

Officer's Report

Application Number	HGY/2022/2503
Type	Full planning permission
Location	Flat C, 11, Shepherds Hill, London, N6 5QJ
Proposal	Replacement of windows
Case Officer	Zara Seelig
Valid Date	26/09/2022
Applicant	Alexander Ferguson
Agent	Alexander Ferguson

RECOMMENDATION

Refuse

SUMMARY OF RECOMMENDATION

REFUSE PERMISSION

Reasons for Refusal:

1) Design and impact on conservation area

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for the replacement of the windows for flat C.

Site and Surroundings

The application site is a second floor flat at 11 Shepherds Hill, situated on the Northern side of Shepherds Hill. The site is located within the Highgate Conservation Area, there are TPO's on the site, it is not a listed building.

Relevant Planning and Enforcement history

The most recent planning history in relation to the site is as follows:

OLD/1972/1348 - Conversion of 1st x 2nd floors into 2 flats and 2 bedsitting room flats - Withdrawn by applicant

OLD/1973/1601 - Conversion of 1st & 2nd floors into 2 self-contained flats. - Granted permission

There are multiple TPO applications for the site, however, these are of no relevance to this application.

CONSULTATION RESPONSE

The responses below were received following consultation on the application:

Internal: 1:

1) LBH Conservation Officer:

The building affected by this application is an unlisted building located within the Highgate Conservation Area (Sub Area 5). 11-25 Shepherds Hill are Edwardian three storey, double fronted, detached houses. There have been some alterations to the frontages but in general many of the original features remain. The building, 11 Shepherds Hill, is considered to positively contribute to the Highgate Conservation Area. A Heritage Statement which details the significance of the affected heritage assets, the contribution of the building to the Conservation Area and the potential impact to the Conservation Area has not been submitted to the local planning authority, therefore Paragraph 194 of the NPPF has not been met as a requirement. Thus, at present I am unable to make a fully informed assessment without understanding the existing materiality of the fenestration across the building, 11 Shepherds Hill. Pre-determination I recommend that a Heritage Statement and a fully detailed window schedule of 11 Shepherds Hill is submitted in support of this application to overcome the above concern. It is noted that there is the existing use of aluminium and uPVC, the planning history of the building including when these windows were installed should also be submitted to the local planning authority. Were the above requested information not forthcoming, there remains the potential for less than substantial to the significance of the Highgate Conservation Area, Paragraph 202 being relevant. Typically, the installation of uPVC within a Conservation Area is highly contentious and unlikely to be supported. It is therefore important to understand the existing and permitted fenestration of the building within the Conservation Area.

Officer comment: Following emails to the applicant requesting this information, no such information was submitted. It should be noted, that while this would typically form a reason for refusal, this could be overcome in a future submission therefore will not be stated as a specific reason for refusal in this instance.

External: None

LOCAL REPRESENTATIONS

The application has been publicised by way of a site notice displayed in the vicinity of the site and 20 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 received.

The following local groups/societies were consulted/made representations:

- The Highgate Society: Consulted - No response received
- Highgate Neighbourhood Forum: Consulted - No response received
- Highgate CAAC: Consulted - The following objection was received:

Highgate Conservation Area Advisory Committee objects to this application because the information on the existing windows and what is proposed for the replacement windows is unclear. We note, from what we can see from the photographs, that the existing windows, though replaced in the past, have retained surrounding timber mouldings, cills and stonework detailing. We would wish to see all such detailing retained with scale drawings as existing and as proposed. It is also not clear which product range is proposed; or whether it is a mixture of two ranges depending on the locations. This application is inadequate.

The following Councillor(s) made representations:

- None

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- None

The following issues raised are not material planning considerations:

- None

MATERIAL PLANNING CONSIDERATIONS

Main planning considerations raised by the proposed development are:

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

Design and appearance and Impact on the 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.

London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to

designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

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, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

The application as submitted lacks a heritage statement and full proposed window details, this is part of the validation checklist and the lack of this information has been raised by consultee's. The agent was contacted regarding this, however, they did not submit the information requested. The existing windows appear to be timber with the exception of one that appears to be uPVC. It has been noted that the applicant has made reference to uPVC windows in the area, however, these would have been resisted had they been the subject of any planning application. The majority of the existing windows contribute positively to the character of the conservation area and the council would seek to replace the windows with like for like (including materials). The proposed windows would not be considered acceptable due to them appearing out of character in terms of their design, materials and appearance. Furthermore, The Highgate Conservation Area Character Appraisal, para.8.10.0 states that "The sub-area consists of residential streets with detached or terrace houses generally in good condition. Some older houses on Shepard's Hill have been replaced with blocks of flats. Some large houses have loft conversion with obtrusive dormers. These do not contribute to the conservation area. Further loss of features and architectural details would detract from the overall character and appearance of the conservation area and should be resisted. In this case, officers consider that the introduction of more uPVC windows, considering the advice from Heritage experts, would further detract from the overall character and appearance of the conservation area and will therefore not be supported.

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.

Due to the nature of the proposal, the replacement of the existing windows would have no more of an impact than the existing situation. The proposal would therefore be considered acceptable in terms of neighbouring amenity.

Conclusion

The proposal is considered not acceptable and does not comply with relevant planning policy.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above.

RECOMMENDATION

REFUSE PERMISSION for the following reason(s):

Refusal Reasons:

The proposal is not considered acceptable in terms of design, use of materials and appearance. The proposed uPVC windows would not respect or enhance the architectural characteristics or detailing of the original building and would not conserve the existing character of the building and surrounding conservation area. The proposal would be contrary to policies DM1, DM9 and DM12 of the Development Management DPD (2017), policies SP11 and SP12 of the Local Plan (2017) and policies D6 and HC1 of the London Plan (2021).