



Officer Report

Application Number:	HGY/2022/2658
Application Type:	Full planning permission
Address:	88, High Street, London, N8 7NU
Proposal:	Retrospective application for extraction flue
Case Officer:	Laina Levassor
Valid Date:	21/09/2022
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Applicant:	Mr Adam Michalak
Agent:	Ms Magdalena Melon

RECOMMENDATION

Approve with Conditions

SITE DESCRIPTION

The application site relates to a three storey terraced building, located on the southern side of Hornsey High Street. The property is comprised of a commercial unit at ground floor, with upper-floor residential units. The site falls within the Highgate Conservation Area.

SITE HISTORY

PLANNING CASES (1)

1 - HGY/1993/1159

Proposal: Installation of extractor flue to rear elevation.

Decision Date: 21 June 1994

Decision: Approve with Conditions

ENFORCEMENT CASES (1)

UNW/2022/00423

Enforcement Type: Unauthorised Works

Status: In Progress

CONSULTATION RESPONSES

In response to notification of the application, 1 objection was received raising the following material concerns:

- Resultant noise impacts
- Resultant pollution & smells
- Visual appearance

ANALYSIS/ASSESSMENT

Impact on the character and appearance of the conservation area

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.

This application proposes the installation of a new extraction flue to the rear flank elevation to facilitate activities related to the commercial unit at ground floor level. An existing flue runs from the roof of ground floor level (to the rear of the first floor residential units), to near roof level of the building (third floor) which has been installed since at least 2020. The proposed flue, where sited at ground floor roof level would not appear overly visible from street level and would not appear out of character in an area comprised of mixed commercial and residential uses, therefore it is not considered that the proposed flue would result in harm to the character and appearance of the conservation area.

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 residents.

The proposed flue is sited in close proximity to the upper floor residential units at the site. The proposed extraction duct which will discharge to elevated level above the eaves to the rear. An Environmental Noise Survey was undertaken at the site. The noise report submitted shows that background noise level, measured after operational hours of the flue measures 48dB - when operational, the flue measured at an increased level above background noise which is not considered acceptable. The noise report includes appropriate mitigation measures to overcome this including the introduction of silencers and acoustic correction to minimise the dB output to -10 of the level of background noise, meeting local requirements. Appropriate noise mitigation will be secured by way of condition attached to this permission.

Visually, the appearance of a flue would not be unexpected in this environment where uses are comprised of mixed commercial and residential, therefore it is not considered that the proposal would result in harmful impact to the amenity of surrounding residential properties. The proposed

extraction system is of a design and type that is sufficient for functionality and would not result in adverse environmental impact to neighbouring amenity due to noise or odour and furthermore these aspects can adequately be controlled by conditions.

CONCLUSION

The proposal is considered acceptable and the development requiring planning permission subject to this application would not detract from the character and appearance of the Conservation Area and subject to conditions with regard to noise and odour would not result in an adverse effect on the amenities of neighbouring properties. 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 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.

- 2 The development shall be carried out in accordance with the noise & vibration control measures set out in the approved Noise Impact Assessment.

Reason: To prevent loss of amenity to neighbouring residential premises due to noise or vibration generated from the premises in accordance with Policy DM1 of The Development Management DPD 2017.

- 3 Noise from the operation of the extraction flue system shall not increase the existing background noise level (LA90 15mins) when measured 1 metre external (LAeq 15mins) from the nearest residential or noise sensitive premises. The method of assessment shall be undertaken in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound'.

Reason: This condition is required to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished consistent with Policy DM1 of The Development Management DPD 2017.