

Officer's Report

Application Number	HGY/2023/0997
Type	Removal/variation of conditions
Location	11 The Avenue, Hornsey, London, N10 2QE
Proposal	Section 73 application to vary condition 1 (approved drawing numbers) of planning permission reference HGY/2021/0682 for the erection of single storey side and rear wraparound extension, formation of basement with front and side lightwells, enlargement of existing rear dormer, and installation of front roof lights. The application seeks a minor material amendment to the approved development, raising the height of the single storey side and rear wraparound extension.
Case Officer	Josh Parker
Valid Date	11/04/2023
Applicant	Mr Dermot Gilroy
Agent	Mr Martin Gaine

RECOMMENDATION

Approve with Conditions

SITE AND SURROUNDING

The site is occupied by a two storey, terraced dwellinghouse. This property sits on the south-western side of The Avenue, in a line of terraced dwellings. The areas to the west of the site are residential in character, being made up of a mixture of semi-detached and terraced properties. On the opposite side of the road is Alexandra Park, together with facilities such as a boating lake and play area. Some distance to the south-east is Alexandra Palace, which is a grade II listed building. The Alexandra Palace and Park Conservation Area (CA) is to the north-east, however the site is within the Muswell Hill CA. The Appraisal covering the Muswell Hill CA comments on many of the features of these terraced properties (1 – 31 The Avenue), including: the red brick construction, the chimney stacks, the canted bays, the hood above the entrance and the windows. These properties, including the host dwelling, are identified as positive contributors to the character of the CA.

PROPOSED DEVELOPMENT

Section 73 application to vary condition 1 (approved drawing numbers) of planning permission reference HGY/2021/0682 for the erection of single storey side and rear wraparound extension, formation of basement with front and side lightwells, enlargement of existing rear dormer, and installation of front roof lights. The application seeks a minor material amendment to the approved development, raising the height of the single storey side and rear wraparound extension.

RELEVANT PLANNING HISTORY

PRE/2023/0032 - Pre-application advice sought regarding amendments to the approved single-story wrap round extension approved under permission HGY/2021/0682 to reflect what has been built on site.

HGY/2021/0682 - Erection of single storey side and rear wraparound extension, formation of basement with front and side lightwells, enlargement of existing rear dormer, and installation of front roof lights. Approve with conditions.

CONSULTATION

No consultation was sought or received.

LOCAL REPRESENTATIONS

The application has been publicised by the way of letters. No representations received from neighbours, local groups, etc in response to notification and publicity of the application.

RELEVANT PLANNING POLICY

National Planning Policy Framework (2021) (NPPF)
The London Plan (2021)
Haringey's Local Plan Strategic Policies (2017) (Local Plan)
Development Management DPD (2017) (DM DPD)

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance
2. Impact on neighbouring amenity

Background

Planning permission was granted under reference: HGY/2021/0682 for the erection of a single storey rear/side extension and the formation of a basement, with lightwells. Other works were approved, including the enlargement of a rear dormer and the addition of rooflights. This pre-application concerns the single storey rear/side extension, which wraps around the outrigger.

Works have commenced, with the shell of the rear/side extension now present on site. However, the single storey rear/side extension wraparound infill extension has not been constructed in line with the plans approved under reference: HGY/2021/0682. The extension is of greater height and the side infill element has a steeper roof pitch. The agent and applicant have explained that the extension has been constructed in this manner due to the required dimensions of the steelwork. This application seeks approval for the as built extension.

The other elements of the original approval comprising the basement extension, front and side lightwells, the enlargement of the property's existing rear dormer, and installation of new roof lights to the front are unchanged.

Design, Appearance & Heritage

The 'as constructed' extension has a maximum height of approximately 3.95 metres, which is 0.6 metres higher than the approved extension. The eaves height (along the boundary with 13 The Avenue) as constructed is approximately 2.75 metres and this is 0.3 metres higher than as approved.

These changes are considered modest in design terms, and therefore the 'as constructed' extension does not appear as an overly bulky addition to the host property. The extension remains

appropriately subservient to the existing dwelling. The 'as constructed' extension, when compared with the approved extension, has not harmed the character and appearance of the host property, the surrounding area or the CA. Therefore, from a design perspective, the 'as constructed' extension is considered likely to be acceptable.

Impact on Neighbouring Amenity

13 The Avenue

To the north-west of the site is 13 The Avenue and the approved extension would have been constructed up to the boundary with this neighbour. Similarly, the 'as constructed' extension sits along this boundary. No.13 has a rear facing window on the main part of the dwelling close to this boundary and several ground floor side windows in the outrigger, which face the 'as constructed' extension.

