Officer Report

Application Number:	**HGY/2026/2628**
Application Type:	**Full planning permission**
Address:	Ground Floor Flat, 27 Kirkstall Avenue, Tottenham, London, N17 6PH
Proposal:	Erection of side infill extension and garden studio; replacement windows (Class use C3a)
Case Officer:	Oskar Gregersen
Valid Date:	02/10/202 6
Applicant:	Helen Tilston
Agent:	Marco Curtaz

RECOMMENDATION

Approve with Conditions

1. SITE DESCRIPTION

The application site relates to a two-storey terraced dwellinghouse on the south side of Kirkstall Avenue. The site does not fall within any conservation area, nor does it affect the setting of any listed building. The site was divided as 2no. self-contained flats in 1985.

2. THE PROPOSAL

The proposed is for the erection of a side infill extension 4.2m in depth, creating small courtyard adjacent to the rear of the original dwellinghouse. Additionally it is proposed to build a small garden room, and replace the windows to the rear of the site with like-for-like replacements.

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

27 Kirkstall Avenue:

- OLD/1985/0681 | 8/11/84 Conversion into two self-contained flats – approved 01/01/1985

29 Kirkstall Avenue:

- HGY/2026/0001 | Erection of single storey rear infill extension and associated works including the replacement of all existing windows – approved 29/05/2026

4. CONSULTATION RESPONSES

Neighbour Consultation

The number of representations received from neighbours in response to notification and publicity of the application were as follows:

No of individual responses: 0

5. PLANNING CONSIDERATIONS

Design & appearance

Policy SP11 of the Strategic Plan and Policy DM1 of the Development Management DPD both aim to enhance the built environment through high-quality design that respects local context and positive aspects of the area. Policy DM1 sets out that development should relate positively to its locality in terms of building height, form, scale, massing, building lines and architectural details and styles.

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 and 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.

The proposed single storey infill extension would be 1.8m wide and 4.2m deep. The extension would directly abut the boundary with No. 29 Kirkstall Avenue and would extend 4.2m on the shared boundary. It would have a pitched roof, pitching down to a height of 2.6m on the boundary with No. 29 with 1no. of roof light. The materials used are shown to match that of the host dwelling, which is secured by way of a condition.

It is noted that there is an extant permission for a full infill extension to No. 29 which is currently under construction. The proposed extension would share a wall with this extant permission, and both would have a similar pitched roof, creating a matching appearance to the rear.

The proposed garden room would be 2.5m deep by 4m wide, at a height of 2.5m pitching down to the rear of the site. The garden room would be used as a garden studio and would therefore be incidental to the host building. There are a number of other garden rooms in the area, and it is scaled such that it could be built via permitted development rights, however these rights do not extend to flats. It is therefore considered that the construction of the garden room would follow the pattern of development and would be acceptable.

Equally, the submitted design and access statement states that it is proposed to change the windows with more energy efficient units of a similar appearance to the existing. The submitted drawings have a note that no changes are proposed to the front elevation, the site is not located within any conservation area, and there are no new openings proposed. These changes would also therefore typically be covered under permitted development rules, however these do not extend to a flat. Given that the proposed plans show windows with similar detailing to the originals, being sash windows with glazing bars and sash horns, it is considered that these replacements would be acceptable, with these details to match being secured by way of a condtion.

The proposal is considered proportionate and subordinate to the host building and would not negatively impact the amenity of the site, or adjoining properties. Therefore, the local character and visual amenity of the area would be protected.

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.

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 extension would follow the pattern of development in the area, with a number of properties in the terrace having had side infill extensions. Additionally, the infill extension would abut a neighbour's extension and therefore would not result in any adverse impacts on neighbouring amenity.

The proposed garden room would be incidental to the main dwellinghouse and would be scaled similarly to a number of outbuildings in the area. Further, its positioning at the rear of the garden would distance it from any neighbouring windows, further minimising any possible amenity impact.

It is not considered that the replacement windows would result in any adverse impact o neighbouring amenity, considering that no new openings are proposed, and these works would be carried out via permitted development if this were not a flat.

As such, the proposal is considered acceptable in terms of its impact on neighbouring amenity can can be approved.

6. CONCLUSION

The proposed development is in in accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 and of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

The proposal is considered acceptable in respect of its character, appearance and impact on the site and would not result in material harm to the residential amenity of neighbours. All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

7. RECOMMENDATION

The application is recommended for approval subject to the following 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 in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Approved drawings list: PL.100, PL.101, PL.102, PL.110, PL.120, PL.121, PL.200, PL.201, PL.202, PL.203, PL.210, PL.211, PL.220, PL.221, PL.001, PL.002

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 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.

7 *The outbuilding accommodation shall not be occupied at any time other than for purposes ancillary and/or incidental to the residential use of the main dwelling known as 27A Kirkstall Avenue and shall not be occupied as a separate dwelling unit, short-term let, holiday let, serviced accommodation or similar use, nor let separately, and shall only be occupied by the owner/occupier(s) of the main dwelling, immediate family members or those forming part of its household.*

Reason: To ensure that the outbuilding is used only for incidental purposes or approved ancillary residential purposes and is not occupied as a short-term let, holiday let, serviced accommodation or other form of independent accommodation, thereby safeguarding the character of the locality and the amenities of occupiers of adjoining residential properties, in accordance with the London Plan (2021), Haringey Local Plan (2017) and Haringey Development Management DPD (2017).

Informatives:

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.

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.