

Officer's Report

Application Number	HGY/2022/4051
Type	Householder planning permission
Location	42, Midhurst Avenue, Hornsey, London, N10 3EN
Proposal	New boundary fence and front passage enclosure for bicycle storage.
Case Officer	Ben Coffie
Valid Date	09/11/2022
Applicant	Mr Stuart Dowden
Agent	director Stuart Dowden

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAIL

Proposed development.

Planning permission is sought for the erection of a new boundary fence and front passage enclosure for bicycle storage.

Site and Surroundings

This is an area of two-storey residential development that was developed in the first decade of the twentieth century. The architectural style, scale, appearance, and detailed treatment of the properties are consistent with much of the adjacent residential area. The quality of the streetscape and the frontages is also like the adjoining area.

The site forms part of a homogeneous terrace of houses arranged in pairs set between consistent recesses which makes an attractive and positive contribution to the streetscene and wider conservation area. All the properties within the street are identified as positive contributors.

Relevant Planning and Enforcement history

No relevant planning history

Consultation response

Historic Environmental Team: Objections are raised against the proposed enclosure.

Officer comment: These concerns have been addressed through an amendment lowering the height of the proposed enclosure.

LOCAL REPRESENTATIONS

No representations received from neighbours, local groups, etc. in response to notification and publicity of the application.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and impact on the character and appearance of the conservation area;
2. Impact on neighbouring amenity;

Design and impact on the character and appearance of the conservation area

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.

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.

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.

The application seeks planning permission The boundary fence would measure 1.15m in height. The proposed enclosure was initially proposed to measure approximately 2.45m in height and 4.65m in depth, however has been reduced to a height of 2.15m and a depth of 4.25m. The enclosure will also be set back from the front wall by 600mm. It will be built with feather edge boards between posts set on the boundary line with opaque twin wall polycarbonate roof and high-level side panel.

The proposed front boundary fence is considered acceptable in height and would appear in keeping with the character and setting of the front garden area. Whilst it is recognised that most front boundary walls are constructed in either brick or stone it is not envisaged that the introduction of natural hardwood strips with gaps fixed between timber posts would be intrusive. Moreover, the front section of the wall will be retained.

The existing characteristic gaps are a significant feature of the properties in this area, therefore the proposed development must respect and preserve this feature. Officers acknowledge concerns highlighted by the Historic Environment Team, It is noted that there are some examples of this kind of front or fence enclosures within the street, therefore following the reduction in height and the set-back from the front wall of the host property the proposed enclosure would not constitute an alien or an uncharacteristic addition, its siting, scale, height and bulk are considered acceptable and would not have any detrimental impact against the character and appearance of the host dwelling and the conservation area.

Two rooflights are proposed to the front roof slope which are considered acceptable in size and would not create a visual clutter. Therefore, the proposed rooflights are not considered to have a disproportionate appearance within the streetscene nor would it have a detrimental impact against the character and appearance of the host dwelling or the surrounding area.

As such the proposed development are considered unacceptable and detrimental to the character and appearance of the host dwelling and conservation area contrary to Policy D6 of the London Plan (2021) and policy DM1, DM9 and DM12 of the Development Management DPD (2017), Policy SP11 of the Haringey Local Plan (2017).

Impact on neighbouring amenity

London Plan 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. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

DPD Policy DM1 'Delivering High Quality Design' 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.

By reason of the nature and location of the front boundary wall, no amenity concerns are raised. Given the side gap is not a habitable amenity space and there are not side windows installed at the neighbouring site at no.44 which could be impacted. Therefore, the proposed development would not have any impact on the amenity of the occupiers of neighbouring sites in terms of loss of daylight/sunlight, loss of outlook and an increased sense of enclosure.

As such, due to the above considerations the proposed development would not inflict any adverse impact against the amenity currently enjoyed by neighbouring properties and is in compliance with policy D6 of the London Plan and policy DM1 of the DPD.

Conclusion

The proposal is considered acceptable and would not have a detrimental impact upon the character and appearance of the host property and surrounding area.

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.

COMMUNITY INFRASTRUCTURE LEVY

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

RECOMMENDATION

GRANT PERMISSION subject to conditions.

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 development hereby approved shall be finished in accordance with material detailed in drawing no. TP02/ A unless otherwise agreed in writing by the Local Planning Authority.

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: 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.
- **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.