

Officer's Report

Application Number	HGY/2022/4024
Type	Full planning permission
Location	52, Onslow Gardens, Hornsey, London, N10 3JX
Proposal	The construction of a new single storey brick rear extension to replace the existing glazed conservatory. The installation of a new dormer window the front roof to replace the existing roof window.
Case Officer	Oskar Gregersen
Valid Date	07/11/2022
Applicant	Mrs Helena Neill
Agent	Mr Oliver Barsoum

RECOMMENDATION

Approve with Conditions

1. REPRESENTATIONS

1.1 One representation was received in response to notification and publicity of the application.

1.2 The following issues were raised by neighbours:

- Overbearing impact in relation to height and the mass of the new wall on party boundary with No 50 (Comment: addressed in the report below);
- Overshadowing and loss of light to kitchen window and patio of No 50; (Comment: addressed in the report below);
- Excavation to lower the floor level; (Comment: The agent has indicated that there should not be any underpinning required to the party wall given the topography of the site);
- Noise and disturbance, odour with moving of patio doors (Comment: there is no evidence to demonstrate that such a nuisance would occur, the property remains a single-family dwelling with access into its rear garden separated from its neighbours by boundary fences, a typical arrangement common to other properties in the immediate area);
- Possible placing of extractor fan or vents for the kitchen next to No 50 (Comment: Addressed in the report below);
- Proposal to replace current low-level fence on boundary with No 50; (Comment: Addressed in report below)
- Consultation not carried out currently. (Comment: The LPA accept that there was an issue with the processing/ dispatching of consultation letters in respect of this application, which is carried out by a company/ external to the Council via electronic instruction. This was raised to the LPA, who then re-sent letters again and extended the consultation period to allow for the appropriate amount of time for residents to comment. The original consultation letters were sent 22/11/22 with a deadline for 13/12/2022. This was extended to 03/01/22 with new letters sent on 13/12/2022. It is equally pointed out the Planning Service moved to a new IT system in November with teething issues occurring in the initial move over to this new system).

2. REASONS FOR GRANTING PERMISSION

2.1. The subject site is a two-storey residential dwelling house with accommodation within its roofspace. The house benefits from a sizeable rear garden. This part of the street is characterised

by pairs of semi-detached properties with prominent gable features. The road has a variety of house types with the road steeply sloping from west to east. The application site is not located within a conservation area.

2.2 There is no planning history in relation to this site.

Rear extension

2.3 The proposal seeks to replace an existing conservatory to the back of the outrigger with a new solid single storey extension. This will be of comparable depth to the existing conservatory but wider (7m) extending beyond the side elevation of the outrigger. Specifically, the extension will have a depth of 4.1m on the boundary with No 50.

2.4 Part of the garden will be lower to accommodate this proposed extension and equally internally the floor level of the current outrigger will be lowered, to rationalise levels within the house. The extent of such excavation is not significant, and the agent has indicated that there should not be any underpinning required to the party wall given the topography of the site. Such works are not viewed to represent a risk in terms of structural stability, ground slip or movement in connection with the neighbouring property. Notwithstanding the granting of planning consent, it is pointed out that the development here would equally have to conform with the requirements of building regulations and likewise a Party Wall Agreement would be required.

2.5 The proposed extension will be finished in materials similar to that of the host dwelling and will have flat roof, a green roof with a lantern window located on part of it. Beyond the rear extension will be a small terrace area.

2.6 The proposed extension considered proportionate and subordinate to the host building and is in keeping with the pattern of development, whereas represented in the Design & Access Statement there are a variety of rear extensions to the backs of neighbouring properties.

Other works

2.7 Additionally the proposal seeks to replace an existing set of bi-fold doors with a sliding door on the eastern elevation, and the erection of a small dormer window on the front roof slope to replace an existing roof light. It is noted that there are some dormers found on the front of properties in the immediate area and as outlined above there are variety of house types found on this road most of which have accommodation at roof level.

2.8 The proposed replacement of a bi-fold door with a slightly different sliding door, finished in materials sensitive to the host dwelling is supported, as it is ostensibly a like-for-like replacement.

Impact on amenity

2.9 An objection was received from the residents of neighbouring property 50 Onslow Gardens raising concerns about the height of the proposed extension, specifically it being overbearing and impacting light to its kitchen and patio as well as overshadowing.

2.10 As noted Onslow Gardens slopes from west to east, with the ground level of the rear gardens to these properties being slightly different. As noted above and reflected in the drawings following the removal of the conservatory the area on which the rear extension will be lowered, meaning the extension and the top of its roof will sit lower than the patio feature to the back of No 50. As shown in drawing 328.206 there will be a 2.4m high wall along the boundary of No 50 when viewed from its patio. The scheme has been amended to lessen the eaves height along the eastern elevation, specifically it is the same as the existing solid wall to the side of the current conservatory.

2.11 As a result give the eaves height is effectively only 2.4m when viewed from No 50, factoring the topography of the site and the removal of the parapet detail, the introduction of a deeper wall will not adversely impact conditions of light and outlook or be overbearing. As clarified by the agent, beyond such a section of wall, the current fence height will not be changed.

2.12 It is accepted that there will be some impact on the nearest window to No 50, a splayed window, however this would not be to an extent to refuse this application. It is pointed out that given the extent of glazing serving this large open plan kitchen/ diner, including rooflights, the impact on this room would not be significant. It is pointed out that typically properties of this nature benefit from outlook and light to windows on their front and rear elevations, with side windows constrained by adjacent boundaries and vegetation as is the case here. The impact on conditions of light to No 50 would not be contrary to guidance in BRE 'Daylight/ Sunlight' 2011.

2.13 With respect to No 54 Onslow Gardens, this property has a wraparound extension. The extension here would have not adversely impact on the amenity to this property.

2.14 With respect to the concerns about additional noise/odour/disturbance, new drawings were submitted showing that the extraction vent for the proposed kitchen will be located on the eastern edge of the outrigger, and so will not affect the residents of No 50. Furthermore, it is pointed out there is no evidence to demonstrate that such a nuisance would occur, the property remains a single-family dwelling with access into its rear garden separated from its neighbours by boundary fences/ vegetation, a typical arrangement common to other properties in the immediate area.

2.15 The proposed front dormer window, whilst creating a new opening at second floor level, compared to a roof light, would not impact neighbouring amenity as no new issues of overlooking are created.

2.16 Overall, the proposed rear extension and other works proposed would not harm the amenity of neighbouring occupiers.

Conclusion

2.17 Overall the proposal is deemed to be acceptable in design and amenity terms, as the scale would be appropriate for the size of the site, with material choices respecting the host dwelling and surrounding area.

2.18 The proposed development is in general accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policies SP12 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

2.19 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

GRANT PERMISSION subject to conditions

Conditions:

- 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 approved plans comprise drawing Nos 328.100, 328.101, 328.110, 328.113, 328.114, 328.200 P3 , 328.201 P2, 328.202, 328.203 P3, 328.204, 328.205, 328.206, 328.211, 328.202, 328.213, 328.214 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.
- 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: 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: 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: 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.