

Officer's Report

Application Number	HGY/2022/4316
Type	Householder planning permission
Location	2 Courtenay Avenue, Hornsey, London, N6 4LP
Proposal	Extension and refurbishment work to existing dwelling, including: installation of new roof to main house, erection of second floor side extension, erection of part ground floor and part first floor rear extension, construction of basement extension, replacement/new windows and other external alterations.
Case Officer	James Mead
Valid Date	05/12/2022
Applicant	Aran World UK Limited
Agent	Wolff Architects

RECOMMENDATION

Approve with Conditions

1. SUMMARY OF RECOMMENDATION

GRANT PLANNING PERMISSION, subject to conditions.

2. CONSULTATION RESPONSES

- **LBH Arboricultural Officer:** No objections, providing all the chapters within the Arboricultural Report are adhered to and conditioned. An Arboricultural Method Statement, Landscape Plan, on-board Arboriculturist and a pre-site meeting are required. The Tree Survey has been carried out to British Standard. Much of the report is concurred with. The encroachment into the root protection areas of T3 and T4 is minimal and acceptable. The report highlights the use of air spades, hand digging, soil improvement and root pruning. No dig designs have been noted for the hard surfacing and terracing. The oaks T3 and T4 can be maintained for conservation reasons. There is no master Landscape Plan, however there is suggested re-planting within the document. A selection of good urban fitness trees and native trees have been suggested. Whilst we would prefer native trees, it is recognised that a mixture is good for overall interest and addressing climate change. Low grade trees T5, T6 and T7 are to be removed. A net gain in trees is required.
- **Highgate Conservation Area Advisory Committee:** The historical context of this house is not, as stated in the Design & Access Statement, as dating from the late 1800s, but a relatively recently built house granted permission in 1981. The destruction of the records of the time means that conditions laid on the permission are not known. The houses in the road were in fact designed by Quennell and Cooper and date from the mid-1920s. This house was designed to reflect the nature of the neighbouring houses. We are pleased that the proposals to rebuild have been withdrawn and appreciate the overall retention of the front elevation. However, the dormer in the front extension does not reference the retained frontage and sits uncomfortably with it. There are concerns with several aspects of the proposed servants quarters. There appears to be no natural light in the kitchen/diner and the level of light in the main room seems low. We would like to see a Daylight Report. It is unclear whether the quarters are designed for a single person or a couple. There is no assessment of the impact of the plant room on the servants quarters. There is no basement impact assessment for the extended lower ground level. The applicant should make a

separate application for the tree works, meanwhile we suggest that trees T3 and T4 should be retained. Any replacement trees should be native, preferably forest trees, preferably oaks. This garden forms part of a run of gardens which are one of the ecological corridors in the Highgate Neighbourhood Plan, linking the ground of Hampstead Heath and Kenwood to the Highgate Golf Course.

3. REPRESENTATIONS

3.1 1 objection was received in response to notification and publicity of the application.

3.2 The following issues were raised by neighbours:

- The privacy of The Rydings will be impacted by new windows.
- The 25 and 45 degree rules should be considered.

4. REASONS FOR GRANTING PLANNING PERMISSION

4.1 The application site is occupied by a large, detached, two storey dwellinghouse. This dwelling is the second property on the eastern side of Courtenay Avenue, which is a private road that runs north from Hampstead Lane (B519). This private road has a somewhat rural character, due to the presence of grassed verges and numerous trees. A Tree Preservation Order (TPO) covers the site and this means that a number of trees at 2 Courtenay Avenue are protected. There is a sports field opposite the site, which is used by Highgate School. However, the general setting is residential in nature, with other large dwellings present to the north, north-west, east and south. The site is situated within the Highgate Conservation Area (CA) and the host property is considered to make a neutral contribution to the character of this heritage asset.

