

Officer's Report

Application Number	HGY/2022/3533
Type	Householder planning permission
Location	38, Cholmeley Park, London, N6 5ER
Proposal	Demolition of existing rear extension and erection of a new ground floor rear extension, and alterations to side fenestrations with associated works.
Case Officer	Mark Chan
Valid Date	11/10/2022
Applicant	Ms Olga Alexeeva
Agent	Ms Zenab Haji-Ismael

RECOMMENDATION

Approve with Conditions

1. REPRESENTATIONS

1.1 3 objections were received in response to notification and publicity of the application. The reasons are summarised as follows:

- The proposed triangular window in the gable would harm conservation area;
- Full height width glazing to side elevation of proposed rear extension would overlook neighbouring gardens; and
- The proposed first floor balcony would overlook directly into neighbour's garden and kitchen and would be overbearing.

2. REASONS FOR GRANTING PERMISSION

2.1 The subject site contains a two-storey semi-detached property on the western side of Cholmeley Park. The site is located within the Highgate Conservation Area.

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

HGY/2014/0281 – Replacement of two windows to front (in timber) and two windows to rear (White PVCu casement windows). Granted permission 20/03/2014.

HGY/2013/2108 – Replacement of 2 windows to front and 2 windows to rear with new white uPVC-framed windows. Refused 05/12/2013.

2.3 Over the course of the application, the Applicant has removed the triangular window in the front gable and the first-floor balcony from the original proposal and broken up the full height width glazing on the side elevation of the proposed rear extension with the insertion of a brick wall between windows.

2.4 The existing half-width, 4m-deep, single storey rear extension would be demolished and replaced by a new full width ground floor rear extension flat roof and rooflight. The new rear extension would be 4m deep to match the existing. It would have Crittal windows and doors at the rear and side elevation. It is observed that many neighbouring properties have similarly sized rear extensions of various style and design. The new rear extension is considered proportionate and subordinate to the host building and is in keeping with the pattern of development in the area. Due to its rear location, the extension would not be visible from the street scene. Therefore, the local character and visual amenity of the area will be protected.

2.5 The ground floor side window would be enlarged slightly to fit a new white painted timber window and the existing side door would be relocated and enlarged slightly to fit a transom window. A small side window would also be added on the ground floor. On the first floor, all three existing side window would be relocated eastward and enlarged slightly to fit new white painted timber windows with frosted glass. The scale of the proposed alterations is minor and would not materially alter the character and appearance of the host building and conservation area. The works would also have limited view by the public due to its side and set back position from the main facade. Therefore, it is considered acceptable in design and heritage terms.

2.6 Given that the proposed rear extension would set back 1m from the boundary shared with No. 36 Cholmeley Park and the depth of the rear extension is 4m only, it would not result in a material loss of sunlight or daylight, or have an overbearing appearance to the neighbouring properties. The side windows of the new extension would face a 1.8m high boundary fence. As such, there would be no material loss of privacy or overlooking to neighbouring properties. The proposal is acceptable in amenity terms.

2.7 The proposed development is in general accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 and SP12 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021, the NPPF and policies within the Highgate Neighbourhood Plan 2017.

2.8 The proposal would comply with Policy DM9 of the Development Management, Development Plan 2017 and will preserve or enhance the character and appearance of the conservation area.

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

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, Drawing Nos: CHO_EX_01, CHO_EX_02, CHO_EX_03, CHO_EX_04, CHO_EX_05, CHO_EX_06, CHO_EX_07, CHO_PP_01, CHO_PP_02, CHO_PP_03 rev 1, CHO_PP_04 rev 1, CHO_PP_05 rev 1, CHO_PP_06, CHO_PP_07 rev 2, Planning Statement, 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 external materials to be used for the proposed development shall match in colour, size, shape and texture those shown in the drawings hereby approved.

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 D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 4 Notwithstanding the provisions of Schedule 2, Part 1 and Classes A and C of the Town and Country Planning (General Permitted Development) Order 1995 (or any orders amending or re-enacting that Order with or without modification), the flat roof area of the rear extension hereby approved shall not be used as a balcony, roof terrace, sitting out area or similar amenity area nor shall any railings or other means of enclosure be erected on top of or attached to the side of the extension without the grant of further specific permission from the Local Planning Authority.

Reason: In order to restrict the use of the premises to one compatible with the surrounding area because other uses within the same Use Class or another Use Class are not necessarily considered to be acceptable consistent with Policy DM1 of The Development Management DPD 2017.

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.