



Officer Report

Application Number:	HGY/2024/2881
Application Type:	Full planning permission
Address:	16 Park Avenue South, Hornsey, London, N8 8LT
Proposal:	Amalgamation of three flats into a single family dwelling.
Case Officer:	Ben Coffie
Valid Date:	21/10/2024
Applicant:	Dr Katharine Cohen
Agent:	Charles Tashima

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

The proposal is for the amalgamation of three flats into a single family dwelling. There are no external alterations to the property.

Site and Surroundings

The application site is a three storey terraced house arranged over a lower ground, ground and first floor. It is currently split into 3 separate, self-contained flats having been converted from a single-family house in 1985.

The site is no located in a conservation area and is not a listed building.

Relevant Planning and Enforcement History

HGY/2017/3186 - Planning permission granted for a single storey rear extension (following demolition of existing outrigger); excavation of basement and front lightwell, with associated boundary treatment, to create additional space to existing lower ground floor flat,

HGY/2018/3366 - Approval of details pursuant to condition 4 (Basement excavation trials) of planning permission HGY/2017/3186.

2. CONSULTATION

N/A

3. LOCAL REPRESENTATIONS

No representations have been received from neighbours, local groups, etc in response to notification and publicity of the application.

4. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Design and character and appearance of the area; and
3. Impact on neighbouring amenity.

Principle of Development

Loss of flats

As noted above the house is currently comprised of three self-contained flats, arranged over lower ground, ground, first and second floors. The flats here are small consisting of 1-2 bedroom units.

Section 55(3)(a) of the Town and Country Planning Act 1990 as amended (1990 Act) outlines that the use as two or more separate dwellinghouses of any building previously used as a single dwellinghouse involves a material change in the use of the building and of each part of it which is so used. The 1990 Act does not state whether the reverse change of use would be material – and so that is a question which must be considered on the facts in any given case.

A change of use is however considered material if there is some significant change in the character of the activities taking place as a matter of fact and degree. The proposed change from one to two residential units is typically not viewed to cause significant change in the appearance of a site or the nature or scale of activities taking place.

In the case here it is accepted that consent is required to re-vert the building back to one family unit, given there are more than two residential units currently within the property. As such it is necessary to consider the extent to which such a change would have a 'significant planning consequence' as a matter of fact and degree. The submitted plans show that the existing flats relate to one- bedroom units, with none of the units being family sized or meeting current London Plan floorspace standards.

It is undisputed that the effects of the proposal would be the net loss of residential unit from the overall housing supply, however the loss is not viewed to be significant in planning consequences.

As such a reversion here back to a family house, serves to provide a family house and to protect/ reinforce the character of this area as that of family housing. Given the property here was originally constructed as a large single-family dwelling, the reinstatement of a single dwelling typology will help to reinforce the character and appearance of the conservation area.

Given the above the principle of development is considered acceptable here.

Design and character and appearance of 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, 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.

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, The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

The proposal would not result in any external changes to the property, therefore it is not anticipated that there will be any harm to the character and appearance of the property and the immediate surroundings.

As such 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. The proposed development also accords with the relevant policies of the London Plan 2021, the NPPF.

Impact on neighbouring amenity

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 amenity of neighbouring resident.

There would be no external extensions or alterations which would cause material harm to the residential amenity of neighbouring occupiers. Reverting the property back to a house from two separate flats would likely lead to a decrease in the intensity of use of the site in terms of comings/goings and associated noise. The amenity impact on neighbours would therefore be acceptable.

As such, due to the above considerations the proposed development would not inflict any adverse impact against the amenity currently enjoyed by neighbouring properties and is in compliance with policy D6 of the London Plan and policy DM1 of the DPD.

5. CONCLUSION

The proposal is considered acceptable in terms of its impact upon the character and appearance of the host property and surrounding area.

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

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.

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 - 6.00pm Monday to Friday

8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.

INFORMATIVE: Proactive Statement

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our pre-application advice service and published development plan, comprising the London Plan 2021, the Haringey Local Plan 2017 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.