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

- HGY/2009/1427: Erection of single storey rear conservatory extension. Granted with conditions.
- HGY/2006/0008: Erection of enclosure extension to terrace at rear first floor level. Granted with conditions.
- HGY/2005/2013: Erection of single storey rear conservatory extension. Refused. Appeal Allowed.
- HGY/2005/0902: Erection of first floor side extension with terrace on roof (above garage), alterations to main roof involving increase in height (150mm), insertion of projecting rooflight feature, dormer windows to side elevations and alterations to front elevation, including the use of a mix of Butterley Clockhouse Capel Dark Multi Stock, Capel Multi Stock, Canterbury Multi Stock, and Knightsbridge Multi Stock bricks. Granted with conditions.
- HGY/2005/0883: Erection of single storey rear conservatory extension. Refused.
- HGY/2004/1737: Erection of a side extension at first floor level with terrace on top of second floor level. Alterations to roof including insertion of dormer window to front and side (south) elevation. Alterations to elevations. Granted with conditions.
- HGY/2003/0004: Erection of first floor side extension above garage. Refused.
- HGY/2002/1834: New side dormer window with obscure fixed shut glazing. Granted with conditions.
- HGY/1990/0406: Demolition of existing dwelling house and erection of new detached 7 bedroom house. Granted with conditions.

Design, Appearance & Heritage

4.3 The existing property at 2 Courtenay Avenue is a relatively modern building, which is not considered to make any material contribution to the historic significance of the CA. As such, it is not considered that the proposed works would impact a building of substantial heritage or architectural value.

New Roof

4.4 The main part of the existing property is of crown roof form, with an elevated flat roof element in the centre. It is proposed to remove this existing roof and then install a new roof. The bulk of the new roof would only be modestly greater, with the height of the new roof not exceeding the maximum height of the existing house. As such, it is not considered that this addition would appear excessively large. The new roof would extend slightly further to the rear than the existing roof. However, the only limited increase in the overall depth of the roof means that it would not appear unduly bulky. The gradient of the roof slope would differ, but the change would only be minor. Therefore, the new roof would not appear jarring or incongruous. The crown roof form of the main property would be retained and there is no objection to this, given the existing massing of the house. New dormer windows would be inserted into the rear and southern side of the new roof. These features would be of limited proportions, and as such would not appear overly dominant. Clay tiling would be used as the external material for the roof and this is appropriate, as it would match existing. The use of lead for the dormer is also acceptable, as this would not be a visually intrusive material.

Second Floor Side Extension

4.5 On the northern side of the host property, there is currently a two storey, flat roof extension, incorporating a large roof terrace. It is proposed to add a new crown roof above this existing extension. While the height increase is acknowledged, the proposed crown roof would still sit below the ridge of the new main roof. Due to this, and given the setting back of the side extension from the front of the property, it is considered that this proposed addition would appear satisfactorily subservient. The significant depth of the second floor side extension is acknowledged. However, it would suitably reflect the size of the new main roof and would only be of slightly greater depth than the existing flat roof side extension. Therefore, the depth of the extension would be suitably proportionate to the existing and proposed house. The crown roof design would be of similar appearance to the main roof, and as such would appropriately respect the form of the host property.

4.6 Dormers would be added to the front, rear and northern side of the new crown roof. These dormers would be of limited proportions, and as such would not appear as overly bulky or dominant features. The HCAAC have raised concern regarding the front dormer and its relationship with the retained facade. However, officers consider that that the modest scale of this dormer and its position set-back from the main front facade mean that this feature would not appear as an overly incongruous or intrusive addition. The use of clay tiling for the new roof and lead for the dormers is again acceptable.

Ground Floor & First Floor Rear Extensions

4.7 To the rear it is proposed to erect a first floor rear extension, which would be located relatively centrally on this elevation. This extension would be of limited depth, would be set-down from the main ridge and set-in from the sides. As such, the extension would not appear unduly bulky and would remain subservient. The first floor extension would open out onto a roof terrace and there is no objection to this from a visual perspective. The ground floor addition would span across the full width of the rear elevation. However, the modest depth and single storey level of this extension means that it would not appear as a disproportionately large addition to the property. The flat roof designs for the rear extensions would not be intrusive in appearance, and as such are acceptable. Brickwork to match existing would be used for the extensions and this is appropriate.

Other External Alterations

4.8 Various other external alterations and refurbishment works are proposed, including: new/replacement windows, new doors and re-pointing of brickwork. These works would be minor in nature and would not result in a harmful visual impact on the appearance of the property. The new/replacement windows would all be of timber construction, which is appropriate for a CA location.

4.9 Overall, the full scope of works proposed would be of acceptable design, with the character and appearance of the host property, the surrounding area and the CA not unduly harmed. The historic significance and special interest of the CA would be preserved.

Basement Development

4.10 The existing property has a basement in the north-eastern corner. It is intended to extend this existing basement further to the east, with this enlarged lower ground floor sitting mostly beneath the built form of the enlarged house. Noting the limited size of the basement extension, and given the distance between the enlargement and the neighbouring houses, it is not considered that a full Basement Impact Assessment is required. However, a Structural Statement has been provided from a chartered structural engineer in support of the application.

