

Officer's Report

Application Number	HGY/2023/0548
Type	Householder planning permission
Location	Garden Flat, 53 Dukes Avenue, Hornsey, London, N10 2PY
Proposal	Erection of a single storey rear garden outbuilding (Eco garden room).
Case Officer	Mercy Oruwari
Valid Date	23/02/2023
Applicant	Mr Brailey
Agent	

RECOMMENDATION

Approve with Conditions

1. REPRESENTATIONS

1.1 No representations were received in response to notification and publicity of the application.

2. REASONS FOR GRANTING PERMISSION

2.1 The application site relates to a two storey mid-terraced property located on the northern side of Dukes Avenue, which has recently created a habitable basement space. The host property is located within Muswell Hill Conservation area but does not fall within the curtilage of a listed building.

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

- HGY/2018/1761 - Excavation of basement and creation of li Proposal: ght-well to front elevation. Granted

2.3 The proposal is for the erection of a pitched roofed outbuilding in the rear garden of the host site. The structure would be 14sqm in size and 2.3m at the rear pitching up to a height of 2.8m on the elevation facing the main house. In the context of the location of the outbuilding at the rear of the garden, it will sit adjacent a cluster of trees and vegetation on the boundary of No 55. There would be a reasonable separation between the boundary of No 135 Rosebery Road and the structure to allow access from the side of the building. In addition, this neighbour has an existing outbuilding at the rear of their garden. The rear of the outbuilding would sit at a low level, adjacent to the flank wall of No 133 Rosebery Road. Although, this would be the second structure within the garden the size can be considered modest enough to retain most of the green area in this space. The outbuilding is therefore acceptable.

2.4 The building would be built out of insulating cork cladding on the front elevation and black waterproofing membrane on the side and rear elevations. The windows and doors would be timber framed, whilst the roof will be single ply membrane with an area of trayed wild flowers. A timber trellis will be added onto the existing timber fence to allow planting to be trained. The outbuilding will provide an incidental living accommodation in connection with main ground floor flat.

2.5 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.

2.6 With the proposed structure being screened by a cluster of trees and vegetation on the boundaries of No 55 and the rear facing the flank wall of No 133 Rosebery Road the extension should not be overbearing for either of these neighbours. There will also be no material loss of privacy for any neighbouring properties. The proposal is acceptable in amenity terms.

2.7 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.

2.8 The proposal would comply with Policy DM9 of the Development Management, Development Plan 2017 and will preserve or enhance the character and appearance of the conservation area.

2.9 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.

Informatives:

- **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: 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.