LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2015/3199 **Ward:** Highgate

Date received: 28/10/2015

Last amended date: N/A

Drawing number of plans: Site Plan; Plan; Preliminaries; Section and Elevation; Roof and Elevation; Section Details

Address: 28 Muswell Hill Road N6 5UL

Proposal: Enlargement of proposed extension following a grant of planning permission HGY/2014/2574

Applicant: Mr Ed Wolf

Ownership: Private

Officer contact: Tobias Finlayson

2. SUMMARY OF RECOMMENDATION

REFUSE

Reason for refusal:

1) The proposed rear extension due its depth and resulting site coverage would fail to remain subservient to the host dwelling and result in the unacceptable loss of garden area thereby harming the character and appearance of the conservation area contrary to chapter 12 of the NPPF 2012, SPG1a 'Design guidance', SPG2 'Conservation and archaeology', saved UDP 2006 policies UD3 and CSV5, London Plan 2015 policy 7.8 and Local Plan 2013 policies SP11 and SP12.

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Proposed development

This is an application for the erection of a single storey rear extension.

3.2 Site and surroundings

The property is a two storey, end of terrace Victorian property, which has a lower floor and irregular shaped site within a mainly residential setting however it is bound to the rear with a commercial building and car park spaces. The property lies to the north side of Muswell Hill Road at its junction with Summersby Road. The land slopes sharply down from the

front elevation along Muswell Hill Road to its rear. The property has been converted to 2 self-contained flats and is located within the Highgate Conservation Area.

3.3 Relevant planning and enforcement history

2014: Planning permission (ref: HGY/2014/2574) granted for proposed extension into garden to replace existing consent to extend side way.

2013: Planning permission (ref: HGY/2013/0664) granted for use of property as two self-contained flats.

2012: Planning permission (ref: HGY/2012/0998) granted for erection of lower ground floor side extension.

4. CONSULTATION RESPONSE

The application was publicised by way of letters to 16 neighbouring owner/occupiers and no responses were received.

The following local groups/societies made representations:

- Highgate CAAC: The plans supplied with this application are inadequate and do not make clear what further extension is applied for on a very cramped site. As it is, the available amenity space seems largely to be occupied by car parking, which is not acceptable.

5. MATERIAL PLANNING CONSIDERATIONS

The main planning issues raised by the proposed development are:

1. The impact of the development on the character and appearance of the conservation area
2. The impact of the development on the amenity of adjoining occupiers

5.1 Character and appearance of the conservation area

Saved UDP 2006 policy CV5 requires alterations and extensions to preserve and maintain the character of conservation areas and also respect characteristic features such as doors, windows or materials of buildings. This view should be considered alongside Chapter 12 of the NPPF 2012, SPG2 ‘Conservation and archaeology’, saved UDP 2006 policies UD3 and CSV5, London Plan 2015 policy 7.8 and Local Plan 2013 policies SP11 and SP12.

SPG1a ‘Design guidance’ states that extensions or alterations to buildings should be subordinate in scale to the original building and should respect its architectural character. The development should not dominate existing features important to the building.

The proposal will result in an even larger rear extension to that previously approved. The extension would remove the remaining rear garden area and result in an overly large and dominant development that would fail to remain subservient to the host property.

Overall, the proposed development will harm the conservation area contrary to the above policies.

5.2 Impact on the amenity of adjoining occupiers

Saved UDP 2006 policy UD3 states that development proposals are required to demonstrate that there is no significant adverse impact on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy, overlooking. Similarly London Plan 2015 policy 7.6 requires buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy.

The proposed extension whilst longer than that previously approved will be no bigger than the existing boundary fence and therefore, not result in any undue harm to the residential amenities enjoyed by the occupants of the adjoining property to the north (#30).

5.3 Conclusions

The proposed development would harm the character and appearance of the conservation area and unacceptably remove the remaining garden space.

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

6. CIL APPLICABLE

The increase in internal floor area does not exceed 100sqm and therefore the proposal is not liable for either the Local or Mayoral CIL charge.

7. RECOMMENDATION

REFUSE PERMISSION

Registered No. HGY/2015/3199

Applicant's drawing No.(s) Site Plan; Plan; Preliminaries; Section and Elevation; Roof and Elevation; Section Details

For the following reason(s):

The proposed rear extension due its depth and resulting site coverage would fail to remain subservient to the host dwelling and result in the unacceptable loss of garden area thereby harming the character and appearance of the conservation area contrary to chapter 12 of the NPPF 2012, SPG1a 'Design guidance', SPG2 'Conservation and archaeology', saved UDP 2006 policies UD3 and CSV5, London Plan 2015 policy 7.8 and Local Plan 2013 policies SP11 and SP12.

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