

Officer's Report

Application Number	HGY/2022/4039
Type	Removal/variation of conditions
Location	10, FORDINGTON ROAD, LODON, N6 4TJ
Proposal	Variation of condition 2 (Approved Plans) attached to planning permission ref: HGY/2021/1604 to amend the approved scheme by altering the elevations, fenestrations and roof of the dwellinghouse.
Case Officer	Josh Parker
Valid Date	08/11/2022
Applicant	MS HARRIS
Agent	Mr Anthony Cooper

RECOMMENDATION

Approve

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

1.1 This Section 73 planning application proposes to vary conditions Variation of condition 2 (Approved Plans) attached to planning permission ref: HGY/2021/1604 to amend the approved scheme by altering the elevations, fenestrations and roof of the dwellinghouse.

1.2 Design changes have been made to the scheme following comments from Officers, namely the following changes were made:

Altering the position of the entrance door;

Removing the front entrance basement and adding a side entrance, providing a more discreet lightwell to the front.

Site and Surroundings

1.2 The application site is a plot occupied by two brick garages with pitched roofs and a shed located at the end of a row of semi-detached 1920's houses. The surrounding area is characterised by residential development predominantly comprising detached and semi-detached dwelling houses with deep rear gardens.

1.3 The site is a similar plot to those surrounding it, with a frontage on Fordington Road to the north-west. No.12 and its rear gardens bound to the north/north-east side. To the west/south-west, Fordington Road turns a 90 degree corner so the site bounds the rear of the gardens of Nos 2-8 Fordington Road which site perpendicular to this plot. To the east/south-east, the site bounds the rear gardens of Nos 9 and 11 Woodside Avenue.

1.4 The site contains two brick garages with a pitched roof and a shed facing Fordington Road none of which are statutorily or locally listed. There is also a Planning Sub-Committee Report similarly brick garage adjacent in the rear garden of No.8 which fronts the same section of Fordington Road.

1.5 The site is not in a conservation area but lies within the boundary of the area covered by the Highgate Neighbourhood Plan (2017).

1.6 The most recent planning history relating to the site is as follows:

- HGY/2021/1604: Demolition of existing garages and shed and erection of dwelling house over three storeys (plus excavation to form a basement level); Erection of rear garden outbuilding; Associated cycle and bin storage; Associated hard and soft landscaping. Approved with conditions.

2. LOCAL REPRESENTATIONS

2.1 The application has been publicised by way of 11 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: 2

Objecting: 2

Supporting: 0

Summarised objections

- Guttering and roofline breaching the neighbouring 12 Fordington Road Boundary (addressed in amenity section).
- First floor, dormer & staircase windows regarding privacy (addressed in amenity section).
- Fire safety (building control concern).

3. MATERIAL PLANNING CONSIDERATIONS

Background

3.1 The principle of introducing a residential unit has already been established under planning permission reference: HGY/2021/1604. As explained in the associated Committee report the site appears to be a plot originally set out to accommodate a dwelling house, consistent with other plots in this planned residential street.

3.2 The main amendments proposed in this s. 73 planning application relates to the design and the impact of such changes and amenity, which are considered in more detail below. The size of the new dwelling and the garden outbuilding do not change, in terms of floorspace.

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

1. Design & Appearance;
2. Neighbour Amenity; and
3. Quality of accommodation

Design & Appearance

3.4 London Plan Policy D3 outlines that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Proposals should enhance local context by delivering buildings that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Local Plan Policy SP11 and DM DPD Policy DM1 require development to be of the highest standard of design that respects local context, character and historic significance, so to contribute to the creation and enhancement of Haringey's sense of place and identity. DM DPD Policy DM12 outlines that extensions or alterations to residential buildings should be of a high, site-specific and sensitive design quality and should respect the form, setting, period, architectural characteristics and detailing of original buildings. High quality matching or complementary materials should be used appropriately and sensitively.

