LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/1818 **Ward:** Highgate

Date received: 02/06/2016

Drawing number of plans: Unnumbered

Address: 28 Muswell Hill Road N6 5UL

Proposal: Enlargement of existing extension (HGY/2014/2579)

Applicant: Mr Ed Wolf

Ownership: Private

Officer contact: Matthew Gunning

2. SUMMARY OF RECOMMENDATION

GRANT PERMISSION subject to conditions

Conditions:

1) Development begun no later than three years from date of decision
2) In accordance with approved plans
3) Materials to match.

Informatives:

1) Hours of construction
2) Landownership

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 This is an application for the enlargement of an existing extension. The overall extension will have a depth of 6.7m.

Site and Surroundings

3.2 The property is a 2 storey, end of terraced house with lower ground floor and rear extension. The property is located on the southern side of Muswell Hill Road next to the junction with Summersby Road.

3.3 Summersby Road is a small cul-de-sac with blocks of flats. The rear of the site are light industrial uses. The site is located in Highgate conservation area.

Relevant Planning and Enforcement history

3.3 09/03/05 - Conversion of property to form 2 x 2 bed flats REFUSED Ref. 2005/0213

09/03/05 - Erection of a single storey side extension (Cert - ificate of Lawfulness) NOT LAWFUL Ref. 2005/0218

01/04/2005 - Erection of single storey rear extension and three storey front/side extension with two parking spaces at rear. WITHDRAWN Ref. 2005/0616

HGY/2005/0617 - Erection of single storey rear extension (Amended Description) – Granted 21/06/2005

HGY/2005/0218 - Erection of single storey side extension (Certificate of Lawfulness). - Permission required - 09/03/2005

HGY/2012/0998 - Erection of lower ground floor side extension – Approved 23/01/2013

HGY/2012/0991 - Certificate of Lawfulness for use of property as two self contained flats – Refused 09/10/2012

HGY/2013/0664 - Use of property as two self-contained flats. – Approved 03/06/2013

HGY/2014/2574 - Proposed extension into garden to replace existing consent to extend side way – Approved 04/11/2014

HGY/2015/3199 - Enlargement of proposed extension following a grant of planning permission HGY/2014/2574 – Refused 23/12/2015

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

Internal:

1) LBH Conservation Officer:

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of x site notice displayed in the vicinity of the site and x letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No of individual responses:
Objecting: 1
Supporting: 0

5.2 The following local groups/societies made representations:

- Highgate CAAC - There is no good reason given for the enlargement of an already considerable extension. if this is permitted it will reduce the already small amount of amenity space to something completely unacceptable and destructive of the character of the CA.

6 MATERIAL PLANNING CONSIDERATIONS

6.1 Planning permission was granted 2014 for an extension into the rear garden of this property. A subsequent application to extend this was refused on the following grounds:

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.

6.2 The main issues in respect of this application are:

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

Design and impact of the proposed development on the character and appearance of the conservation area

6.3 Saved UDP Policy CV5 requires alterations and extensions to preserve and maintain the character of conservation areas. This view should be considered alongside Chapter 12 of the NPPF, SPG2 'Conservation and archaeology', saved UDP Policies UD3 and CSV5, London Plan Policy 7.8 and Local Plan Policies SP11 and SP12.

6.4 The proposal principally involves extending a consented extension. The extension will front onto Summersby Road and sits well below the ground floor of the main house. The extension here will be faced in brickwork with a flat roof. The brickwork facing Summersby Road is designed to be comparable in height to a boundary wall. Above the brickwork will be section of cladding, introduced to ensure the brick wall is not overly high. Given this and the sinking of the extension partly into the site, the overall structure will not be excessively high and in fact would be comparable to a boundary wall. A sample of the brick has been submitted to the LPA. The property will still benefit from an acceptable sized garden.

6.5 While the extension will change the appearance of the building it is limited to the lower ground floor and rear. The extension by virtue of being at lower ground level is well set down in the context of the property and terrace will not diminish/ harm the character and appearance of the conservation area with any such impact considered to cause less than substantial harm to the heritage asset.

Impact on the amenity of adjoining occupiers

6.6 Saved UDP 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 or overlooking. Similarly London Plan 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.

6.7 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).

Conclusion

6.8 The design, siting and form of the extension is considered to be acceptable in design terms, the appearance of the building, the terrace and of this part of the conservation area. The extension will not adversely impact the residential and visual amenities of neighbouring occupiers. As such the proposed development is considered to be in accordance with saved UDP policies UD3 and CSV5, SPG2 'Conservation and archaeology', SPD 'Housing', London Plan Policies 7.4, 7.6 and 7.8 and Local Plan Policies SP11 and SP12. Given the above this application is recommended for APPROVAL.

8. RECOMMENDATION

GRANT PERMISSION subject to conditions

Registered No. HGY/2016/1818

Applicant's drawing No.(s) Unnumbered

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

   Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

   Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

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 7.6 of the London Plan 2011, Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

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.