

Officer's Report

Application Number	HGY/2023/0867
Type	Householder planning permission
Location	29 Winton Avenue, Wood Green, London, N11 2AS
Proposal	Construction of a patio at the back of the property, along with a raised fence and extension of the right of way
Case Officer	Zara Seelig
Valid Date	28/03/2023
Applicant	C/O Agent
Agent	Ms Songul Pirbudak

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

Construction of a patio at the back of the property, along with a raised fence and extension of the right of way

Site and Surroundings

The application site is a two storey semi-detached dwelling situated on the south- western side of Winton Avenue, it is not located within a conservation area, it is not a listed building nor are there any TPO's on the site.

Relevant Planning and Enforcement History

The most recent planning history in relation to the site is as follows.

HGY/2009/1134 – Erection of roof extension and insertion of 2 x velux windows to front elevation.
– Permitted Development

HGY/2022/2379 - Erection of patio to the rear of the property – Refused permission and is currently being appealed.

LOCAL REPRESENTATIONS

The application has been publicised by way of 4 neighbour consultation 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 appearance;
2. Impact on neighbouring amenity.

Design and appearance

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.

The design of the proposal is acceptable, it would not be visible from the street scene and would not be overly visible from neighbouring properties. The proposed fence along the boundary with neighbouring property no. 27. was amended to a trellis with planting, for a softer visual impact on the neighbouring property of no. 27. The extension of the right of way would be further to the rear of the site and so would not adversely impact the street scene.

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.

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.

This proposal has overcome the previous reason for refusal regarding impact on neighbouring amenity. As stated in the design section above, an amendment was made to reduce the depth of the fencing along the boundary with no. 27 and was changed to a trellis with planting. This will be conditioned as part of the approval. No. 31 has a similar raised patio and so there would be no impact caused to the amenities of this neighbouring property. The proposal would not adversely impact the amenities of neighbouring properties by reason of overbearingness, loss of daylight/sunlight or loss of privacy.

Conclusion

The proposal is considered acceptable in terms of its design and impact on neighbouring amenity and complies with relevant planning policies.

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.

CIL APPLICABLE

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 with 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 By the end of the first season following completion of the development, planting will be established up the proposed trellis along the boundary line with no. 27 and retained thereafter.

Reason: In order to protect the amenity of neighbouring properties consistent with Policy D6 of the London Plan 2021 and Policy DM1 of The Development Management DPD 2017.

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: 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.