

Officer's Report

Application Number	HGY/2022/3544
Type	Full planning permission
Location	Flat 1, 4, Hillfield Avenue, London, N8 7DT
Proposal	Formation of an outbuilding within the rear garden.
Case Officer	Ben Coffie
Valid Date	12/10/2022
Applicant	Mrs Esra Ilgin
Agent	Mr Dominic Sutton

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

1.1 Planning permission is sought for the erection of an outbuilding at the rear of the back garden.

Site and Surroundings

1.2 The application site is a two storey dwelling located on the west side of Hillfield Avenue. The site is located in the Hillfield conservation area.

Relevant Planning and Enforcement history

1.3 No relevant planning history.

2. LOCAL REPRESENTATIONS

2.1 The application has been publicised by way of 41 letters to neighbouring occupants. No representations received from neighbours, local groups, etc. in response to notification and publicity of the application.

3. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Impact of the proposed development on the character and appearance of the area;
2. Impact on the amenity of adjoining occupiers;
3. Impact on trees.

Character and appearance of the area

3.1 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.

3.2 London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

3.3 DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account. In relation to extensions or alterations to residential buildings, including roof extensions, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

3.4 The proposed outbuilding will measure 4700mm in maximum depth, 3050mm in width and 2500mm in height. The bulk, massing, design and choice of materials for the proposed outbuilding would respect the scale, form and character of the host building and other outbuildings in the wider area. The proposal is therefore acceptable with regards to design.

3.4 Consequently, the proposed outbuilding would not represent an intrusive and overly dominant addition to the host property and the conservation area.

Impact on the amenity of adjoining occupiers

3.5 London Plan 2021 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.

3.6 Development Management DPD 2017 Policy DM1 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.

3.7 The proposed outbuilding would be subordinate in scale at the rear of the garden, it would not have any adverse harm on the amenity of the occupiers of the neighbouring sites in terms of loss of daylight/sunlight, loss of outlook and an increased sense of enclosure. It is noted that a side window is proposed on the western elevation which could present overlooking impacts irrespective of the presence of thick vegetation along the boundary, notwithstanding this a condition is being imposed to ensure that the proposed side window would have obscured glazing to ensure the development does not give rise to loss of privacy against the garden users of no.2.

3.8 As such, the proposed outbuilding would not have any adverse impact against the amenity currently enjoyed by occupiers of the neighbouring properties and therefore is considered to be compliant with policy D6 of the London Plan and policy DM1 of the DPD.

Trees and nature conservation

3.9 London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

3.10 DPD Policy DM1 requires proposals to demonstrate how landscaping and planting are integrated into a development as a whole, responding to trees on and close to the site.

3.11 Policy G6 of the London Plan states that in relation to 'requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Impacts on existing biodiversity or green space, as a result of minor housing developments, are required to be minimised and mitigated through measures such as returning hard standing to green space, the installation of green roofs and green walls, or the provision of landscaping that facilitates sustainable urban drainage in order to achieve the principle of no net loss of overall green cover', which is also advocated in local plan policy: DM Policy (2017) DM19.

3.12 There are mature trees at the rear of the property however the proposal is a minor development involving the installation of hardcore pads no closer than 1000mm to the tree; this is installed at a depth of no more than 200mm from ground level. Therefore, will have no impact on the health of any nearby tree

3.13 Due to the above it is not anticipated that the proposed development would result in the damage of the existing tree in the garden.

Conclusions

3.14 The proposal is considered acceptable in terms of its impact on the character and appearance of the host property and surrounding area.

3.15 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

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 outbuilding hereby approved shall be used for purposes incidental to the use of the main residence and shall not be used as an independent dwelling or for commercial purposes, without the prior approval in writing of the local planning authority.

Reason: In the interests of the amenities of the area and to comply with London Plan 2021 Policy D6 and Haringey Local Plan 2017 Policy SP2 which set out appropriate standards and requirements for all new dwellings.

- 4 Prior to the first use of the structure hereby approved the side window 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 and maintained thereafter.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

Informatives:

- **INFORMATIVE: Outbuildings and Building Regulations**
Your attention is drawn to the need to comply with the relevant provisions of Building Regulations which can apply in relation to certain outbuildings in terms of size, use and proximity to a boundary. Please refer to the following for further advice.
https://www.planningportal.co.uk/info/200130/common_projects/43/outbuildings/
<https://www.haringey.gov.uk/planning-and-building-control/building-control>
- **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.