Officer Report

Application Number:	**HGY/2026/2422**
Application Type:	**Full planning permission**
Address:	Flat 2, 13 Fairfield Road, Hornsey, London, N8 9HG
Proposal:	Replacement garden studio and replacement fenestration to rear elevation and addition of a retractable awning
Case Officer:	Josh Parker
Valid Date:	01/09/202 6
Applicant:	Mr & Mrs Boris & Emma le deist & Fuller
Agent:	Mr Tom Jenkins

RECOMMENDATION

Approve with Conditions

PROPOSAL

The applicant is proposing the 'Erection of a single storey rear outbuilding'. The outbuilding will be 13.8sq.m located to the rear and will replace an existing outbuilding labelled as a garden studio.

A retractable awning is also proposed to be added to the rear roof slope of an existing single storey rear extension, to offer shading over the rear decking.

SITE DESCRIPTION

The subject site is a ground floor flat within a two storey end of terrace property that has been converted into 5 flats, with a rear garden. The site is located within the Crouch End conservation area and does not fall within the curtilage of a listed building.

PLANNING HISTORY

Adjoining property recent permission (Flat 4, 13 Fairfield Road, Hornsey, London, N8 9HG)

HGY/2022/4437 - Erection of a single storey rear outbuilding. Approved

CONSULTATION RESPONSES

The application has been advertised by letters sent to neighbouring properties, a notice placed in the local press, and a site notice placed outside the premises.

A single objection was received in response to the notification and publicity of this application.

The objection points are as follows:

- Orientation of outbuilding and potential impact on privacy
- Location of the building being 1 metre closer
- Solution for alternative designs

REASONS FOR GRANTING PERMISSION

Policy DM1 (Delivering High Quality Design) states that 'all new development and changes of use must achieve a high standard of design and contribute to the distinctive character and amenity of the local area', development 'a) must relate positively to neighbouring structures, new or old, to create a harmonious whole; b) make a positive contribution to a place improving the character and quality of an area; c) confidently address feedback from local consultation; d) demonstrate how the quality of development will be secured when it is built; e) are inclusive and incorporate sustainable design and construction principles'.

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.

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.

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.

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 the amenity of neighbouring residents.

The proposed outbuilding would replace an existing structure and is intended to function as a home office incidental to the enjoyment of the use of flat 2 within the building. It would be constructed with black metal wall cladding and Burnt Cedar Millboard detailing to the roof trims of the flat roof. These materials are considered appropriate and reflective of contemporary garden outbuildings commonly found within the locality.

The proposed outbuilding is limited in its height, scale and overall footprint and retains a large garden similar to that of the existing. As such, it is considered to be a generally neighbourly form of development and would not be overtly visible from the public sphere.

The proposal represents a high-quality contemporary design. The foundations would comprise a combination of screw piles and the reuse of elements of the existing shed foundations, reducing the extent of new ground disturbance. Whilst the proposed outbuilding would be modestly larger

than the existing structure, the increase in footprint is limited, extending approximately 1 metre closer to the main dwelling, and is not considered excessive.

The site is not subject to a Tree Preservation Order and the proposed outbuilding would not result in the removal of any trees. Whilst there are a number of mature trees within and surrounding neighbouring gardens, the proposal largely retains the existing hard-surfaced area and the modest increase in footprint extends away from the principal root protection areas of nearby trees. Furthermore, the proposed use of screw pile foundations would minimise excavation and ground disturbance when compared to traditional strip foundations, thereby reducing the likelihood of any material impact on tree roots in the vicinity. In light of the above, officers are satisfied that the proposal would not result in significant harm to the health of nearby trees and is therefore acceptable in arboricultural terms.

By virtue of its modest scale, siting and height, the proposed outbuilding would not result in any material loss of light, outlook or sense of enclosure to neighbouring occupiers. An objector has suggested alternative fenestration arrangements; however, officers consider this unnecessary given the site constraints and the established relationship between the existing outbuilding and neighbouring properties. The overall relationship would remain broadly comparable to the current situation, and would not give rise to an unacceptable impact on privacy conditions.

The structure would be only partially visible above the boundary fencing and views would be further filtered by existing shrubs and other garden vegetation. Given the presence of intervening boundary treatments, the proposal would not result in any level of unacceptable overlooking or loss of privacy to neighbouring occupiers.

The retractable awning has been noted. Due to the scale and the visibility of this from the public realm there are no design or amenity objections with regards to the introduction of the awning.

Overall, the proposed development is considered to be of an appropriate design, scale and appearance that would preserve the character and appearance of the conservation area and would not result in an unacceptable impact on neighbouring amenity.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

Conclusion

Subject to conditions the proposal is considered acceptable. TAll 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.

CIL

The increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

RECOMMENDATION

GRANT PEMRISSION subject to coniditons

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.

APPROVED PLANS:
Garden studio Construction Method Statement by Talo
1.001: Location and site plan
2.006-proposed ground floor plan
2.007 - proposed roof plan
2.008 - proposed rear elevation
2.009 - proposed side elevation
2.010 - proposed section aa bb
2.011 - proposed garden studio elevations

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

3 The outbuilding hereby approved shall be used solely for purposes incidental to the enjoyment of the residential flat known as Flat 2, 13 Fairfield Road, Hornsey, London, N8 9HG, and shall not be used for any primary living accommodation, independent residential occupation, sleeping quarters, commercial business trade, or as a separate self-contained unit of accommodation.

Reason: In the interests of the protecting the amenities of neighbouring residential occupants, in accordance with policy DM1 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: 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.