3.5 The applicant has revised the proposed dwelling and pavilion; both redesigned in a manner where the building envelopes of the approved and revised are different, however, the core design components are similar. Additionally, the new design generally keeps to the approved building envelope; in some areas the building protrudes the envelope marginally; and in cases like the southwestern alteration there is a net loss in bulk with the removal of the chimney and redesigned roof.

3.6 The proposed changes can be generally summarised below:

- Revised footprint.
- Revised location.
- Kitchen/dining room has been altered to add one uniform shaped conservatory.
- More traditional mansard styled roof plan, altered to incorporate a dormer.
- Chimney has been removed.
- Solar panels added to the south-western roof slope.
- 5 windows replacing the previous 7 windows on the southwestern elevation.
- New windows facing southwest.
- Basement Lightwell added to the front of the property.
- Enter portico made deeper.
- Pavilion added floor space and altered to a single pitched roof.

3.7 The revised dwelling has retained a lot of the detailing from the approved application when considering the appearance from Fordington Road. Subsequently, the change in the roof plan has reduced the maximum height by 1.21m however, the main ridgeline will sit approximately 500mm above the approved plans in places, allowing for a dormer. The new design has also reduced the ground-floor area by a reduction to the kitchen/dining area at the rear. This has been redesigned to have glass panels opposed to the approved brick design. Additionally, the pavilion has a mono pitch roof design with a modest change in footprint size.

3.8 The plans show that modest changes have been made to all elevations of the dwelling. These alterations are minor in nature and have a negligible impact on the appearance of the development. As such, the new design is sympathetic of the surrounding environment and of acceptable appearance. Overall, the character and appearance of the property and the surrounding area has not been harmed by redesign of the dwelling and outhouse.

Neighbour Amenity

3.9 London Plan Policy D6 outlines that the design must not be detrimental to the amenity of surrounding housing, in specific it is stated that proposals should provide sufficient daylight and sunlight that is appropriate for the context, while also minimising overshadowing. Furthermore, DM DPD Policy DM1 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 open aspects to adjacent buildings and land. Schemes should also avoid overlooking and loss of privacy that would be detrimental to the amenity of neighbouring residents.

3.10 The alterations will not caused inappropriate overlooking of neighbouring properties when considering the new layout of windows. To ensure the privacy for the neighbouring properties the applicant has agreed to retain a condition that will require windows of concern to be obscured and fixed shut. This condition will protect the privacy from the first floor, dormer, and staircase windows on the neighbouring properties at both 8 & 12 Fordington Road. Majority of the revised windows are similar to the approved scheme in terms of size, placement, boundary setback and stature. The places where windows have been enlarged are typically on the ground floor sited away from the boundary and screened by a large fence or in the dormer space. The changes are of an acceptable nature that retains or minimises neighbour amenity considerations consistent to the approved application HGY/2021/1604.

3.11 To address the above objections regarding privacy of the new windows and the boundary dispute with the roofing and guttering the applicant has revised the site plan to site all the proposed dwelling (including guttering) within the boundary of the proposal. Furthermore, the applicant has agreed to a

condition that will require windows on the first floor in the dormer space to be fixed and fitted with obscured glazing as discussed above.

3.12 The changes to the approved plans are not of such scale to result in undue: overbearing impacts, loss of light, overshadowing or harm to outlook. As mentioned earlier the proposal has a similar building envelope to the approved proposal, with reduced bulk mainly on the southwestern boundary. Overall, the revised scheme will have likely to have acceptable impacts on the overbearing impacts, loss of light, overshadowing or harm to outlook when considering all 3 adjoining properties.

Quality of Accommodation

3.13 London Plan Policy D6 requires housing development to provide adequately sized rooms with comfortable and functional layouts. Dwellings must at least have the gross internal floor area (GIA) set out in Table 3.1 of the London Plan and an acceptable floor to ceiling height should be delivered. Dual aspect dwellings should be maximised and single aspect units should normally be avoided. This policy also requires sufficient daylight and sunlight to be supplied to new residential units, whilst also ensuring that overheating would be avoided. Private outdoor space should be provided for new dwellings, in line with the requirements of London Plan Policy D6.

