



Officer Report

Application Number:	HGY/2026/2175
Application Type:	Full planning permission
Address:	40-44, Elm Park Ave, London , N15 6AU
Proposal:	Extension to existing ground floor extension at No.42; proposed first-floor rear extensions at No's 40-44; and Type 3 roof extensions at No's.40-42
Case Officer:	Kwaku Bossman-Gyamera
Valid Date:	31/07/2026
Applicant:	Mrs Sarah KATZ
Agent:	Shulem Posen

RECOMMENDATION

Approve with Conditions

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for the erection of additional storey 'Type 3' roof extension above nos. 40 and 42 Elm Park Avenue and a full width 3m single storey rear extension to no. 40 Elm Park Avenue.

The application also includes for joint first floor extension across the rear of nos.40, 42 and 44 Elms Park Avenue.

The proposed extension would project 2.5m at first floor level to rear and would be set in around 2.6m from the boundaries with 38 and 44 Elm Park Avenue. The proposal would incorporate a pitched roof over the first-floor extensions.

Site and Surroundings

The subject properties are mid terraces dwellings situated on the south-western side of Elm Park Avenue, close to the junction with Wargrave Avenue. Both properties at nos.42 and 44 Elm Park Avenue have single storey ground floor extensions. Surrounding area is wholly residential in character. The properties are located the area designated in Haringey SPD "House Extensions in South Tottenham" (2013).

The site is not located within any conservation area and does not fall within the curtilage of a listed building.

Relevant Planning and Enforcement history

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

40 Elm Park Avenue

- There is no planning history in relation to this site.

42 Elm Park Avenue

- HGY/2024/2298 – Not Required 30/09/2024 - Erection of single storey extension which extends beyond the rear wall of the original house by 6m, for which the maximum height would be 3m and for which the height of the eaves would be 3m.
- HGY/2016/2535 – Refused 19/09/2016 - Erection of single storey rear extension.
- HGY/2015/2252 – Granted 02/02/2016 - Erection of additional storey 'Type 3'.

44 Elm Park Avenue

- HGY/2022/0147 – Permitted Development 26/01/2022 - Certificate of Lawfulness for proposed alterations to existing front porch.
- HGY/2029/1181 – Permission Required 30/05/2019 - Certificate of Lawfulness for proposed basement extension.
- HGY/2029/0097 – Granted 07/02/2019 - Erection of additional storey 'Type 3'.

42-44 Elm Park Avenue -Joint Applications

- HGY/2022/0227 – Granted 19/04/2022 - Joint application for the erection of first floor rear extensions and the erection of a 'type 3' extension at No.44 and single storey rear extension at No.42.
- HGY/2019/0289 – Granted 07/03/2019 - Erection of first floor rear extensions to both No's. 42 and 44 Elm Park Avenue.

There are no enforcement planning history in relation to the sites.

2. LOCAL REPRESENTATIONS

2.1 The application has been publicised by way of 13 letters. The number of representations received from neighbours, local groups, in response to notification and publicity of the application were as follows:

No of individual responses: 0

Objecting: 0

Supporting: 0

3. MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development;
2. Design and appearance;
3. Impact on neighbouring amenity.

Principle of development

The application site is located within the designated area identified in Haringey SPD 'House Extension in South Tottenham' (2013). The SPD provides additional guidance on the design of house extensions being built to meet the need for providing additional habitable accommodation for large families in this part of the borough. The SPD sought to provide clear and consistent guidance on the form of roof extension defining three approved ways in which homes may be approved at roof level.

The relevant criteria for the purposes of complying with the SPD in respect of a Type 3 extension is outlined and discussed below.

