

Officer's Report

Application Number	HGY/2023/0729
Type	Full planning permission
Location	Ground Floor Flat, 42 Alexandra Park Road, Hornsey, London, N10 2AD
Proposal	Construction of new garden building, demolition of existing garden building
Case Officer	Emily Whittredge
Valid Date	15/03/2023
Applicant	Mr Mendes
Agent	Mrs Keeley Harris

RECOMMENDATION

Approve with Conditions

1. Site Description

The application relates to a ground floor flat within a mid-terrace residential conversion on the south east side of Alexandra Park Road. The property is relatively large with a large rear garden. There are a number of large outbuildings in the area.

The site falls within Muswell Hill Conservation Area and does not relate to any listed building.

2. Policies and Constraints

Muswell Hill Conservation Area DM DPD policy: DM9

Critical Drainage Area, DM DPD policy: DM26

3. Relevant Planning and Enforcement History

None.

4. Neighbour Consultations

No comments were received in response to neighbour notification.

5. Design

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 and 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.

There are a number of examples of large outbuildings in the area. The application seeks to erect an outbuilding near the rear boundary measuring 5.5m wide, 6m deep and 2.5m tall with a flat roof, and would be set away from the boundary on all sides. The building would have a contemporary design with timber cladding. The building is proposed to be used as a home office/gym with a separate shower room.

Although the footprint of the proposed building is moderately large, it would remain subordinate to the rear garden and to the site overall. The design is considered appropriate within this part of the conservation area.

6. 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 the amenity of neighbouring residents.

The proposed outbuilding, due to its location and height, would not result in a loss of light or privacy to adjoining properties. The application originally proposed living space including a kitchen, which was amended in response to officer objections to an intensification of the residential use and could have adversely affected the amenity and privacy of neighbours, including the upper flats within the property. The amendments removed primary residential uses from the garden building. A condition will be added to restrict the use of the outbuilding to incidental uses only, to ensure the building is not used as an additional living unit, which would cause harm to the amenity and character of the area.

7. Conclusion

Subject to conditions, the proposal is proportionate and subordinate to the site and would not result in material harm to the character and appearance of the conservation area or to the residential amenity of neighbours.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

8. RECOMMENDATION

Grant permission subject to condition(s):

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 solely for purposes incidental to the enjoyment of the dwelling known as 42 Alexandra Park Road.

Reason: To protect the amenity of neighbouring occupiers and to comply with 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: 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: 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.