



Officer Report

Application Number:	HGY/2023/2887
Application Type:	Householder planning permission
Address:	69 Windermere Road, Hornsey, London, N10 2RD
Proposal:	Demolition of the existing garage and store building and erection of outbuilding.
Case Officer:	Roland Sheldon
Valid Date:	31/10/2023
Applicant:	Mr Luke Smedley
Agent:	Mrs Amber Short

RECOMMENDATION

Approve with Conditions

1. SITE DESCRIPTION

The application site contains a two-storey mid-terrace dwellinghouse located on the western side of Windermere Road in the Muswell Hill area of Haringey, N10. The surrounding uses are residential. The site does not contain a listed building but is located within the Muswell Hill Conservation Area.

2. THE PROPOSAL

The proposed is for the demolition of the existing garage within the far-end of the rear garden, and erection of a replacement outbuilding.

3. Relevant Planning and Enforcement History

69 Windermere Road, N10

HGY/2018/2253: Erection of a single storey, side/rear extension – Approved 06/09/2018

4. CONSULTATION RESPONSES

Internal & External Consultees

The following were consulted on the planning application:

- **LBH Conservation Officer:** *The existing garage is part of a long run which occupy one side of the street. They are generally poor-quality additions which detract from the special characteristics of the area. The existing garages are considered to be detrimental to the significance of the Conservation Area.*

There is no heritage statement submitted with the application contrary to paragraph 194 of the NPPF and local plan policy DM9(b).

There is no in principle objection to the demolition of the existing garage, nor a replacement building. However, the scale of the proposed outbuilding, including the outdoor shower and sauna, raises concerns. The existing tree is large enough to be seen along Muswell avenue, and this combined with a couple of others helps slightly soften the harsh impact of the garage block. The loss of this tree would reduce the remaining verdancy of the street and cause some less than substantial harm to the significance of the Muswell Hill Conservation Area by further emphasising the garage block and associated hard landscaping which have been identified as negative contribute to the significance of the Conservation Area.

Preferably the proposed outdoor shower and sauna could be moved into the footprint of the main part of the building – potentially by removing/reducing the lobby? This might help accommodate the existing tree.

- Muswell Hill & Fortis Green Association: No comments received.

Local amenity groups

No comments were received from any local amenity groups during the consultation period.

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

Objecting 0

Support 0

Neither 0

5. PLANNING CONSIDERATIONS

Design, character and heritage

London Plan policy HC1 requires that development proposals affecting heritage assets and their settings should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

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.

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, The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

The rear garden of the host building fronts onto Muswell Avenue to the rear of the site, and already benefits from a substantial rear garage. Like the majority of the rear garages within this stretch of Muswell Avenue, the existing feature is of poor design quality and detract from the character and appearance of the street scene and wider conservation area.

The proposal seeks the demolition of the existing brick-built garage, with a replacement outbuilding erected in its place. As with the existing garage, the replacement outbuilding would span the full width of the rear garden, but at 46m², would have a greater footprint than the 33.8m² existing garage, projecting further back into the rear garden. The new outbuilding would primarily be externally clad in white render, with a largely glazed with timber surrounds eastern entrance elevation.

The outbuilding would have a primary mono-pitch element roof, with a smaller flat roof section, reaching 3.9 metres at ridge level. The mono-pitch element of the roof would house an array of 12 solar panels which are shown to be flush with the roof plane. An L-shape element of the footprint of the outbuilding would house a covered external shower with a sauna.

Whilst the outbuilding is significant in footprint and scale, it would not occupy an excessive proportion of the rear garden area, and would not be of a scale uncharacteristic with other outbuildings within this section of Muswell Avenue, in which large outbuildings are a prevalent feature.

On balance therefore, the proposed outbuilding would preserve the character and appearance of the conservation area, and would represent a satisfactory form of development in design terms. The proposal is therefore considered to be acceptable with regards to design, character and heritage considerations, in accordance with London Plan policy HC1, Local Plan policies SP11 and SP12, and DPD policies DM1, DM9 and DM12.

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 outbuilding would replace the garage which is of a similar footprint and siting to the proposed structure, albeit the footprint, massing and height of the new outbuilding would be somewhat different, with a greater mono-pitch roof form reaching a greater height than the existing flat roof structure.

Notwithstanding this, the outbuilding would be 2.6/2.7 metres on the shared boundaries with neighbouring occupants, with the raised ridge height sufficiently set-in to ensure it would not be visually over-dominant. Its location within the far end of the rear garden and the fact that both neighbouring properties benefit from spacious rear gardens would mean that the proposed outbuilding would not result in the creation of an unacceptable loss of light, outlook or create a visually overbearing impact on the occupants of either adjacent neighbouring properties nos. 67

and 71 Windermere Road. Whilst there are some side-facing windows within the outbuilding, these are high-level clerestory windows which would not provide outlook from within the building, and therefore would not result in any loss of privacy of the occupants of no. 71 from within the rear garden of this neighbouring property.

Taking the above into consideration, the proposal is acceptable with regards to amenity impact considerations.

Trees and landscaping

Part c of DPD policy DM1 sets out that proposals shall demonstrate how the landscaping and planting are integrated into the development as a whole, including trees on and close to the site. Whilst the site does not contain any tree preservation orders, there is a Silver Birch Tree that would be removed as part of the proposal. However, this appears to be a specimen of low quality that does not contribute significantly in landscape terms. A replacement Hornbeam tree is proposed to be planted as a means of replacement for the Silver Birch. A condition can be imposed on the development that requires the replacement Hornbeam to be planted within the next planting season following completion of the development.

Subject to compliance with this condition, the proposal would be acceptable with regards to trees and landscaping considerations.

6. CONCLUSION

The proposed development is in accordance with Policies DM1, DM9 and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 and SP12 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.

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

- 3 The garden room hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the residential dwelling 69 Windermere Road and shall not be used as an independent dwelling or for commercial purposes, without the prior approval in writing of the local planning authority.

Reason: In the interests of the amenities of the area and to comply Local Plan 2017 Policy SP2 which set out appropriate standards and requirements for all new dwellings.

- 4 The replacement Hornbeam tree as shown on approved plan no. 1065 - 111A shall be planted within the first planting season following completion of the outbuilding hereby approved. All works should be undertaken by qualified and experienced tree work contractors and be in accordance with BS 3998:2010 Recommendations for Tree Work.

Reason: To protect the amenity value of the trees consistent with Policy DM1 of The Development Managem

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: 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: Outbuildings and Building Regulations

Your attention is drawn to the need to comply with the relevant provisions of Building Regulations which can apply in relation to certain outbuildings in terms of size, use and proximity to a boundary.