



# Officer Report

**Application Number:** HGY/2023/1633  
**Application Type:** Householder planning permission  
**Address:** 12 Bancroft Avenue, Hornsey, London, N2 0AS  
**Proposal:** Erection of single-storey rear extension (which adjoins approved extension ref: HGY/2022/2579 & HGY/2022/3481)  
**Case Officer:** Laina Levassor  
**Valid Date:** 29/11/2023  
**Applicant:** Mr and Mrs Brett  
**Agent:** Mr Ian Bolt

## **RECOMMENDATION**

**Approve with Conditions**

## **SITE HISTORY**

HGY/2022/2579,  
Proposal: 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,  
Decision Date: 14 November 2022  
Decision: Not Required

HGY/2022/3480,  
Proposal: Certificate of lawfulness for the proposed erection of a single storey rear outbuilding.,  
Decision Date: 2 February 2023  
Decision: Refuse

HGY/2022/3481,  
Proposal: Certificate of lawfulness for the erection of two storey rear extension with rear and side roof extension.,  
Decision Date: 28 November 2022  
Decision: Permitted Development

HGY/2022/3482,  
Proposal: Certificate of lawfulness for the proposed construction of an outbuilding for use incidental to the enjoyment of the main dwelling.,  
Decision Date: 15 December 2022  
Decision: Permitted Development

HGY/2022/4122,

Proposal: Installation of dormer window to front roof slope,  
Decision Date: 9 January 2023  
Decision: Approve with Conditions

HGY/2023/0440,  
Proposal: Certificate of Lawfulness for proposed outbuilding,  
Decision Date: 3 April 2023  
Decision: Refuse

HGY/2023/1315,  
Proposal: Certificate of Lawfulness for proposed outbuilding,  
Decision Date: 14 June 2023  
Decision: Permitted Development

ENF/2023/0399  
Address: 12 Bancroft Avenue, Hornsey, London, N2 0AS  
Departure from Approved Drawings/Plans  
Type: Departure from Approved Drawings/Plans  
Status: In Progress

## **CONSULTATION RESPONSES**

### **C/O 14 Bancroft avenue London N2 0AS - Stance - Object**

Construction of extension at #12 has been suspended pending rectification of breach of existing planning permission as it was built in excess of the authorised height and too close to the boundary of #14 Bancroft Avenue. I formally write to OBJECT to the Planning application on the following grounds: 1. The Development constitutes over-development of #12 as the extension is not in keeping with neighbouring properties and is totally out of scale and design of the neighbouring properties and the area. 2. The Development dominates the neighbouring property at #14 causing serious material detriment to the residential amenity and use and enjoyment of #14 by placing a high wall which severely restricts light into the living areas of #14 and overlooks the garden terrace of #14 to the point that the terrace loses all its amenity value. 3. The height of the Development, and its extent have made the upstairs main bedroom of #14 nearest the Development unusable. 4. A Roof terrace appears to be being constructed which results in the garden and rear of #14 being overlooked thereby materially interfering with rights of privacy. 5. The main bedroom of #14 nearest the development will be overlooked which is unacceptable and forms a material breach of rights of privacy and a serious loss of amenity to #14 Bancroft Avenue. Overall, the scale and design of the Development is oppressive and out of scale to the two semi-detached houses forming #12 and #14 Bancroft Avenue. Approval of the application will seriously reduce the quiet use and enjoyment of main living spaces at #14 and I ask that the application be refused. I also ask that if refusal cannot be undertaken at officer level that a recommendation be made to the Planning applications committee to refuse and that if Councillors are minded to approve that Members defer any decision for a site visit to which the objectors are invited.

**Officer Comment:** Much of the proposal as built is owed to previous approvals which do not form part of the current assessment. As such, the impact of the structure has already been assessed on design and appearance and impact to neighbouring properties.

### **SITE DESCRIPTION**

The application site is a semi-detached dwelling located on the eastern side of Bancroft Road. It is not located within any conservation area.

### **REASONS FOR GRANTING PERMISSION**

This proposal combines approvals for single storey rear extensions and a first-floor rear extension, approved under references HGY/2022/2579 & HGY/2022/3481, adjoining individual single storey rear extensions approved separately under the prior approval and lawful development procedures. Proposed as part of this application is the erection of a small infill between the approved extension (HGY/2022/3481), increasing the proposed width, to match the original building line of the main dwelling. In line with prior approval procedure, opportunity was allowed for the receipt of neighbouring comments, to which no objections were received, and subsequently prior approval not required - therefore the 6m deep element of the extension was considered acceptable. Separately, assessment was made for a two-storey rear extension under the lawful development process where it was found that the proposal met permitted development requirements in terms of design and appearance and as allowed within restrictions, is considered a neighbourly form of development.

Where adjoined, it is not considered that there would be any additional harm where development has been approved. Several enforcement visits were undertaken to ensure that the construction works undertaken were remedied in accordance with approvals and that the extensions as built match drawings and plans as approved. Where the infilled section is proposed, it is not considered that there would be any resultant overlooking or demonstrable harm to either neighbouring property, especially as set away from the shared boundary of the closest neighbour.

The proposed development is in general 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 would comply with Policy DM9 of the Development Management, Development Plan 2017 and will preserve or enhance the character and appearance of the conservation area.

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

### **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 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.

**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: 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: 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.