

Officer's Report

Application Number	HGY/2023/1038
Type	Householder planning permission
Location	20 Avenue Road, Hornsey, London, N6 5DW
Proposal	Erection of single storey outbuilding in rear garden.
Case Officer	Ben Coffie
Valid Date	24/05/2023
Applicant	Mr Jaydrath Parmar
Agent	Mr Oliver Barsoum

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

1.1 Planning permission is sought for the erection of an outbuilding at the rear of the back garden. The proposed outbuilding will measure 2.4m in height, 9m in length and 4.5m in width.

1.2 The proposed outbuilding will be finished in oak cladding with aluminium fascia powder coated. It would sit on a hardwood decking.

Site and Surroundings

1.3 The application site is a two storey dwelling located on the north side of Avenue Road. The site is located in the Crouch end conservation area.

Relevant Planning and Enforcement history

1.3 No relevant planning history.

2. LOCAL REPRESENTATIONS

2.1 The application has been publicised by way of 11 letters to neighbouring occupants. One representation received from a neighbouring site in response to notification and publicity of the application has been received and is detailed below:

- The structure appears substantial in both height and length.
- The objector has requested to better understand any potential overshadowing, materials to be used for the facade and confirmation that these are in keeping with any similar structures in adjacent properties and the overall character of the area.
- The objector has also stated that the purpose of the building is unclear, it is difficult to assess potential disturbance.

Officer comments: Concerns regarding design are assessed in section 3 of this report. Details of the proposed outbuilding is within the submitted application form as well as the drawings provided. The Design and Access Statement states that the outbuilding will be used for hobby purposes. An informative will be attached advising the applicant that the building be used only for purposes

incidental and ancillary to the main house. An outbuilding of the size proposed used for 'normal' domestic purposes would not be expected to create nuisance that would be harmful to neighbouring amenity. Other legislation is in place to protect occupiers from unreasonable levels of noise.

3. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Impact of the proposed development on the character and appearance of the area;
2. Impact on the amenity of adjoining occupiers;
3. Impact on trees.

Character and appearance of the area

3.1 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.

3.2 London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

3.3 DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account. In relation to extensions or alterations to residential buildings, including roof extensions, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

3.4 The bulk, massing, design and choice of materials for the proposed outbuilding would respect the scale, form and character of the host building and other outbuildings in the wider area. The proposal is therefore acceptable with regards to design.

3.5 Consequently, the proposed outbuilding would not represent an intrusive and overly dominant addition to the host property and the conservation area.

Impact on the amenity of adjoining occupiers

3.6 London Plan 2021 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.

3.7 Development Management DPD 2017 Policy DM1 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.

3.8 The proposed outbuilding would be subordinate in scale at the rear of the garden, it would not have any adverse harm on the amenity of the occupiers of the neighbouring sites in terms of loss of daylight/sunlight, loss of outlook and an increased sense of enclosure. It is noted that there are three side windows is proposed which could present overlooking impacts irrespective of the presence of thick vegetation along the boundary, notwithstanding this a condition is being imposed to ensure that the proposed side window would have obscured glazing to ensure the development does not give rise to loss of privacy against the garden users of both adjoining sites.

3.9 As such, the proposed outbuilding would not have any adverse impact against the amenity currently enjoyed by occupiers of the neighbouring properties and therefore is considered to be compliant with policy D6 of the London Plan and policy DM1 of the DPD.

Trees and nature conservation

3.10 London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

3.11 DPD Policy DM1 requires proposals to demonstrate how landscaping and planting are integrated into a development as a whole, responding to trees on and close to the site.

3.12 Policy G6 of the London Plan states that in relation to 'requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Impacts on existing biodiversity or green space, as a result of minor housing developments, are required to be minimised and mitigated through measures such as returning hard standing to green space, the installation of green roofs and green walls, or the provision of landscaping that facilitates sustainable urban drainage in order to achieve the principle of no net loss of overall green cover', which is also advocated in local plan policy: DM Policy (2017) DM19.

3.13 There are no mature trees at the rear of the property, moreover the proposal is a minor development which would not involve any excavations or deep foundations. Therefore, will have no impact on the health of any nearby trees.

3.14 Due to the above it is not anticipated that the proposed development would result in the damage of any existing neighbouring tree.

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 proposed development hereby approved shall be finished in accordance with material detailed in the drawings unless otherwise agreed in writing by 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.

- 4 Prior to the first occupation of the development hereby approved, the proposed side windows shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening and fixed shut. The window shall be permanently retained and maintained thereafter.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2017 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: Outbuildings/ Garden Rooms**
This permission applies only to the extent of the operations outlined in the description of development and shown in the accompanying drawings. In specific it is brought to your attention that the outbuilding hereby approved is for purposes incidental and ancillary to the use of the main dwelling house in its use as a single-family dwelling. Any operation/use which is materially different would give rise to a material change of use which may result in a breach of planning control which is liable to enforcement action by the local planning authority.
- **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.