

Officer's Report

Application Number	HGY/2022/4544
Type	Householder planning permission
Location	8 Parham Way, Hornsey, London, N10 2AT
Proposal	Formation of rear partial lower ground outbuilding (garden studio) including excavation of slope at the rear of the garden.
Case Officer	Mercy Oruwari
Valid Date	26/12/2022
Applicant	Mr Mark Bloom
Agent	Mr Aleksandar Stojakovic

RECOMMENDATION

Approve with Conditions

REPRESENTATIONS

Two representations were received in response to notification and publicity of the application. Both representations have objections.

- The outbuilding had already been constructed (excluding the roof-light) by permitted development. It now needs permission due to the amount of excavation involved (Officer Comment: The structure has been assessed retrospectively within this application).
- The size is quite dominant within the applicants' garden (Officer Comment: According to the plans and pictures the structure is still subordinate to the footprint of the site and will be significantly less than 50% of the garden space).
- It sits flush to adjoining boundaries and is not nestled in the garden as suggested (Officer Comment: this is similar to many outbuildings and it will be low enough to not be excessively higher than the neighbouring boundary of No 6).
- It is not an attractive structure (Officer Comment: This is a personal opinion. However, the assessment is carried out to see if it generally meets the policy regarding design. This is further discussed within the report).
- It is not incidental to the scale of the house and is out of character to other properties in the conservation area (Officer Comment: this has been addressed in the comments above).
- In regards to the depth of the excavation retaining walls have been created. Although this has taken into consideration the prevention of any land from the upper level adjoining gardens, it has not considered surface water drainage from the surrounding properties (Officer Comment: the applicant has submitted further details and have made alterations to address this issue. This is further discussed within the report).
- In the location of Parham Way there was formally a pond and a spring. Where will the surface water now drain to? Also where will the surface water for the upper level properties flow to? (Officer Comment: this has been addressed in the comments above).
- A water survey should be carried out to ensure the prevention of flooding (Officer Comment: this can be added as an informative).

REASONS FOR GRANTING PERMISSION

The subject site contains an end-of-terrace two-storey (with loft accommodation) dwellinghouse located on the southern side of Parham Way, N10. The surrounding uses are residential. The site does not contain a listed building but is located within Muswell Hill Conservation Area.

The planning history of the site has been taken into account when coming to this decision:

- HGY/2022/2447 - Certificate of lawfulness for proposed outbuilding. Not proceeded with
- DEP/2022/00544 – Unauthorised construction of outbuilding at rear of garden. Case pending
- HGY/2022/2231 - Non-material amendment to planning permission ref: HGY/2021/3268 to replace the front and rear windows with Aluminum windows. Granted
- DEP/2022/00291 – Works taking place in rear garden. Case closed
- TPC/2022/00061- Removal of trees. Case closed - Previously approved works.
- HGY/2021/3268 - Erection of new timber front gate access to side elevation of dwelling, erection of part single, part two-storey side extension, removal of 1 sycamore tree, erection of single storey ground floor rear extension, installation of photovoltaic panels on the roof of the dwelling, installation of air source heat pump. Granted
- HGY/2021/2976 - Certificate of lawfulness for proposed erection of outbuilding in rear garden. Permitted development
- HGY/2021/2110 - Erection of a single storey ground floor rear and single storey ground floor side extension, removal of 1 sycamore tree, installation of solar panels to the existing roof of property. Granted
- HGY/2018/0126 - Replacement of garage door with window and making-good of external brickwork to facilitate garage conversion to serve existing dwelling house. Granted

Permission is sought for the respective planning for the erection of a large outbuilding partially built at lower sunken ground level in the rear section of the main garden which is accessed by steps. The shell of the structure has been built but the interior and windows have not yet been installed. The building will be an open space to be utilised by the occupants of the main house. The property is the end property of a row of terraces built in the backland behind Rosebery Road, Dukes Avenue and Grove Avenue. The gardens of these properties sit at a much lower ground level in comparison to the gardens of the surrounding roads. In the context of the location of the outbuilding at the rear of the garden, it will sit adjacent to the boundaries of No 6 to the left, Nos 131/133 Rosebery Gardens to the right and Nos 61/63 Dukes Avenue at the rear. As the ground has been excavated to accommodate the structure and the garden is significantly at a lower ground level than both Rosebery Road and Dukes Avenue the height and overall scale can be considered as acceptable.

The façade of the building would be built out of Yellow London Stock brick and rendered. The structure will be covered with a green roof with one roof-light installed. The outbuilding would be accessible via aluminium glazed double doors at the front next to an aluminium framed window. The outbuilding will provide an incidental living accommodation in connection with main ground floor flat

The proposal is considered proportionate and subordinate to the host building and is in keeping with the pattern of development in the area. Therefore, the local character and visual amenity of the area will be protected.

The height and depth of the extension would not result in a material loss of sunlight or daylight, or have an overbearing appearance to the neighbouring property. There will be no material loss of privacy to neighbouring properties. The proposal is acceptable in amenity terms.

The proposed development is in general accordance with Policies DM1, DM9, and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 and 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.

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 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 not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as '8 Parham Way, Hornsey, N10 2AT' 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.

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.