

Officer's Report

Application Number	HGY/2023/0252
Type	Householder planning permission
Location	13 Shepherds Hill, Hornsey, London, N6 5QJ
Proposal	Proposed enlargement of single lower ground floor rear window / door opening. Installation of 2 no. flat glass rooflights in existing rear roof terrace. Removal of 1 no. window to side elevation and infilled in brickwork to match existing. Change to garden levels and removal of shrubbery to create enlarged lawn area.
Case Officer	Ben Coffie
Valid Date	25/01/2023
Applicant	Mr Rikesh Patel
Agent	Mr Tim Gebhard

RECOMMENDATION

Refuse

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

1.1 Proposed enlargement of single lower ground floor rear window / door opening. Installation of 2 no. flat glass rooflights in existing rear roof terrace. Removal of 1 no. window to side elevation and infilled in brickwork to match existing and change to garden levels and removal of shrubbery to create enlarged lawn area.

Site and Surroundings

1.2 The application site is a three storey residential property located on the south side of Shepherds Hill. The site forms part of a group of Edwardian three storey, double fronted detached dwellings.

1.3 The site is in the Highgate conservation area but is not Listed Building.

Relevant Planning and Enforcement History

N/A

2. Consultation Response

2.1 Highgate CAAC- objections are raised against the application for the following reasons:

- Insufficient information has been submitted regarding the existing context of the site in drawing P-1269_0-202 Existing Garden.
- Loss of original side window is not acceptable as it is highly visible from the street.

2.2 Recommendations are included in the comments which are summarised below:

- The paved areas should be SUDs
- two additional rooflights and any additional garden lighting should be bat friendly and not cause light pollution for neighbours.
- Appropriate measures should be taken to protect trees in neighbouring gardens.

3. LOCAL REPRESENTATIONS

3.1 The application has been publicised 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: 8

Objecting: 0

Supporting: 0

4. MATERIAL PLANNING CONSIDERATIONS

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

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

Design and character and appearance of the conservation area

4.2 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.

4.3 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.

4.4 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.

4.3 The application site is located in the Highgate conservation area, Policy DH2 of the Highgate Neighbourhood Plan (HNP) 2017 requires proposals to preserve or enhance the character and appearance of Highgate's conservation areas.

4.4 Whilst the proposed works would not result in works to the front, by reason that the site is a detached dwelling a significant portion of the side elevations are visible from the streetscene. The application seeks to remove a side upper floor window and to brick it up to match existing.

4.5 This element of the proposal is not regarded as a significant change to the side elevation of the building, moreover the infill brickwork would match the existing brickwork, it is not anticipated to result in any harm to the character and appearance of the host property or the conservation area.

4.6 The proposed enlargement of the rear openings to constitute the installation of a large ground floor door and the installation of the roof lights on the terrace would not be visible from the streetscene, furthermore these modifications are considered to be a less dominant and less intrusive, they would not have a detrimental impact on the character and appearance of the host property or the conservation area.

4.7 The garden level drastically slopes down approximately by 6m toward the end boundary which has a natural presence of vegetation and matured trees. Officers deduce from the proposed garden plan (1269-212) that the slope is to be partly raised and levelled up with the erection of a retaining wall with side steps.

4.8 However, in the absence of a detailed existing garden plan which should provide an existing context of the rear of the property, Officers are unable to ascertain in a complete assessment whether the proposed landscaping would fundamentally alter the prevailing and overwhelming character of the garden, with the hard landscaping and associated land profiling works and consequently materially harm the garden setting and green character to the detriment of the character and appearance of this dwelling, this group of houses, and this part of the Highgate conservation area.

4.9 As such, insufficient information has been submitted to determine whether the proposals are in accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 of Haringey's Local Plan Strategic Policies 2017, or with the relevant policies of the London Plan 2021, the NPPF and Policies DH2 of the Highgate Neighbourhood Plan (HNP) 2017.

Impact on neighbouring amenity

4.10 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.

4.11 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.

4.12 The Highgate Neighbourhood Plan Policy DH3 of the HNP also states that proposals should not harm the amenity of adjacent properties.

4.13 Due to the nature of the works to the side and rear elevations which are insufficient in size and location to cause adverse impacts, no amenity impacts are anticipated against neighbouring sites.

4.14 It is acknowledged that the increase in the garden level toward the rear would potentially give rise to opportunities for overlooking into the garden areas of the adjoining dwellings. Again, the lack of information submitted with the application means that a thorough assessment cannot be made in respect of the potential impacts of the proposed landscape works on the privacy of neighbouring occupiers using their garden areas.

4.13 As such, due to the above considerations the proposed development would inflict adverse impacts against the amenity currently enjoyed by neighbouring properties and is in compliance with policy D6 of the London Plan and policy DM1 of the DPD and Policy DH3 of the Highgate Neighbourhood Plan (HNP) 2017.

Trees and nature conservation

4.14 London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

4.15 DPD Policy DM1 requires proposals demonstrate how landscaping and planting are integrated into a development as a whole, responding to trees on and close to the site.

4.15 Policy G6 of the London Plan states that in relation to 'requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Impacts on existing biodiversity or green space, as a result of minor housing developments, are required to be minimised and mitigated through measures such as returning hard standing to green space, the installation of green roofs and green walls, or the provision of landscaping that facilitates sustainable urban drainage in order to achieve the principle of no net loss of overall green cover', which is also advocated in local plan policy: DM Policy (2017) DM19. This policy states:

4.16 The site has existing trees at the rear boundary, the proposed land levelling /reprofiling of the garden would be in close proximity to the location of the existing trees. The application has failed to provide sufficient detail to allow a proper examination of the likely impact of the engineering works and associated reprofiling of the rear garden on existing trees.

Conclusion

4.15 The proposal is considered acceptable in terms of its impact upon the character and appearance of the host property and surrounding area, on neighbouring amenity and on existing trees.

4.16 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.

RECOMMENDATION

Refuse planning permission for the following reason(s):

Refusal Reasons:

Insufficient details have been provided to allow a proper examination of the likely impact of the engineering works and associated reprofiling of the rear garden on trees, the garden setting and green character to this site and on neighbouring amenity, contrary to Policy SP13 of the Haringey Local Haringey Local Plan 2017, Policy DM1 of the Haringey Development Management DPD (2017) and Policy OS2 of the Highgate Neighbourhood Plan (2017).