4.11 This Structural Statement concludes that the proposed basement would not have an adverse effect on the structural stability of the property, nor neighbouring properties. There is no evidence available to officers that would suggest that the basement extension would compromise the stability of the existing house. Therefore, there are no grounds to question the conclusions of the engineer. The basement extension would be undertaken some distance from The Rydings and would be set-away from the boundary with 1 Courtenay Avenue. Noting these distances, and given the observations of the engineer, it is not considered that the basement extension would harm the structural stability of either of the neighbouring properties.

4.12 The property is situated within Flood Zone 1 and Environment Agency mapping indicates that the site is located in an area at low risk from surface water flooding. Therefore, there are not significant concerns regarding flood risks. This is backed up by the Structural Statement, as this document concludes that there would be no increase in flood risk. The Structural Statement comments on the ground conditions and identifies the likely underlying London clay formation, which has low permeability. Given the nature of this underlying clay, it is not considered that the development would result in adverse impacts on groundwater or hydrogeological conditions. As such, it is not considered likely that there would be groundwater ingress into the host property or neighboring dwellings.

4.13 The proposed basement extension would not be highly visible in the locality, and therefore the character of the wider area would not be harmed by these works. The residential use of the basement means that the noise impacts would not arise. The basement development would also not result in a loss of biodiversity. The basement extension would be acceptable and accords with the relevant policies. However, a condition is recommended requiring supervision of the basement works by an appropriately qualified engineer.

Neighbour Amenity

4.14 The new roof would be erected close to the boundary with 1 Courtenay Avenue (property to the south). Whilst this is noted, the only modest increase in the bulk of the roof means that this addition would not result in undue: overbearing impacts, loss of light, overshadowing or harm to outlook. The first floor rear extension would be set-in from the boundary with No.1, and therefore would not materially affect this neighbour. The ground floor part of the rear extension would be constructed close to the boundary. However, would not project so far beyond the neighbours adjacent rear wall to cause material: overbearing impacts, loss of light, overshadowing or harm to outlook. New upper floor windows would be installed into the southern side elevation of the host property. In order to restrict inappropriate overlooking of No.1, a condition is attached requiring the fitting of obscured glazing in these new upper floor windows. The new terrace would not materially increase levels of overlooking towards No.1, when compared with the existing terrace. Therefore, a harmful invasion of the privacy of this neighbour would not arise.

4.15 The second floor side extension, rear extension and new roof would be erected close to the boundary with The Rydings (property to the north). However, these additions would still be a notable distance from the main built form of this neighbour. Therefore, The Rydings would not be materially impacted by loss of light to windows or an undue restriction of outlook. The height increase of the side extension and the overall scale of the rear extension would not be so substantial to result in undue: overbearing affects, overshadowing or loss of light impacting this neighbour's garden space. Upper floor windows would be installed in the northern side elevation of the host building. However, the fitting of obscured glazing in all these new openings would ensure that inappropriate overlooking of The Rydings would not occur. The fitting of obscured glazing is secured via condition. The new roof terrace would not allow more invasive views over The Rydings, than the existing roof terrace. As such, the new terrace would not materially erode the privacy of this neighbour.

4.16 The properties to the rear of the site on Compton Avenue (Derwen & Tree Tops) would be a substantial distance from the proposed extensions. As such, these neighbouring properties would not be materially affected by the works. Overall, the amenity and living conditions of all the neighbouring properties would be protected.

Impact on Trees

4.17 Three trees are proposed to be removed as part of the development (T5, T6 & T7). The Arboricultural Impact Assessment (AIA) identifies these trees as being relatively low quality and the Arboricultural Officer has not questioned these classifications. As such, there is no in principle objection to the removal of these trees. However, the AIA refers to a replanting scheme and the Arboricultural Officer deems this necessary, so that a net gain in trees is achieved. Therefore, a condition is attached to this consent requiring a replanting/landscaping scheme.

4.18 The extensions would be located within the root protection areas (RPA) of two retained trees (T3 & T4). However, the Arboricultural Officer notes that the encroachment into these RPAs is minimal and, in this instance, is acceptable. Therefore, there is no objection to the minor protrusion into RPAs. However, an Arboricultural Method Statement is necessary, a Tree Protection Plan is needed and the retention of an Arboriculturist through to completion is required. These further measures are required via condition and would ensure that construction progresses with due regard to the protection of trees.