Type 3 extension

1. Should the Council grants permission for this planning application, **Permitted Development Rights** to change the materials and details of windows will be removed. This is to ensure that the appearances of windows in extensions are in accordance with the planning permission [SPD para 3.29]. **Comment:** Permitted development rights are removed as per a condition imposed.
2. Do all proposed **materials match the original house**? Bricks need to match in colour, pattern and texture. If the original bricks are discoloured, then new brickwork can be artificially aged or the original brickwork can be cleaned. Render should match in colour and texture [SPD para 2.18 + 3.30) **Comment:** proposed plans indicate that the proposed 'type 3' roof extension will be finished in line with the guidance set out in the relevant SPD: the walls at 2nd floor level will be roughcast rendered to match existing colour and finish, as will the new flank walls at 2nd floor level; the existing quoin decoration will be replicated at 2nd floor level; new windows at 2nd floor level will follow the original fenestration pattern and will match existing in terms of detailing and materials; the front bay window will be extended to 2nd floor level and reproduced exactly; and the roof, including tiling and eaves, will be entirely reproduced including the reuse of original roofing materials.
3. Do all **proposed windows match those on the floor below** and roughly same distance from window cill to the head of the window below as found in the existing house? [SPD para 3.10]. **Comment:** In this instance, window sizes, distance from the cill to the head would be replicated to the upper floor level to ensure that the design and detailing of the extension is appropriate for the building.
4. Do the proposed **roof eaves match the existing eaves, with the height of the eaves above the heads of windows** immediately below the same as existing? In other words, the distance from the head of the new 2nd floor windows to the new eaves should be the same as the distance from the head of the existing 2nd floor windows to the old eaves

[SPD para 3.129]. **Comment:** All the roof eaves height matches up with the existing and in line with adjoining property.

5. Do the proposed **facing materials match the existing front elevations** in South Tottenham include brickwork, render and to first floors, hanging tiles? [SPD para 3.13].

Comment: Yes - proposal is intended to match the facing materials to the existing front elevation.

6. Are the **size and pattern of the proposed windows reproduced from the floor below?** The line of the window cills and heads will set the line of fenestration which must be maintained. When the existing house windows on the 1st floor are not as high as windows on the ground floor, then the new windows on the 2nd floor should reduce in height by the same proportion [SPD para 3.15 + 3.33]. **Comment:** The size and pattern of the proposed windows has been reproduced from the floor below.

7. Where the existing building has **two-storey bay windows and/or pointed gable front elevation**, does the proposed extension **replicate this at the new floor?** [SPD para 3.17-18]. **Comment:** Yes indeed, the two-storey bay windows and/or pointed gable front elevation, does replicate this at the new floor.

8. Does the new **roof pitched roof follow the original roof** in materials and detailing? **Comment:** Yes- the new roof is pitched to follow the original roof.

9. Where the original house has **parapets at party walls**, between houses, has a parapet been provided in the extended roofs both between the pair of extended roofs and at either end? If original terrace did not have party walls in the roof, there should not be parapets between or at either end [SPD para 3.20]. **Comment:** In this instance, the original terrace does not have any parapets at the party walls therefore, not necessarily to replicate this here.

10. Where the original house is **end of terraces**, does the proposal **replicate the hipped pitched roof** (where that is original)? Gable end extension may acceptable if the proposal is not overbearing [SPD para 3.21]. **Comment:** Proposal is mid terrace, therefore changes the pitched roof details to gable to match the attached pair.

11. For **semi-detached/paired** houses, are the properties **jointly extended?** [SPD para 3.25]. **Comment:** The property are jointly extended and as such the impact has been cancelled out.

12. Where the extension joins the original house, are there any **horizontal joint, line**, change in materials or projecting horizontal feature? [SPD para 3.30]. **Comment:** N/A.

13. Applications for Type 1/2/3 extensions will not be approved for houses already converted to flats or HMOs unless the property is being converted back into a single-family dwelling [SPD para 3.51] **Comment:** Proposal relates to a single-family dwelling.

The relevant criteria for the purposes of complying with the SPD in respect of a rear extension is outlined and discussed below.

Rear extension

For ground floor rear extension, does it **extend beyond 3m** from the back of the original terraced house or **4m for semi-detached properties**? [SPD para 3.40]. **Comment:** The part of the extension projecting from the rear will extend 3.0m past the rear building line to align with adjoining extensions. The part of the addition will be entirely brick build to create a matching adjoining neighbours.

Does the proposed rear extension leaves the existing rear **garden with less than 50 sqm** of space? [SPD para 3.43 & Housing SPD para 8.15]. **Comment:** In case, both application sites retain more than 50sqm of rear garden space. Although the rear gardens are not deep, the rear garden is sufficient, practical and useable.

Given the details provided in the plan submitted and associated annotations, and the assessment above, it is considered that this Type 3 extension would be acceptable and complies/ not complies with the policies and guidance discussed above.