3.14 The quality of accommodation remains satisfactory, as concluded on the previous application. The proposed revised dwelling comfortably meets the GIA standards of the London Plan, and therefore is of acceptable size.

Conclusion

3.15 The minor material amendments proposed by this application ensure that the proposal continues to be appropriate for its context and would not result in any additional adverse impact on the character of the area, residential amenity, ecology, trees or highway safety/traffic capacity. These minor material amendments are considered both individually and cumulatively to be acceptable.

3.16 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.

Conditions:

- 1 Development begun no later than three years from date of decision REF: HGY/2021/1604

The development hereby permitted shall be begun not later than the expiration of 9th November 2024.

Reason: To ensure the commencement timescale for the development is not extended beyond that of the original planning permission granted under planning ref: HGY/2021/1604 and to comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 In accordance with approved plans

The development shall be completed in accordance with the approved plans as listed above 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 Details of hard and soft landscaping

Details of a scheme depicting those areas to be treated by means of hard and soft landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme shall include details of hard surfacing materials, details of planting with a schedule of species, in specific securing appropriate compensatory tree planting in the form of a semi-mature tree to be planted to the front of the site, with a minimum of 6 trees planted elsewhere within the site.

The approved landscaping scheme shall thereafter be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner). Any trees or plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order for the Local Planning Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area consistent with Policy G7 of the London Local Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

4 Materials submitted for approval

Samples of materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any above ground development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references. Only the approved details shall be implemented and retained thereafter.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity 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.

5 Details of bin stores

Notwithstanding the approved plans details of the design of the refuse and recycling bins enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.

Reason: In order to protect the amenities of the locality and to comply with Policy DM4 of The Development Management DPD 2017 and Policy SI7 of the London Plan 2021.

6 Basement method statement

Notwithstanding the information submitted with the application no development shall take

place until a final Method Statement for the construction of the basement has been submitted to and approved in writing by the local planning authority.

The Method Statement shall demonstrate that the predicted Burland Scale at the time of the construction phase is no more than Burland Scale 1 in relation to neighbouring buildings/ structures within the zone of influence. The development thereafter shall be carried out in accordance with this approved methodology and detail.

Reason: To ensure that the proposed development would have no undue impact on the structural integrity of adjoining and neighbouring buildings, in accordance with Policy DM18 of the Haringey Development Management DPD 2017.

7 Structural Engineer to oversee basement works

No development shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed, and such appointment confirmed in writing to the local planning authority, to supervise the construction works throughout their duration. 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, and such appointment confirmed in writing to the local planning authority, to supervise their completion. 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 the local planning authority in accordance with this condition.

Reason: To ensure that the proposed development would have no undue impact on the structural integrity of adjoining and neighbouring buildings, in accordance with Policy DM18 of the Haringey Development Management DPD 2017.

Hydrological information/ drainage mitigation

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The development hereby approved other than demolition and clearance of the site shall not commence until a site specific assessment of the hydrological and hydro-geological impact of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include: details of permeable surface to be agreed in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure the development provides satisfactory means of drainage on site and to reduce the risk of localised flooding.

Construction Management Plan

No development shall take place until a Construction Management Plan, to include details of:

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- A. a programme of works (including measures for traffic management);
- B. details of vehicle routing, parking and management of vehicles of site personnel, operatives and visitors;
- C. loading and unloading of plant and materials;

- D. storage of plant and materials;
- E. provision of boundary hoarding behind any visibility zones;
- F. wheel washing facilities;
- G. measures for the control and reduction of dust;
- H. measures for the control and reduction of noise and vibration.

have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained during the demolition and construction period.