It appears that prior to the development at No.11, the rear facing window of No.13 already received limited sunlight/daylight, due to the presence of outriggers to either side. Officers previously determined that the approved extension would not have caused detrimental loss of sunlight/daylight to No.13. The changes that have been made to the 'as constructed' extension do not appear to be so significant to result in materially greater losses of sunlight/daylight to this window, when compared with the approved extension. Therefore, on balance, it is not considered that this window has been affected by unacceptable loss of sunlight/daylight resulting from the 'as constructed' extension.

Similarly, the outlook from the rear facing window of No.13 was already limited, prior to the development at No.11. It is noted that the 'as constructed' extension does have a greater eaves height along the boundary and the gradient of the roof slope has been increased. However, again these changes are not substantial. Furthermore, the land directly to the south-east of the rear facing window is not occupied by the extension and this provides some visual relief when taking views from this opening. Noting the modest nature of the changes, and given the visual relief mentioned above, it is not considered that there has been a materially greater impact on outlook or an unduly harmful sense of enclosure affecting this rear facing window.

Prior to the development at No.11, the side facing windows of No.13 received limited light and had minimal outlook, due to the presence of the outrigger to the south-east. The approved extension would have brought ground floor built form closer to these windows, however officers concluded that this would not have resulted in a detrimental loss of light or outlook.

The 'as constructed' extension is slightly higher along the boundary and has a greater maximum height. However, these changes are not so significant to cause materially greater loss of light to the side windows of No.13, when compared with the approved extension. Furthermore, the 'as constructed' extension results in very similar impacts, in terms of the outlook from these side windows. Therefore, it is not considered that the 'as constructed' extension has caused undue impacts on outlook or an excessive enclosing impact affecting these side windows.

The 'as constructed' extension projects the same distance to the rear, as the approved extension. Due to this and given the only modest increase in the scale of the extension, it is not considered that the 'as constructed' extension has resulted in undue overbearing impacts, excessive overshadowing or harmful loss of light affecting the rear garden space of No.13. The Avenue.

The approved extension would have been erected up to the boundary with 9 The Avenue (property to the south-east). Similarly, the 'as constructed' extension sits along this boundary. The 'as constructed' extension also projects the same distance to the rear, as the approved extension. Noting this identical projection and given the only modest increase in the height of the extension, it

is not considered that the 'as constructed' extension has caused undue: overbearing impacts, loss of light, overshadowing or restriction of outlook affecting No.9.

Conclusion

In summary, the 'as constructed' extension has not harmed the character and appearance of the host property, the surrounding area or the CA. The special interest and historic significance of the CA has been preserved.

The 'as constructed' extension projects the same distance to the rear as the approved extension. The modest increases in the overall height and eaves height has not resulted in a materially harmful impact on the amenity or living conditions of the occupiers of neighbouring properties.

The other elements of the original approval comprising the basement extension, front and side lightwells, the enlargement of the property's existing rear dormer, and installation of new roof lights to the front are unchanged. There have no change in local or strategic policy since the original permission was granted and these elements of the scheme remain acceptable.

All other relevant policies and considerations, including equalities, have been considered. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

RECOMMENDATION

Approve subject to the following conditions:

Conditions:

- 1 The approved plans comprise drawing nos:

2004-1-3-900 Rev.P2; 2004-1-3-901 Rev.P3; Design, Access and Heritage Statement - March 2023; Basement Impact Assessment; Construction Management and Logistics Plan; 2004-1-3-902 Rev.P3; 2004-1-3-010 Rev.P4; 2004-1-3-100 Rev.P6; 2004-1-3-101 Rev.P5; 2004-1-3-011 Rev.P4; 2004-1-3-020 Rev.P4; 2004-1-3-030 Rev.P4; 2004-1-3-100 Rev.P6; 2004-1-3-130 Rev.P6, OA/DG21/2-7; and A19-010 PRE002 Rev B.

The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

- 2 The development hereby permitted shall be begun not later than the expiration of 7 May 2024.

Reason: To ensure the commencement timescale for the development is not extended beyond that of the original planning permission granted on 7 May 2021 under Haringey ref: HGY/2021/0682 and to comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 3 The external materials to be used for the proposed ground floor extensions shall match in colour, size, shape and texture those of the existing building.

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.

- 4 No development shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed, and such appointment confirmed in writing to the local planning authority, to supervise the construction works throughout their duration. In the event that the appointed engineer ceases to perform that role for whatever reason before the construction works are completed, those works will cease until a replacement chartered engineer of the afore-described qualification has been appointed, and such appointment confirmed in writing to the local planning authority, to supervise their completion. At no time shall any construction work take place unless an engineer is at that time currently appointed and their appointment has been notified to the local planning authority in accordance with this condition.

Reason: To ensure that the proposed development would have no undue impact on the structural integrity of adjoining and neighbouring buildings, in accordance with Policy DM18 of the Haringey Development Management DPD 2017.

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.