



Officer Report

Application Number:	HGY/2024/1295
Application Type:	Householder planning permission
Address:	39 Windermere Road, Hornsey, London, N10 2RD
Proposal:	Single storey rear infill extension.
Case Officer:	Nathan Keyte
Valid Date:	08/05/2024
	4
Applicant:	Mr and Mrs Henry and Giselle Easterling
Agent:	Mr Ian Eggleton

RECOMMENDATION

Approve with Conditions

1. Proposed development

This is an application for a proposed single storey infill rear extension.

The design has been amended since lodgement, to reduce the height of the proposed building on the side boundary to 2.3m above ground level of the adjoining property.

2. Site and Surroundings

The application property is a two storey mid terrace dwelling house with rear dormer and rear two storey return.

The site lies in the Muswell Hill conservation area, however the site is not a listed building.

No visit was undertaken to the site, with the assessment informed by photos provided with the application and public imagery.

3. Relevant Planning and Enforcement history

HGY/2009/0852

Proposal: Erection of two rear dormer and installation of 3 x velux roof-lights to front-slope to facilitate a loft conversion.,

Decision Date: 8 July 2009

Decision: Approve with Conditions

HGY/2020/1520

Proposal: Erection of single storey rear outbuilding for use as a dog grooming parlour (Sui Generis),

Decision Date: 7 September 2020
Decision: Approve with Conditions

HGY/2020/2880

Proposal: Non-material amendment to allow variation of a condition 1 (date of commencement),
Decision Date: 16 November 2020
Decision: Approve with Conditions

5. Local representations

The application has been publicised by way of 1 site notice displayed in the vicinity of the site, letters and public notices.

No responses to consultation have been received.

6. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and heritage.
2. Amenity

Design and heritage

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, 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.

There are a number of infill rear extensions within the host terrace, such as at no.s 11, 13, 14, 27, 29, and 55 Windermere Road. The proposed windows and doors utilise timber frames, and with the extension being at ground floor level. The nature and scale of development is not considered to result in harm to the conservation area and will be acceptable.

Impact on neighbouring amenity

London Plan Policy D4 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 resident.

The proposed development will infill a space located between the host building and the adjoining at no. 41 Windermere Road. Photos provided by the agent in addition to those shown on the submitted drawings indicate that at the ground floor on no. 41 is a side facing door with obscure glazing, and a rear facing window on the principal rear elevation of the building. A difference in levels between the two sites is noted, as visible in the differences in height of fenestration within the photos provided.

The applicant has provided revised drawings that show a reduction in height along the boundary proposed, to be 2.3m from the ground level of the subject site. As noted above the difference in ground levels between the properties will result in this height being slightly greater as viewed from the adjacent site.

With regard to impacts on daylight/ sunlight, the adjoining rear facing window at no. 41 will not transcend a 45 degree line as measured from the roof of the proposed infill extension, thereby complying with BRE guidance. As the other glazing at ground floor will be obscured from the door, impacts on daylight/ sunlight of the adjoining property will be acceptable.

With regard to dominance and a sense of enclosure, it is acknowledged that the infill development proposed will have a length of approximately 8.9m. However, considering the reduction in height now proposed, the glazing of the adjoining property, and noting that access to the rear garden from no. 41 is provided from the rear elevation of the two storey return via patio doors, impacts on neighbour amenity are considered to acceptable and not justify refusal of the application.

Conclusion

The proposal is considered acceptable. All other relevant policies and considerations, including equalities, have been considered. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

7. Recommendation

GRANT 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 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: 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: 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.