

Officer Report

Application Number:	HGY/2024/0980
Application Type:	Full planning permission
Address:	Ground Floor Flat, 4 Nelson Road, Hornsey, London, N8 9RU
Proposal:	Construction of a single storey outbuilding in rear garden.
Case Officer:	Eunice Huang
Valid Date:	09/04/2024
Applicant:	Mr David Duval-Johnston
Agent:	Mr David Duval-Johnston

RECOMMENDATION

Approve with Conditions

1. Consultation

Local representations

No representations were received in response to notification and publicity of the application.

2. Planning assessment

The application site relates to a mid-terrace house, not located within a conservation area. The property is divided into flats and relates to the ground floor flat, which benefits from a modest rear garden.

The application history in relation to this site is noted. There are no relevant planning applications pertaining to this proposal.

This application is being considered against DPD Policy DM12 'Housing Design and Quality' and DPD Policy DM1 'Delivering High Quality Design' which requires buildings/ structures to be of a high, site specific, and sensitive design quality, sensitive to landscaped areas and tree provision and to safeguard neighbouring amenity. Equally policy DM1 requires proposals to respond to trees on and close to a site.

The main issues with this application are the effect of the development on the character and appearance of the surrounding area and on the living conditions of neighbouring occupiers with regards to outlook.

This application is seeking consent for construction of a garden room. There is an existing outbuilding within the garden, located against the northern side boundary. This will be removed.

A new garden structure is proposed sited adjacent to the rear and southern side boundary. The proposed block plan shows that the outbuilding will be set in from the boundaries; although the measurements have not been explicitly provided on the drawings. The agent has advised in an email that the outbuilding will set in 100mm from the rear boundary and 500mm from the right boundary. The siting adjacent to the boundaries is considered acceptable.

The outbuilding has a width of 4m and depth of 2.8m, with a splay corner where the entrance doors are located. The splay corner and entrance doors are positioned towards the centre of the garden. The outbuilding has a height of 2.5m, with a flat roof.

The footprint of the outbuilding is modest to and comparable to garden structures that can typically be built under 'permitted development rights', but in the case here such rights do not extend to a flat. The footprint of the outbuilding does not dominate the rear garden or the host building.

The building will be constructed in vertical timber cladding and anthracite grey cladding. The garden room is of a good quality contemporary design. The timber-clad external finish of the outbuilding would also be in keeping with its surroundings and appropriate for an outbuilding in a rear garden setting.

The proposal is considered proportionate and subordinate and is in keeping with the pattern of development in the area. There are a number of outbuildings found in the rear gardens of properties in the immediate area.

The height, siting and scale of the outbuilding would not impact on light or outlook to any neighbouring occupants, given the distances in question and the low height of the building. The structure would only be partially visible, projecting above boundary fence with views of it also restricted by the existence of mature trees and shrubs within neighbouring gardens. There is a window proposed on the southern side elevation, facing neighbouring properties. A condition will be attached requiring this window to be obscure glazed and fixed shut to mitigate privacy impact.

The outbuilding will occupy a portion of paved surface and a garden bed. There are no significant trees affected on site. Mature planting is located on neighbouring properties, behind the boundary fences. The building will be installed on a ground screw base to minimise impact on surrounding vegetation. A planning condition will be attached to secure the use of small diameter piles.

Overall, the proposed development is in accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 of Haringey's Local Plan Strategic Policies 2017.

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

3. Recommendation

GRANT PLANNING PERMISSION subject to 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 Notwithstanding the approved plans, the southern side window shall be fitted with obscured glazing and shall be non-opening and fixed shut. The window shall be permanently retained in that condition thereafter.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 4 The garden room hereby approved is to be constructed using 'small diameter piles'.

Reason: In order to safeguard the root systems of adjacent trees which are to remain after the building works are completed and in the interests of visual amenity.

- 5 The outbuilding hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as Ground Floor Flat. For the avoidance of doubt the structure shall not be utilised for any purposes which one would expect to be accommodated within the main dwelling such as sleeping or short-term let accommodation.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

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: 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: 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. Please refer to the following for further advice.

https://www.planningportal.co.uk/info/200130/common_projects/43/outbuildings/

<https://www.haringey.gov.uk/planning-and-building-control/building-control>