from the front of the property and along Hoppers Road. Consequently, it is considered this projecting element provides for a wholly unacceptable and incongruous visual appearance. These concerns are supported by Winchmore Hill Residents' Association.
- 6.3.4 Even when viewed from the rear, the crossing of the line of hipped tiles provides for the appearance of an overly dominant addition. This line is breached by some 1.5 metres, which constitutes 39% of the width of the dormer window.
- 6.3.5 Notwithstanding the acceptability of the proposed rear extension, it is considered the proposed rear dormer due to its size, siting and projection beyond the plane of the roof fronting Hoppers Road would appear as an overly dominant, visually discordant and intrusive form of development detrimental to the appearance of the property and the visual amenities of the

area when viewed from neighbouring properties. This would be contrary to Policies (II)H15, (I)GD1, (I)GD2 and (II)GD3 of the Unitary Development Plan.

6.4 Other considerations

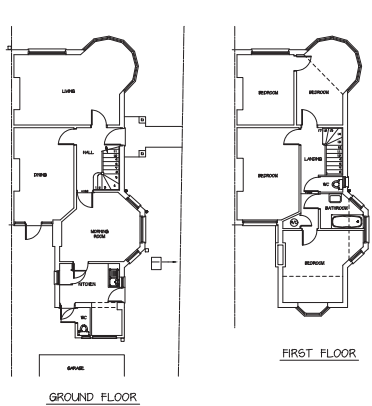
- 6.4.1 It is not an offence under the Planning Acts to carry out development without first obtaining any necessary planning permission; indeed it is possible to make retrospective application. The fact that this is a retroactive application should also not affect the assessment of the proposals planning merits. However, such development is carried out at the owner's risk that it may need to be amended or removed later should the proposal be found to be unacceptable
- 6.4.2 The applicant contends that the development was carried out under advice from their agent that it constituted permitted development. However, an application for a lawful development was not submitted to confirm this until after the development had been carried out. This application was then refused, which confirmed the works did not benefit from permitted development rights.
- 6.4.3 It is important to note that the applicant has received consistent advice regarding the remedy to this contravention. This is to reduce the rear dormer to an extent that it does not breach the plane of the roof fronting Hoppers Road. If this were carried out the proposal would constitute works that could have been constructed under permitted development rights. Alternatively, an appeal could be lodged against either, or both, the Council's decisions to refuse to grant a lawful development certificate or planning permission.

7. **Conclusion**

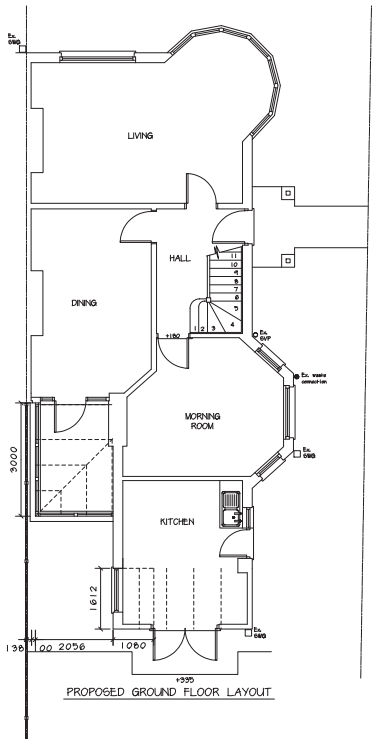
- 7.1 The proposed rear extension is considered acceptable. However, the rear dormer window has an unacceptably harmful effect on the character of the local area. There can be no suggestion that simply because the development has been completed it should receive more favourable consideration.

8. **Recommendation**

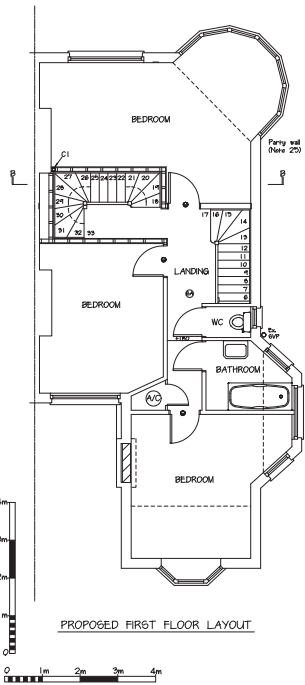
- 8.1 That planning permission be REFUSED for the following reason:
1. The proposed rear dormer due to its size, siting and projection beyond the plane of the roof fronting Hoppers Road would appear as an overly dominant, visually discordant and intrusive form of development detrimental to the appearance of the property and the visual amenities of the area when viewed from neighbouring properties. This would be contrary to Policies (II)H15, (I)GD1, (I)GD2 and (II)GD3 of the Unitary Development Plan.



