

Officer's Report

Application Number	HGY/2022/3836
Type	Full planning permission
Location	64, Wellington Avenue, Tottenham, London, N15 6BA
Proposal	Alterations to the existing outbuilding to provide a door and window facing Leadale Road. Formalising use of the outbuilding as an office (Use Class E(c)) ancillary to the main house.
Case Officer	Oskar Gregersen
Valid Date	19/10/2022
Applicant	Yoel Frankel
Agent	Mr. Shloime Godlewsky

RECOMMENDATION

Approve with Conditions

1. CONSULTATION RESPONSE

- LBH Transportation Team were consulted on this application and had the following comments:

Transport: The nature of the proposed change of use to the outbuilding is ambiguous in terms of its operations, hours of occupancy, whether it would attract any additional transport / footfall which may have an impact on the local transport network. Given the proposed size of the outbuilding, it is presumed not, but this is not certain. If this outbuilding were to operate as an office, it would be subject to London Plan (2021) Policy T5 minimum cycle parking standards, which indicates that the site would require 1 x long-stay parking space for anyone working within it. This would then need to be acceptable on terms of the London Cycle Design Standards (this could be subject to condition).

It appears that the proposed alterations to the existing outbuilding would `remove the existing garage door / usage from the outbuilding. Therefore, the existing vehicle crossover on Leadale Road would be redundant. This would need to be removed and `the pedestrian footway reinstated. In addition, parking provision could be extended to directly outside of the site, but would need to be confirmed by Highways / Parking. The cost for this would need to be borne by the applicant, should the application be granted permission, and would need to be secured by s278 agreement (as part of S106).

In conclusion, there is no objection to this application on transportation grounds, subject to securing the above by conditions / obligations.

2. REPRESENTATIONS

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

3. REASONS FOR GRANTING PERMISSION

3.1 The subject site is a two-storey residential dwellinghouse, set within the area covered by the South Tottenham SPD. The site is not located within any conservation area and does not fall within the curtilage of a listed building.

3.2 The planning history of the site has been taken into account when coming to this decision. In specific, a certificate of lawfulness has already been granted for the use of the garage as an office (HGY/2022/1927), this application is to formalise this use and remove the garage door and replace it with a large window.

3.3 The proposal seeks to formalise the use of a garage as an office approved under HGY/2022/1927. Currently the office allowed exists in a space that still appears as a garage due to the existence of the metal door and vehicle crossover.

3.4 This proposal seeks the replacement of the metal garage door with a wall finished in brick complete with a window facing the street. This would allow the space to appear more consistent with an office and provide a more comfortable space in which to work.

3.5 Officers note that at the moment the current footway has a lowered vehicle crossover consistent with an off-street garage, a condition will be added such that pre-commencement a section 278 agreement will need to be agreed such that the TMO can be altered and footway restored to remove the vehicle crossover.

3.6 Additionally, the comments from LBH transport highlighted that to be used as an office the site should provide adequate cycle parking, however as this office is to be used incidentally to the host dwellinghouse Officers deem that the cycle parking can be provided by the garden or elsewhere on site.

3.7 Officers deem that the addition of the window in place of the garage door is acceptable, as it looks onto Leadale Road, and therefore the issues of loss of privacy or overlooking are not an issue due to the volume of windows of other properties facing the street.

3.8 Further, it is noted that a fence has been in place between the office building and garden of the dwellinghouse, effectively creating a self-contained unit, however this issue was raised with the applicants who stated this was to avoid disturbance from other residents of the dwellinghouse. Regardless, a condition will be added such that the use of the office must be incidental to the dwellinghouse for the entire time that the outbuilding is in place.

3.9 The proposed changes made by this application formalise the current use, with the addition of a window facing the front elevations of properties on Leadale Road. There is unlikely to be any additional foot traffic as a result of this application, as the use of an office is already in place and no new doorways are proposed. Therefore, there will be minimal impact on neighbouring amenity.

3.10 Given that the changes proposed are to remove a garage door, and replace it with a wall and window, and in doing so reinstate the footway to add parking provision and improve the pavement, it is deemed that the proposal provides a net positive to the character of the area, and host site.

3.11 The proposed development is in general accordance with Policies DM1, 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.

3.12 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 use of the outbuilding should remain ancillary and incidental to the use of the main dwellinghouse unless agreed otherwise in writing by the local planning authority.

Reason: To ensure the protection of neighbouring amenity against excessive noise and foot traffic in the garden area

- 4 No external signage shall be installed on the exterior of the property without the written approval of the Local Planning Authority.

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.

- 5 Prior to commencement of any works, the applicant is required to enter into an agreement under Section 278 of the Highways Act 1980 to secure the removal of the existing crossover, the reinstatement of the kerb and pavement, and associated changes to the road markings.

Reason: To ensure that the TMO and vehicle crossover are reinstated as the use of the outbuilding as a garage has ceased.

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.