Reason: To safeguard residential amenity, reduce congestion and mitigate obstruction to the flow of traffic, protect air quality and the amenity of the locality in accordance with paragraph 174(e) of the NPPF 2021, Policy SD1 and SI 1 of the London Plan 2021, and Policy DM23 of The Development Management DPD 2017.

10 Tree protective fencing

The erection of fencing for the protection of trees shall be undertaken in accordance with the Arboricultural Impact Assessment (prepared by r.howorth & co.ltd) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition.

Reason: In order to ensure the safety and well-being of the trees on the site during constructional works that are to remain after building works are completed consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

11 Cycle parking

The development shall not be occupied until a minimum of 2 long-stay cycle parking spaces for users of the development, have been installed in accordance with the approved details and the London Cycling Design Standards. Such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with policy T5 of the London Plan 2021 and Policy SP7 of the Haringey Local Plan 2017.

12 Outbuilding incidental to dwelling house

The rear garden outbuilding hereby approved shall be used only in connection with the dwelling house on the application site and for purposes incidental to their enjoyment, and for no other purpose, without the benefit of planning permission from the Local Planning Authority.

Reason: To ensure that the occupants of nearby properties are not adversely affected by the development in accordance with Policy D14 of the London Plan (2021) and Policy DM1 of the Haringey Development Management DPD (2017).

13 Energy Strategy

The development hereby approved shall be constructed in accordance with the Energy Statement by 'greenbuildconsult' (dated May 2021) delivering a 51% improvement on carbon emissions over 2013 Building Regulations Part L.

(a) Prior to above ground construction, details of the proposed ground source heat pump

(GSHP) system shall be submitted to the Local Planning Authority. This must include:

- Specification and efficiency of the proposed GSHP (Coefficient of Performance, Seasonal Coefficient of Performance, and the Seasonal Performance Factor), with plans showing the location of the GSHP and pipework;

(b) Prior to the occupation of development, evidence that the GSHP complies with other relevant issues as outlined in the Microgeneration Certification Scheme Heat Pump Product Certification Requirements shall be submitted to and approved by the Local Planning Authority.

The final agreed energy strategy shall be installed and operation prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be operated and maintained as such thereafter.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2 and Local Plan Policy SP4 and DM21.

14 Carbon offset payment

No development works shall take place until a Unilateral Undertaking has been completed and submitted to the Local Planning Authority securing a payment of £6,170.00 to fund offsetting the remaining carbon emissions from this development.

Reason: In the interest of climate change and to help achieve zero carbon development across the borough and in compliance with Local Plan Policies SP4 and DM21.

15 M4(2)/ Accessibility

The residential unit hereby approved shall be designed to meet Part M4 (2) 'accessible and adaptable dwellings' of the Building Regulations 2015 (formerly Lifetime Homes Standard) unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development meets the Council's Standards in relation to the provision of accessible and adaptable dwellings.

16 Removal of permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no extensions or further outbuildings shall be built and no new window or door openings inserted into any elevation of the building (other than that development expressly authorised by this planning permission), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality.

17 Obscured glazing to windows

The first floor and second floor windows in the side elevations of the approved development shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut up to a height of not less than 1.7m above internal finished floor level before the occupation of the dwelling hereby approved and thereafter be retained as such in perpetuity, unless otherwise approved in writing by the Local Planning Authority.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

Informatives:

- Co-operation

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our pre-application advice service and published development plan, comprising the London Plan 2021, the Haringey Local Plan 2017 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

- Community Infrastructure Levy

The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayoral CIL charge would be £27,730.05 (491 sqm x £60.55) and the Haringey CIL charge would be £181,291.83 (491 sqm x £369.23. This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

- Hours of construction

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.

- 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.

- Street Numbering

The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 3472) to arrange for the allocation of a suitable address.

- Thames Water

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design

of the proposed development.

- Positive Pumped Device (Thames Water)

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing a positive pumped device (or equivalent reflecting technological advances) to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. Fitting only a non-return valve could result in flooding to the property should there be prolonged surcharge in the public sewer.