

Officer Report

Application Number:	HGY/2024/2276
Application Type:	Full planning permission
Address:	Ground Floor Flat, 23 Cunningham Road, Tottenham, London, N15 4DS
Proposal:	Single storey garden outbuilding
Case Officer:	Ben Coffie
Valid Date:	15/08/2024
Applicant:	4
Agent:	Miss Rudy Russell mr Alan Sherman

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 the ground floor flat of a converted mid-terrace property. The property has two floors on the front elevation and three at the rear with the top level incorporated into the loft area as originally built.

The host property is not located within any conservation area and does not fall within the curtilage of a listed building.

The planning history of the site has been taken into account when coming to this decision.

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. Considering the location of this site trees would also need to be considered.

This application is seeking consent for the construction of a garden store, which will have composite wood boarding. The space would be accessed by double doors. The garden structure will be approximately 4.5m in width and 3m in depth and will be positioned to the back of the garden. The structure will be pulled in from the shared boundaries. The structure will be a flat roofed 3m high structure.

The footprint of the outbuilding is modest and comparable to neighbouring 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 size of the structure is considered to be acceptable.

The 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 shrubs within neighbouring gardens.

It is anticipated that the structure would be for purposed incidental to the enjoyment of the main building as per the floor plans. In order to retain control over the nature of the use a condition is accordingly being imposed to ensure the use of structure is limited to one incidental to the residential use of the ground floor flat.

The presence of a mature tree is noted from the rear garden of the opposite neighbouring site on the Antill Road, although there are no trees within the host site, this is a tree within close proximity to the proposed outbuilding. This is not protected by a TPO. As per drawings submitted with the application the structure would be installed on a concrete raft which is considered light and not too deep. The construction method reduces the impact on the nearby trees/vegetation and has minimal impact on the landscape and biodiversity. The existing fences would remain and would screen the building.

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 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 garden room/outbuilding hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the residential dwelling known as 23 Cunningham Road, Tottenham, London, N15 4DS and shall not be used as an independent dwelling/additional bedroom or for commercial purposes, without the prior approval in writing of the local planning authority.

Reason: In the interests of the amenities of the area and to comply with London Plan 2021 Policy D6 and Haringey Local Plan 2017 Policy SP2 which set out appropriate standards and requirements for all new dwellings

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: 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.