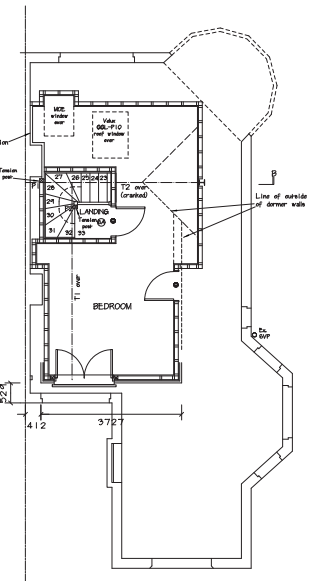
GROUND FLOOR
EXISTING LAYOUTS - 1:100



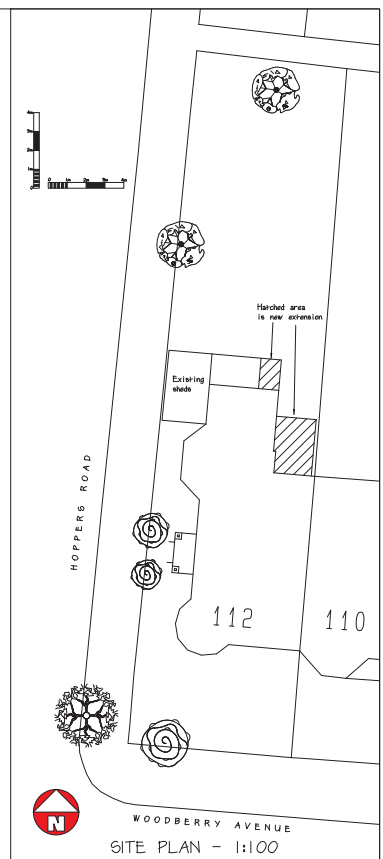
PROPOSED GROUND FLOOR LAYOUT



PROPOSED FIRST FLOOR LAYOUT



PROPOSED LOFT FLOOR LAYOUT



SITE PLAN - 1:100



EXISTING ELEVATIONS - 1:100

EXTERNAL FINISHES
Generally to match existing
Roof slopes and dormer walls of plain tiles colour-matched to existing.
Dormer flat roof of built-up felt system.
Conservatory roof of multi-pane polycarbonate in patent glazing bars.
Joinery of double glazed UPVC.
Pavement of crazy paving.



PROPOSED ELEVATIONS - 1:100

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| COPYRIGHT: The contents of this drawing may not be reproduced in part or in whole without the written consent of Building Design Consultants | |
| PROJECT: Proposed loft conversion, conservatory and alterations | DRAWING NUMBER: 04037/6C |
| DRAWING: Planning drawing (retrospective) | |
| CLIENT: Mr. B. Joseph | Building Design Consultants |
| SITE: 112 Woodberry Avenue, London, N21 3LB | ARCHITECTURAL DESIGNERS STRUCTURAL ENGINEERS BUILDING SURVEYORS PLANNING CONSULTANTS BUILDING CONSULTANTS |
| DATE: January 2010 | Rear of 1, Harewood Close, Wilburton Abbey, Essex EN9 1QP |
| SCALE: 1:50; 1:100 @ A0 | Tel: 01992 768866 Fax: 01992 768877 |
| Preparation: A clear amendments 00/010 PMS B Review or alter page 20/010 PMS C Date for 04/02 PMS | |
| THIS WORK MAY BE AFFECTED BY THE PROVISIONS OF THE PARTY WALL etc. ACT 1996 | |
| THE CONTRACTOR MAY BE RESPONSIBLE FOR NOTIFYING HIS LOCAL AUTHORITY REGULATIONS 1994 IF THE PROJECT IS COMMERCIAL OR INDUSTRIAL. A PLANNING SUPERVISOR SHOULD BE APPOINTED. | |