First floor rear extensions

There have been a number of first floor rear extensions across multiple properties approved within the South Tottenham SPD area. These include: -

- HGY/2026/1917 – 30, 32 & 34 Elm Park Avenue - Planning permission granted
- HGY/2022/0195 – 22-26 – Elm Park Avenue - Planning permission granted
- HGY/2021/0089 – 19-21 Elm Park Avenue - Planning permission granted
- HGY/2021/0467 – 66-68 Elm Park Avenue - Planning permission granted
- HGY/2025/3447 – 63 7 63A Elm Park Avenue - Planning permission granted
- HGY/2021/0625 – 24-26 Wellington Avenue – Planning permission granted
- HGY/2021/3589 – 41 Wellington Avenue -Planning permission granted
- HGY/2022/0451 – 10 & 12 Wellington Avenue -Planning permission granted
- HGY/2022/4358 – 2 -4 Wellington Avenue – Planning permission granted
- HGY/2022/0338 – 5, 7, 11 Clifton Gardens – Planning permission granted
- HGY/2022/1683 – 12, 14, 16 Clifton Gardens – Refused and allowed on appeal.
- HGY/2023/3235 – 35, 37, 39 Clifton Gardens – Resubmission of previous dismissed appeal scheme (council ref: HGY/2022/1546) was refused by Council but allowed on appeal.
- HGY/2024/2409 – 13, 15, 17 Clifton Gardens – Planning permission granted.

The Inspector in the decision for HGY/2023/3235 noted that the Council's SPD discouraged second floor rear extensions but was silent on first floor extensions. Furthermore, the Inspector in coming to their decision noted:

The proposal would be set in from the side boundaries of Nos. 35 and 39 and the inclusion a hipped roof would minimise its overall visual impact. As a result, the view of the side elevation from properties on Elm Park Avenue would not be overbearing. Due to the modest projection of the proposal beyond the main rear façade of the properties the proposal would not appear overbearing or incongruous and would not dominate the rear of the properties in this part of the street. Views of the proposal would be limited to the rears of nearby properties and their gardens.

The approved plans for the above decisions all contain similarities of generous setbacks from the side/ red line boundaries; flat roofs; and generally matching materials. The heights and depth of the approved plans are like the proposed scheme.

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.

Combined first floor rear extensions.

Following officer's concerns, the application has been amended by reducing the depth of the extension to 2.5m. This reduction addresses concerns raised.

The proposed development contains setbacks from the side boundaries of adjoining sites which are at least half the width of the rear elevation of nos. 38 and 46 Elm Park Avenue.

The depth of the first-floor rear extensions would be a maximum of 2.5m and would be consistent with others approved in the area and maintains a sense of subordination to the host building and the character of the area. All proposed materials are to match the existing.

The design and appearance of the extension is considered acceptable and would not detract from the character of the immediate area. The extension would be subservient to the host properties in terms of its size and roof form. The external materials of the proposal would be sympathetic with the built form and the appearance of the existing properties.

The proposed first floor rear extension would not appear overly bulky or out of scale in relation to the site context and its surroundings. The design would be in keeping with similar first floor extension approved within the same street and as such would not detract from the character of the locality.

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. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

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.

The proposed type 3 extension would be a significant distance (approx. 13 metres) from the neighbouring houses to the side in Wargrave Avenue. As such there would be no significant harm on daylight and sunlight to these properties. The additional floor would not have a significant impact on privacy. There would be no significant harm to the amenities of the occupiers of the properties on either side in Elm Park Avenue, as the proposal extends upwards only and within the existing footprint of the host building. It will not introduce any additional overlooking of gardens to the side, properties to the rear or the front that doesn't already occur from existing 1st and 2nd floor windows on the application property and others in the same terrace. The proposed 'type-3' extension is therefore considered acceptable in terms of its impact on neighbouring amenity.

The proposed first floor extension would not impinge on a line drawn at 45 degrees from the centre of the attached neighbour's rear habitable windows, which indicates that the proposed extension is unlikely to have significant harm in terms of loss of light on Nos. 38 and 46 Elm Park Avenue. Similarly, the proposed modest depth of the ground floor rear extension would not have significant material harm to the amenities of the adjoining occupiers living condition. The proposal is acceptable in amenity terms.

Additional matters

Paragraph 3.36 of the South Tottenham SPD states that the "all proposals for Type 2 and Type 3 provide structural calculations to demonstrate that the additional loading on the ground by the foundations does not exceed the accepted maximum bearing capacity of the ground."

No calculations have been formally submitted to the LPA with this application, however structural calculations are an integral part of building regulations submission and as such will need to be assessed at the detailed design and construction phases of such a project. As per a condition imposed below steps are required to be taken by a qualified professional to demonstrate that the additional loading on the ground by the foundations does not exceed the accepted maximum bearing capacity of the ground.

