

Officer's Report

Application Number	HGY/2022/3903
Type	Householder planning permission
Location	14, Palace Court Gardens, Hornsey, London, N10 2LB
Proposal	Proposed replacement of rear extension and outbuilding as per the existing dimensions.
Case Officer	Ben Coffie
Valid Date	27/10/2022
Applicant	MR DAN DIANA
Agent	Mr Dan Diana

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAIL

Proposed development.

Planning permission is sought for a replacement of an existing rear extension and outbuilding. Both developments would adopt the same dimensions and materials to match that of the existing dwelling.

Site and Surroundings

This is an area of two-storey semi-detached residential development located on the north of Palace Court Gardens cul-de-sac. The site is located in Muswell Hill conservation area however the site is not listed.

Relevant Planning and Enforcement History

HGY/2006/1408: Extension of roof by conversion of hip to gable end and erection of rear dormer window, together with insertion of rooflights to front elevation., Approve with Conditions, 5 September 2006

LOCAL REPRESENTATIONS

The application has been publicised by way letters. 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 proposal is for the replacement of an existing rear extension measuring approximately 3.08m in depth, 6.01m in width and 3.00 in height and an outbuilding measuring 3.48m in height, 5.30 in length and 2.75m in width. The replacement extension would have the same dimensions as the existing. All the proposed materials would match the existing materials, therefore the development would not introduce any new materials .

With regard to the above policies, the proposed height, scale and bulk of the existing extension and outbuilding would not increase, therefore, the proposal would not constitute any change to the detriment of the character and appearance of the host dwelling and the conservation area.

As such the proposed replacement extension and outbuilding are considered acceptable and compliant with 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 no additional increase in height, scale and bulk, the proposed developments 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. A window would be installed on the eastern elevation facing the garden area of no.16, however the outbuilding would be significantly set away from the shared boundary with this adjoining property, therefore the development would not give rise to loss of privacy.

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 sq.m. 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 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.

- 4 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.

Informatives:

- **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: 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.