

**Haringey Borough Council
Planning Service
6th Floor Riverbank House
225 High Road
Wood Green
London
N22 8HQ**

21st September 2024

Dear Sirs,

Town and Country Planning Act 1990

Case Reference HGY/2024/2472

Representations

I am the owner of the ground floor flat and co-freeholder of 39 Midhurst Avenue. I am writing to formally object to planning application HGY/2024/2472. I am also suggesting the application should not be determined in its current form as it is deficient in the following way.

Design and Access Statement

The DAS is incomplete and to that extent misleading. Page 3 refers to relevant planning history but omits details of the planning permission HGY/2021/1086. This planning permission relates the neighbouring property at No.39 Midhurst Avenue is therefore the most relevant decision to be considered in determining the current application for No.41.

In granting planning permission for HGY/2021/1086, consideration was given to modifications to the design of the proposed rear extension. These modifications were made in response to representations made by the current owner of No.41 and the applicant in this case. The Decision notice for HGY/2021/1086 makes reference to (i) the difference in level between nos. 39 and 41 (the site level of 41 is c410mm lower than 39), and (ii) that the rear elevation of no.41 (excluding the recent kitchen extension) is set back from the rear elevation of no.39.

Representations made by the owner of no.41 included:

Loss of daylight, height difference and tunnelling (Officer Comment: The original layout has the two storey flank wall of the application property beyond this neighbour and on the other side is their own flank wall, creating the tunnelling. The level difference is shown in the drawings and appears to be approximately accurate. The lowered height of the revised proposal is considered to avoid this appearing overly dominant.)

Extracts from the decision notice are below:

The dwelling [39] marks the end of a terrace with the same design and the neighbour at no.41 has as setback footprint, meaning there is a two storey flank wall adjacent to this neighbour. That site is also lower than the application site and has previously been converted to flats as well.

Although this is a modest depth, the land levels and the unorthodox layout of no.41 mean that this is a sensitive relationship. The applicant has responded to this by reducing the height to 2m along the boundary and having a hipped roof.

Despite the land levels and significant projection from the main rear elevation and conservatory of no.41, the amended height and depth of the extension would not result in a material loss of sunlight or daylight, or have an overbearing appearance to the neighbouring property.

All of these factors are relevant to the current application and have been withheld from the DAS and appear to have been ignored in designing the current proposal for no.41.

The application also includes drawings and particularly Drawing 2441 Existing Block Plan and Existing site plan, which show the conservatory at the rear of no.39 as part of the block plan rather than a light-weight temporary structure.

Notwithstanding these deficiencies, if the application is validated, the following objections should be noted and taken into account in its determination.

Objections to the Design

Height of Proposed Rear Extension

The height of the extension exceeds the council's policy of a maximum height of 2.3m for side return extensions. Although this is not a side return extension, it is a policy intended to protect the neighbouring amenity from loss of daylight so would it not be unreasonable to assume the same height is appropriate. This is because, as a result of the design revisions required to the extension at 39 (referenced above), the proposed extension at 41 will substantially and significantly reduce the level of daylight and amenity it enjoys. This is shown in the drawings of the rear elevation, where it can be seen the height of the extension will project above the side south-facing windows on the side elevation of no.39.

It would appear from the drawings this is caused in part by the ground level being built-up as part of the proposal for no.41 as well as the overall height of the extension. This could potentially be addressed by the application being revised to include:

1. Adopting the existing ground level as the baseline for the height of the extension (rather than the floor level of the existing building).
2. Reducing the overall height to 2.3m
3. Creating a cutback of at least 45 degrees to the northern flank of the extension to allow daylight to enter no.39 and reduce the highly oppressive impact of the current proposal.

Depth of proposed extension

The proposed extension is significantly larger than all other extensions to neighbouring properties and does not reflect the fact that the rear elevation of no.41 is set-back from the rear elevation of no.39. To address this, the proposal should be modified to limit the size of the extension to that at no.43, which is the correct reference point.

I would welcome the opportunity to discuss these matters at a meeting on site and provide any additional information that may be required to clarify and/or demonstrate the points raised in this objection. I do not object to the principle of the application, but consider that modifications to the

roofline design and/or scale of the propose extension will be required to avoid causing unnecessary and significant impact on the amenity of the adjoining property.

Giles Clarke
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21/09/2024