

Officer's Report

Application Number	HGY/2022/4459
Type	Householder planning permission
Location	5 Briston Grove, Hornsey, London, N8 9EX
Proposal	Enlargement and refurbishment of existing basement and creation of front light-well with grated cover.
Case Officer	Mercy Oruwari
Valid Date	19/12/2022
Applicant	Opinca
Agent	mr Andreas Christodoulou

RECOMMENDATION

Approve with Conditions

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 This is an application for the enlargement and refurbishment of existing cellar/basement and creation of front light-well. This includes:

- Lowering the floor level of both ends of the cellar.
- Removing the internal wall between the front and rear of the cellar to create a larger open space.
- Replacing the WC with a shower room.
- Excavation of the front garden to create a light-well; including
- Installation of 3x new windows in the lower ground floor bay.

Site and Surroundings

3.2 The application site relates to a two storey, terraced dwelling located on the Briston Grove with habitual space in the roof and access to the cellar level. The levels along Briston Grove increase from north to south. The site backs onto St Peter-in-Chains RC Infant School. The site is not located within a conservation area.

Relevant Planning and Enforcement history

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

- HGY/2014/2861 - Erection of a single storey extension which extends beyond the rear wall of the original house by 5.5m, for which the maximum height would be 4m and for which the height of the eaves would be 3m – Prior Notification Not Required
- HGY/2012/0311 - Erection of single storey side return extension including internal reconfiguration (householder application) - Granted

4. CONSULTATION RESPONSE

4.1 The responses below were received following consultation on the application:

Internal:

1) LBH Conservation Officer: No comments received

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of site notice displayed in the vicinity of the site and 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: 0

Objecting: 0

Supporting: 0

6 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning considerations raised by the proposed development are:

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

Design and Impact on the character and appearance of the conservation area

6.2 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.

6.3 DPD Policy DM18 outlines that proposals for new lightwells should take account of whether the architectural character of the host building is protected and the effect on the character and appearance of the surrounding area. It is stated that where lightwells are not an established and positive feature of the street they can harm the character and appearance of the area.

6.4 Permission is sought for the excavation of the existing lower ground floor and the creation of a new front light-well. The internal works include lowering the rear of the cellar/basement by approximately 0.4 metres and the front by about 0.6 metres. The 2x separate storage rooms would be combined with the removal of the wall to create a gym/office area. The existing toilet would become a shower room.

6.5 The external changes to the front to create the light-well would include installation of 3x new windows in the bay to match those on the upper floor levels to serve the basement. The external works to the front would not comprise of any elements that would be highly visible above ground level. The new lightwells would be modest in size and discreetly positioned, taking up only a small proportion of the frontage to the property. No vertical railings are proposed around the lightwell. The external works would not be highly visible above ground level. Therefore, there would be no discernible change to the front elevation of the property as seen from the street.

6.6 Several of the properties on Briston Grove have already created usable basement spaces and/or light-wells. The works proposed at the host property is an established type of development

feature on this road. As such, it is considered that the scheme would have an acceptable impact on the character and visual amenity of the area.

Impact on neighbouring amenity

6.7 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.

6.8 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.

6.9 The proposed works for the basement would be below ground and the front light-well would not be highly visible from the street. Overall there would be no unacceptable amenity impacts.

Basement development

6.10 Policy SP11 of Haringey's Local Plan requires that new development should ensure that impacts on natural resources, among other things, are minimised by adopting sustainable construction techniques.

6.11 Development Management policy DM18 ('Residential Basement Development and Light Wells') requires householder extensions for basement development to demonstrate that a proposal will not adversely affect the structural stability of the application building and neighbouring buildings; does not increase flood risk to the property and nearby properties; avoids harm to the established character of the surrounding area; will not adversely impact the amenity of adjoining properties or the local natural and historic environment.

6.12 The subtext of this policy recognises that for basement development where appropriate, applicants will need to submit specific information to demonstrate that these issues can and have been addressed.

6.13 As already pointed out above the property already has a cellar which is a common feature of the houses on this road and for properties of this period in general. Part of the works proposed here is to lower the floor level of the front of the cellar by approximately 0.6 metres and the back of the cellar by about 0.4 metres.

6.14 The proposal will involve deepening the existing foundations downwards for the whole of the lower ground floor-space. The works here are not considered to represent a significant structural stability hazard, on the grounds of using industry standard underpinning in advance of the excavation works.

6.15 Such works to the party wall would in effect be very similar to typical underpinning works/ foundations repair, where foundations are taken below the swelling and shrinkage zone of London Clay, so as to reduce the risk of damage caused by the water consumption of trees in a shrinkable soil as well as due to normal seasonal movement.

6.16 As with all basement projects more intrusive aspect of basement design and construction takes place after the planning process. Other legislation provides further safeguards to identify and control the nature and magnitude of the effect on neighbouring properties. Specifically the structural integrity of the proposed basement works here would need to satisfy building regulations. In addition, the necessary party-wall agreements with adjoining owners would need to be in place prior to the commencement of works on site. In this instance a condition is being imposed to ensure that works are overseen by a suitably qualified engineer.

6.17 In conclusion the LPA are satisfied that the development here can be carried out without impacting land stability, ground water conditions or the amenity of adjoining/ neighbouring residents.

Conclusion

6.19 The proposed cellar/basement extension is considered to be in keeping with the architectural integrity of the host property and would preserve the character appearance of the area and would not impact unacceptably upon the residential and visual amenities of neighbouring occupiers.

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

7. CIL APPLICABLE

The increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

8. RECOMMENDATION

GRANT PERMISSION subject to the following condition(s)

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, 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 of the existing building unless otherwise stated within the 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 No development shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed to supervise the construction works throughout their duration and their appointment confirmed in writing to the Local Planning Authority. In the event that the appointed engineer ceases to perform that role for whatever reason before the construction works are completed those works will cease until a replacement chartered engineer of the afore-described qualification has been appointed to supervise their completion and their appointment confirmed in writing to the Local Planning Authority. At no time shall any construction work take place unless an engineer is at that time currently appointed and their appointment has been notified to this Authority in accordance with this condition.

Reason: The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring residential properties and to comply with the policy DM18 of the Development Management DPD 2017

Informatives:

- 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.
- 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.
- The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.