LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/1985 **Ward:** Fortis Green

Date received: 16/06/2016

Drawing number of plans: 003, 004A, 005 & 006A

Address: 229 Muswell Hill Broadway N10 1DE

Proposal: Installation of new kitchen extract plant and air intake plant to rear extension roof

Applicant: Mr Rino Mollura Rinaldo Club UK Ltd

Ownership: Private

Officer contact: Valerie Okeiyi

2. SUMMARY OF RECOMMENDATION

GRANT PERMISSION subject to conditions

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 This is an application for installation of new kitchen extract plant and air intake plant to rear extension roof.

Site and Surroundings

3.2 The application site concerns two adjoining ground floor commercial units located on the western side of Muswell Hill Broadway. The site is predominantly surrounded by three storey Edwardian buildings of architectural interest comprising ground floor units and upper floor residential use. The site falls within the primary shopping frontage of Muswell Hill town centre and also lies within Muswell Hill Conservation Area, Muswell Hill CPZ and Muswell Hill Restricted Conversion Area within the Local Plan Proposals Map.

Relevant Planning and Enforcement history

3.3 HGY/2013/1260 - Change of use of ground floor from A1 (retail) to A3 (cafe/restaurant) Grant permission - 13/08/2013

Planning enforcement;

3.4 DEP/2014/00812 – Departure of plans approved – Advised to submit an application which also includes detailing of the screening to be installed to screen the extractor.

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

Internal

1) LBH Environmental Health Noise & Pollution
2) LBH Conservation Officer
3) LBH Pollution/Air Quality/Contaminated Land
4) LBH Environmental Health Food & Hygiene

4.2 There have been no internal comments received.

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of 1 site notice displayed in the vicinity of the site and 47 letters. 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:0
Objecting:0
Supporting:0

6 MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. The impact of the proposed development on the character and appearance of the conservation area;
2. The impact on the amenity of adjoining occupiers;

Character and appearance of the conservation area

6.1 London Plan Policy 7.8 requires that development affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale and architectural detail. Haringey Local Plan Policy SP12 requires the conservation of the historic significance of Haringey's heritage assets. Emerging policy DM9 of the Development Management, Development Plan Document (2015) continues this approach.

6.2 Saved UDP (2006) Policy CSV5 requires alterations and extensions to preserve and maintain the character of conservation areas and also respect characteristic features such as doors, windows or materials of buildings. This should be considered alongside Chapter 12 of the NPPF, SPG2 'Conservation and archaeology'.

6.3 The proposal seeks planning permission for the installation of a new kitchen extract plant and air intake plant to the rear of the existing single-storey outrigger on Queens Lane. The extract duct work will be enclosed by new screening, to ensure the extract ductwork will therefore have limited visual impact on the streetscene and conservation area. Queens Lane serves as a service road to the back of Muswell Hill Broadway. An inspection of the site reveals other a/c units, extractor ducting and other similar equipment which are common to the rear streetscape of the parade of commercial units along Muswell Hill Broadway. The proposal would therefore be in keeping with the prevailing pattern of development and is therefore acceptable in this regard.

6.4 The proposal is therefore considered to preserve the character and appearance of the Conservation Area and is considered acceptable in this instance in accordance with policies 7.4 'Local Character' and 7.6 'Architecture' and 7.8 'Heritage Assets' of the London Plan 2016, Policy SP11 'Design', SP12 'Conservation' of the Local Plan 2013, saved policy UD3 'General Principles' and CSV5 'Alterations and Extensions in Conservation Areas' of the UDP (2006) and Draft DM Policy DM9

Impact on the amenity of adjoining occupiers

6.5 In terms of potential noise and disturbance, saved UDP Policies UD3 and ENV6 requires development proposals to demonstrate that there is no significant adverse impact on residential amenity including noise, pollution and of fumes and smell nuisance. In addition saved UDP Policy ENV7 necessitates developments to include mitigating measures against the emissions of pollutants and separate polluting activities from sensitive areas including homes. These policies align with London Plan Policies 7.14 and 7.15 and the NPPF which seeks to protect residential properties from the transmission of airborne pollutants arising from new developments.

6.6 The extract ductwork will be located to the rear of the existing single-storey outrigger on Queens Lane. Officers consider there will be no impact on neighbouring properties as the rear outriggers fronting Queens Lane are in non residential use. As such, only the upper floor flats on Muswell Hill Broadway are directly affected by the proposal.
However, these rear-facing, upper floor habitable room windows of these flats are reasonable set away from the siting of the extract ductwork. The ambient noise would therefore not unduly compromised by the extract ductwork, as such in accordance with the above policies.

Conclusions

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

8. RECOMMENDATION

GRANT PERMISSION subject to conditions

Registered No. HGY/2016/1985

Applicant's drawing No.(s) 003, 004A, 005 & 006A,

Subject to the following condition(s)

1. The replacement extract ductwork and screening should be implemented within 6 months in order to remove the unauthorised structure which is currently in situ.
Reason: To protect the visual amenity of the locality consistent with Policies 3.5, 7.4, 7.5 and 7.6 of the London Plan 2011 and Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

2. The approved plans comprise drawing nos (l003, 004A, 005 & 006A). The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.