4.19 It is noted that some new hardstanding and low level walls would be constructed within the RPA of several trees. However, the AIA notes that a no dig construction would be required for the new hardstanding and that low-invasive foundations would be used for new walls. The Arboricultural Officer is content with these measures, which would ensure that any such works would not harm trees. Subject to several conditions, it is considered that protected trees would be suitably preserved through the development.

Other Matters

4.20 The HCAAC have raised concerns regarding the proposed staff quarter at lower ground floor level. It is noted that there is no information relating to the levels of light that would be received in the staff quarter or noise impacts from the plant room. However, the agent has confirmed that this space is only intended to be for occasional use, and therefore would not be a permanent staff dwelling. As such, it is not considered proportionate to require a Daylight & Sunlight Report or further information on the plant room. The proposed lower ground floor areas would be satisfactory for the purposes of occasional use by staff. A neighbour comment has referred to the need to consider the 25/45-degree tests. These tests relate to light levels and it has already been concluded that there would not be undue loss of light to neighbouring properties.

Conclusion

4.21 The proposed development is in general accordance with Policies DM1, DM9, DM12 & DM18 of the Development Management DPD (2017), Policies SP11, SP12 & SP13 of Haringey's Local Plan Strategic Policies (2017) and Policies OS2, DH1, DH2, DH3, DH4, DH5 & DH7 of the Highgate Neighbourhood Plan (2017). The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

4.22 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 approved plans comprise drawing nos: 001, 003, 008, 010, 011, 012, 013, 020, 022, 024, 026, 030, 032, 108, 110, 111, 112, 113, 120, 122, 124, 126, 130, 132, 202, 203, 208 A, 210, 211, 212, 213, 220, 222, 224, 226, 230, 232, 250, 252, 254, 256, 260 and Arboricultural Impacts Assessment (Proposed Site Plan). 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 those as specified on the approved plans.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of the Highgate Conservation Area is preserved, consistent with Policies SP11 and SP12 of the Haringey Local Plan (2017) and Policies DM1, DM9 and DM12 of The Development Management DPD (2017).

- 4 The construction phase of the basement extension throughout its duration shall be supervised by a suitably qualified Chartered Civil Engineers (MICE) or Chartered Structural Engineers (MI Struct.E). At no time shall any construction work associated with the basement take place unless an engineer is at that time currently appointed.

Reason: To safeguard the structural stability of the existing property and to comply with Policy DM18 of the Development Management DPD (2017).

- 5 Notwithstanding the plans hereby approved, all the new/replacement first and second

floor windows on the northern side elevation shall be obscured glazed to level 3 or higher on the Pilkington scale of privacy or equivalent. This specification shall be complied with before the development is occupied and thereafter be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of neighbouring occupiers and to comply with Policy SP11 of the Haringey Local Plan (2017) and Policy DM1 of The Development Management DPD (2017).

- 6 Notwithstanding the plans hereby approved, all the new/replacement first and second floor windows on the southern side elevation shall be obscured glazed to level 3 or higher on the Pilkington scale of privacy or equivalent. This specification shall be complied with before the development is occupied and thereafter be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of neighbouring occupiers and to comply with Policy SP11 of the Haringey Local Plan (2017) and Policy DM1 of The Development Management DPD (2017).

- 7 Prior to the commencement of any development hereby approved, and before any equipment, machinery or materials are brought onto the site for the purposes of the development hereby approved, an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall commence in full accordance with the approved details.

Reason: To safeguard protected trees during construction, in accordance with Policy G7 of the London Plan (2021) and Policy DM1 of The Development Management DPD (2017).

- 8 Prior to first occupation of the development hereby approved, a planting/landscaping scheme, demonstrating a net gain in trees on site, shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include a species list and an aftercare management programme. Thereafter, the planting scheme shall be implemented in full, prior to first occupation of the development.

Reason: To ensure a net gain in trees on site, in accordance with Policy G7 of the London Plan (2021) and Policy DM1 of The Development Management DPD (2017).

Informatives:

- The applicant is advised that this planning permission does not give consent for the felling of any other trees, apart from those specifically identified for removal on the plans in Part 3 of the Arboricultural Impact Assessment Report (Landmark Trees, dated: 29th November, 2022).
- **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: 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.