



Officer Report

Application Number:	HGY/2023/1299
Application Type:	Full planning permission
Address:	Shop 42a-46, Park Road, Hornsey, London, N8 8TD
Proposal:	Installation of Ventilation Flap at the rear for installation of internal extraction unit as shown on the plans
Case Officer:	Cameron Sturges
Valid Date:	16/05/2023
Applicant:	Mr Alper Oztaskin
Agent:	Mr M Kilic

RECOMMENDATION

Refuse

1. SUMMARY OF RECOMMENDATION

REFUSE PERMISSION

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Site and Surroundings

2.1 The subject site relates to a ground floor shop located on the north/northeast side of Park Road. Residential flats are located above. The subject site is located in the Crouch End Conservation Area and the Crouch End District Centre. The site does not fall within the curtilage of a listed building.

Description of Development

2.2 The proposal seeks the installation of a ventilation flap to the rear elevation.

Relevant Planning and Enforcement History

2.3 The relevant planning and enforcement history related to the subject site is listed below:

42, Park Road, London, N8 8TD

HGY/2013/2462 - Erection of rear first floor office extension over existing flat roof and modifications to an existing external metal escape stair – REFUSED 21/01/2014

HGY/2014/0881 - Erection of rear first floor office extension over existing flat roof – REFUSED 20/05/2014

HGY/2015/2396 - Erection of first floor extension over existing flat roof – APPROVED 02/11/2015

Shop, 44, Park Road, London, N8 8TD

HGY/2021/2197 - Proposed shopfront alterations including relocation of front door - APPROVED 03/09/2021

3. CONSULTATION RESPONSE

3.1 The responses below were received following consultation on the application:

LBH Conservation officer: No objections.

LBH EHS - Noise & Pollution: No comments received.

4. LOCAL REPRESENTATIONS

4.1 The following were consulted:

- Neighbouring properties
- Muswell Hill & Fortis Green Association

4.2 The application has been publicised by way of press advert, site notice displayed in the vicinity of the site and 34 letters. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses:

Objecting: 4

Supporting: 4

4.3 The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Noise and odour impacts.

5. MATERIAL PLANNING CONSIDERATIONS

5.1 The main planning considerations raised by the proposed development are:

1. Design, appearance and character of the conservation area; and
2. Impact on neighbouring amenity.

Design, appearance and character of the conservation area

5.2 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.

5.3 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.

5.4 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.

5.5 The proposal seeks to install an external extraction vent to the rear of the property above the door leading to the rear garden. The extraction vent would be a discreet feature amongst the rear of the property and only the ventilation flap would be visible. Given its siting at the rear of the property, the proposed extraction vent would not have a harmful impact on the character and appearance of the conservation area or the host property.

Impact on neighbouring amenity

5.6 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.

5.7 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.

5.8 The extraction vent is proposed to be located to the rear of No.44. The main issue here is the location and siting of the ventilation flap, which is proposed directly below and adjacent to residential flats 42a, 44b, 46a, and 46b. The ventilation flap would result in an unacceptable impact on the enjoyment of neighbouring amenity caused from noise and discharge.

5.9 The applicant has not produced the necessary information and evidence to satisfy the Local Planning Authority that the extractor/ventilation equipment could be operated without harming the living conditions of nearby residents by reason of noise, vibration and fumes/odour in this location, as required to comply with the above planning policy framework. While the submitted specification includes some noise data, the absence of a noise survey and report and given the proximity of residential accommodation the information is not sufficient to demonstrate nearby residential occupiers will not be adversely affected by the proposal. In the absence of any information relating to potential vibration it not possible to assess potential impact of this on the flat above the ground floor use. The submitted plans indicate that filtration systems will be incorporated into the extraction system. However in the absence of more detail on the type and effectiveness of the filtration or of a management plan to ensure it remains effective going forward, the application does not demonstrate nearby residential occupiers will not be adversely affected by odour from the extraction system.

5.10 The proposal therefore is harmful in amenity terms and does not accord with Policy DM1 of the Development Management, Development Plan Document 2017 and Policy D6 and D14 of the London Plan 2021.

Conclusion

5.11 The application has failed to demonstrate that it would avoid detrimental harm to the residential amenity of neighbouring occupiers contrary to Policy DM1 of the Development

Management, Development Plan Document 2017 and Policy D6 and D14 of the London Plan 2021.

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

6. CIL APPLICABLE

6.1 N/A

7. RECOMMENDATION

REFUSE PERMISSION for the following reason(s):

Refusal Reasons:

Insufficient information has been submitted to demonstrate that the location, size and operation of the extraction flue would not result in harmful noise, fumes/odour, and vibration impacts, to the detriment of the residential amenity of neighbouring occupiers, contrary to Policy D6 and D14 of the London Plan (2021) and Policy DM1 of the Haringey Development Management DPD (2017).