It is highlighted that other legislation, Party Wall Act and Building Regulations etc., also provide further safeguards to identify and control the nature and magnitude of the effect on neighbouring properties. The necessary party-wall agreements with adjoining owners would need to be in place prior to commencement of works on site. The Party Wall Act 1996 exists separately from the planning system, to reconcile differences that adjoining development might cause.

BNG

The proposal falls within the de minimis exemption to the statutory Biodiversity Net Gain requirements, as it would not impact any priority habitat, would result in the loss of less than 25sqm of non-priority habitat, and would not affect 5m or more of any linear habitat such as a hedgerow.

4. Conclusion

The proposal is considered acceptable and on balance, proposed development would not harm the character and appearance of the area. The proposed 'type 3' roof extensions to both properties have been designed in line with the requirements and guidance set out in the relevant SPD; as such the additions are considered to balance the need to provide additional accommodation on site with the need for any extension to contribute positively to the character and appearance of the host building and the area. The proposed ground floor extensions are not considered to give rise to any significant harm to the amenity of adjoining occupiers. To ensure full compliance with the 'House Extension in South Tottenham,' SPD, and as reflected above, a number of planning conditions are being imposed.

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

5. CIL APPLICABLE

The development is greater than 100 square metres and as such is liable for CIL. Based on the information given on the plans, the Mayoral CIL charge is estimated to be £12,342 (169.7sqm x £72.73) and the Haringey CIL charge is estimated to be £10,222.72 (169.7sqm x £60.24 (Indexation included)). Subject to potential exemptions, this will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

6. RECOMMENDATION

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 below, other than where those details are altered pursuant to the conditions of this planning permission.

Approved drawings list:

Site Location Plan
EPA.40.44.PR.101 Rev.0
EPA.40.44.PR.102 Rev.0
EPA.40.44.PR.103 Rev.0
EPA.40.44.PR.104 Rev.0
EPA.40.44.PR.105 Rev.0
EPA.40.44.PR.106 Rev.0
EPA.40.44.PR.107 Rev.0

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The external materials to be used for the proposed development shall match precisely in colour, size, shape and texture those of the existing building. The render of the flank wall gable ends and frontage of the second floor shall replicate the texture and colour of the existing frontage and resurface the existing render of the frontage identically if there is not a seamless appearance between the old and new parts of the building. Detailing of the proposed bay window shall match exactly that of the existing barge board and front gable detailing at first floor and roof tiles shall reuse or match precisely the existing roof tiles. The rear elevation shall match the window arch detail and painted brickwork of the ground and first floor.

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, Policy DM1 of The Development Management DPD 2017 and the South Tottenham Residential Extensions SPD.

- 4 The first floor extensions hereby permitted to nos. 40, 42 and 44 Elm Park Avenue shall only be built and completed concurrently unless otherwise agreed in writing, in advance, by the Local Planning Authority.

Reason: In order to protect the amenity of occupants of the adjoining residential properties consistent with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 and DM12 of The Development Management DPD 2017.

- 5 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 20015 or any Order revoking or re-enacting that Order, no changes to the front or side elevations of the dwelling, including the rendered colour, texture and appearance, and window detailing shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and to prevent an out of keeping development of the frontage by controlling proposed extensions and alterations of the frontage and sides of this dwelling consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017, Policy DM1 of The Development Management DPD 2017 and the South Tottenham Residential Extensions SPD 2017.

- 6 Before any work is undertaken in pursuance of this permission to add an additional floor and additional pressure on the original foundations of the dwelling, steps shall be taken by a qualified professional to demonstrate that the additional loading on the ground by the foundations does not exceed the accepted maximum bearing capacity of the ground and works shall be carried out in accordance with the approved structural engineers' drawings.

Reason: In order to safeguard the structural integrity of the building consistent with Policy SP11 of the Haringey Local Plan 2017 Policy DM1 of The Development Management DPD 2017 and the South Tottenham Residential Extensions SPD 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.

INFORMATIVE : Community Infrastructure Levy

The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayoral CIL charge will be £12,342 (169.7sqm x £72.73) and the Haringey CIL charge will be £10,222.72 (169.7sqm x £60.24 (Indexation included)). Subject to any exemption that may be claimed, this will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

Note: The CIL rates published by the Mayor and Haringey in their respective Charging Schedules have been inflated in accordance with the CIL regulations by the inflation factor as published on-line.