



Officer Report

Application Number:	HGY/2024/0779
Application Type:	Full planning permission
Address:	Ground Floor Flat, 20 Avenue Road, Hornsey, London, N6 5DW
Proposal:	Enlargement and conversion of existing basement into a bedroom.
Case Officer:	Ben Coffie
Valid Date:	11/04/2024
Applicant:	Mr Jaydrath Parmar
Agent:	

RECOMMENDATION

Approve with Conditions

1. Site Description

The application relates to a ground floor flat within a substantial semi-detached property that fronts onto Avenue Road. It occupies a generous plot with a large rear garden that partly abuts the boundary with Coolhurst Lawn Tennis Club.

The property is located within Crouch End Conservation Area and is identified as making a positive contribution to its character and appearance. Along this stretch of the road are a row of identically designed houses constructed of stock brick with red brick detailing and prominent white painted banding. They have large full height rectangular bay windows surmounted by triangular gables with carved bargeboards. Their asymmetric facades feature yellow brick stringcourses, decorative white painted lintels and 'eyelid' dormer windows set within the roofs.

2. Proposed development

Planning permission is sought for the enlargement of existing basement room to use it as a bedroom.

3. Relevant Planning and Enforcement History

There is planning and enforcement history within the terrace that is relevant to this planning decision. The history is as follows:

Planning

HGY/2023/1038,
Address: 20 Avenue Road, Hornsey, London, N6 5DW
Proposal: Erection of single storey outbuilding in rear garden.,
Decision Date: 19 July 2023
Decision: Approve with Conditions

4. Neighbour Consultations

There were neighbours consulted on this case and one representation was made during the course of the consultation period which is detailed below:

- The new excavated levels shown on the drawings would undermine the foundations of our new brick party wall and the birch trees that grow in root barrier tree pits immediately the other side of this wall.
- It is suggested that the plans should be re considering to avoid this structural issue.
- It is suggested that amended plans should be submitted to avoid undermining the structural integrity of the party wall.

6. Design and Impact on the Conservation Area

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 DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

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.

The building sits on a sloping ground whereby the land level at the rear is lower than the front. The external form of the basement will be visible as part of the rear elevation given that the excavation is not deep. Therefore, the development here would not result in a significant change to the host property, nor would it harm the architectural character of the building and the character and appearance of the area.

Impact on the character and appearance of the conservation area

In relation to the extension as discussed above the basement development is considered acceptable and compatible in relation to this site, the pattern of development and the character and appearance to this part of the conservation area.

In the case here, the significance of the conservation area as a heritage asset lies more in the consistency and uniformity of these closely spaced out semi-detached properties. As such the fronts to these properties contribute more to the significance of the conservation area as a heritage asset, while the rears have a more neutral effect.

As such, the proposal would comply with Policies DM1, DM9 of the Development Management, Development Plan 2017 and would preserve or enhance the character and appearance of the conservation area. The proposal would be acceptable in heritage terms.

6. Impact on Neighbouring Amenities

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 the amenity of neighbouring residents.

The basement works will not have any amenity impacts due to its remaining within the footprint of the house and its location below ground level.

7 Basement development

DPD policy DM18 ('Residential Basement Development and Light Wells') requires householder extensions for basement development to demonstrate that a proposal will not adversely affect the structural stability of the application building and neighbouring buildings; does not increase flood risk to the property and nearby properties; avoids harm to the established character of the surrounding area and not to adversely impact the amenity of adjoining properties or the local natural and historic environment. Policy DM24 outlines the requirement of new development to manage and reduce surface water runoff.

The proposed works are to excavate to enlarge the basement within the footprint of the existing property carried out by underpinning of the perimeter walls in sequence. A Basement Impact Assessment (BIA) has not been submitted with this application. It is however accepted that the extent of works here are not significant. The subtext of this policy recognises that for basement development where appropriate, applicants will need to submit specific information to demonstrate that these issues can and have been addressed.

As per the representation received, the property already has a basement area and much of the excavation would be internal. The works proposed here is to enlarge the height of the existing basement. The works here are not considered to represent a significant structural stability hazard, on the grounds of using industry standard underpinning in advance of the excavation works.

Other legislation provides further safeguards to identify and control the nature and magnitude of the effect on neighbouring properties. Specifically, the structural integrity of the proposed basement works here would need to satisfy building regulations. In addition, the necessary party-wall agreements with adjoining owners would need to be in place prior to the commencement of works on site. In this instance a condition could be imposed by the LPA subject to the approval of this application to ensure that such works are overseen by a suitably qualified engineer

Overall, the works will not adversely affect the structural stability of the application building or neighbouring buildings; will not increase flood risk to nearby properties and avoids harm to the established character of the area and neighbouring amenity, consistent with the requirements of policy DM18 and policy DM24.

8 Trees

London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

DPD Policy DM1 requires proposals demonstrate how landscaping and planting are integrated into a development as a whole, responding to trees on and close to the site.

Policy G6 of the London Plan states that in relation to 'requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Impacts on existing biodiversity or green space, as a result of minor housing developments, are required to be minimised and mitigated through measures such as returning hard standing to green space, the installation of green roofs and green walls, or the provision of landscaping that facilitates sustainable urban drainage in order to achieve the principle of no net loss of overall green cover', which is also advocated in local plan policy: DM Policy (2017) DM19.

The proposed development would not result in the removal of any trees of special amenity value on or adjacent to the site. As per the representation received, it is noted that there are some trees along the boundary with are not matured trees and do not have TPO. Moreover, the proposed excavation both external and internal are not considered to be significantly deep and it will marginally extend beyond the footprint of the existing property therefore it is not envisaged that there will be any potential impacts on existing trees in the garden.

9. Conclusion

The proposal is considered acceptable in respect of its appearance and impact on the conservation area, and would not result in an unacceptable impact on the amenities of neighbouring occupants.

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

10. RECOMMENDATION

Grant permission subject to condition(s):

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.

- 4 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has

been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith and retained for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area.

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 - 4.00pm Monday to Friday

8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.

INFORMATIVE: Community Infrastructure Levy

Based on the information given on the plans, the Mayoral CIL charge will be £12,572.21 (181.5 sqm x £69.27) and the Haringey CIL charge will be £76,683.75 (181.5 sqm x £422.45 (Indexation included)). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.