

Officer's Report

Application Number	HGY/2022/4537
Type	Removal/variation of conditions
Location	9, Gladwell Road, London, N8 9AA
Proposal	Variation of condition 2 (approved drawings) pursuant to planning permission ref. HGY/2021/0583 granted on 7th May 2021 for the extension by excavation to existing basement with lightwell in association with existing ground floor flat; namely to excavate a front lightwell and insert windows to the front elevation basement level
Case Officer	Josh Parker
Valid Date	14/02/2023
Applicant	Mr Kolja Strobl
Agent	

RECOMMENDATION

Approve with Conditions

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

2.1 Planning permission was granted under reference: HGY/2021/0583 for the extension by excavation to existing basement with lightwell in association with existing ground floor flat; namely to excavate a front lightwell and insert windows to the front elevation basement level. This current application is made under Section 73 of the Town and Country Planning Act (1990) and seeks to vary condition 2 (approved plans) of HGY/2021/0583, so to regularise the changes to the approved plans. The changes are to amend the approved scheme by adding a front lightwell with the dimensions 0.9m (width) and 1.2m (depth) to the front of the dwelling house to allow natural light into the new basement bedroom.

Site and Surroundings

2.2 The application site relates to a two-storey, semi-detached property located on the western side of Gladwell Road. The property is not located within a conservation area.

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

- HGY/2019/0709 Formation of rear dormer – permission granted on 23/4/19
- HGY/2019/0035 Excavation of existing cellar to create new basement with light wells to front and rear to create one additional studio flat – permission refused 7/2/19
- HGY/2012/0153 Flat A - Erection of lean to conservatory to rear of property – permission granted.
- HGY/2003/1691 Conversion of house into two flats 1 x 1 bedroom and 1 x 3 bedroom flats – permission granted

Adjoining sites:

- HGY/2020/1964 - 13 Gladwell Road - Proposed single-storey side and rear extension together with the extension and damp proofing of the existing basement – permission granted on 5/10/20

3. CONSULTATION

3.1 Responses

N/A

4. LOCAL REPRESENTATIONS

4.1 The application has been publicised by way of 25 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: 12

Objecting: 12

Supporting: 0

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Insufficient information/ lack of BIA submission
- No precedent of such development on the road
- Site within critical drainage area
- Proposal out of keeping with area/ site lies within CA

5. MATERIAL PLANNING CONSIDERATIONS

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

1. Design & Appearance;
2. Neighbour Amenity;
3. Basement development;
4. Standard and quality of residential accommodation.

Design & Appearance

5.2 Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.

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5.4 The site is part of a pair of semi-detached properties which follows the pattern along this side of the road. The proposed alteration would include an additional lightwell 0.9m in width to the front of the dwelling. The lightwell would be 1.2m deep with a cover. Although the principle of a lightwell to the front of the property is generally new in the immediate area, Officers accepts that the size and scale of the added lightwell is subservient and discrete to the host building, and overall acceptable.

5.5 The proposed lightwell located to the front of the building and would not be highly visible from public vantage points. Rather the visible manifestation of the house as seen from the street would remain largely the same with the current front boundary wall and absence of railing around the lightwell making the lightwell barely noticeable. Overall the works here would have an acceptable impact on the character and appearance of the host property and the surrounding area, in accordance with the aforementioned policies.

Impact on neighbouring amenity

5.6 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

5.7 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.

5.8 The proposed additional lightwell added to the basement to supplement the ground floor flat with a 3rd bedroom and living space/ office are not considered to be detrimental to the amenity of adjoining residents.

5.9 The disturbance during construction is considered to be of a temporary nature with the number of vehicles and movements associated with this development not significant.

Basement development

5.10 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.

5.11 DPD 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 and not to adversely impact the amenity of adjoining properties or the local natural and historic environment.

5.12 As per the objections from the present lightwell application and previous basement applications summarised above. A number of concerns have been raised by neighbouring residents concerning impact on the structural stability of their properties, given the pattern of development here and the sloping nature of the road. Specifically, concerns are raised about the extent of the excavation proposed, with the associated impacts in terms of movement and stability. It is firstly important to mention that the BIA used to assess the proposed light well pertains to the 2019 application which had a much larger proposal with a pronounced lightwell and exclusive footpath access to the basement. The proposal is significantly downscaled than the 2019 proposal, and therefore the officers accept that the information and recommendations in the 2019 BIA assessment is applicable as the proposed lightwell is a small and lightweight to solely allow light into the basement when compared to the previous application.

5.13 The site is within a Critical Drainage Area as defined in Policy DM26, which requires that all proposals for new development within a CDA to incorporate measures to reduce the overall level of

flood risk, and dependent on the nature and scale of the development to provide a Flood Risk Assessment. The development here is not however “new development” but rather an lightwell additon to an existing house. The works here are largely contained within the existing footprint of the house other than the large front lightwell initially proposed. As such as there is only a very modest increase in the proportion of hard surfacing on site, meaning surface water discharged to the ground will not be adversely affected.

5.14 A Basement Impact Assessment (BIA) was submitted with the 2019 application. This outlines the site’s geological and hydrological setting. The proposed excavation in the 2019 application was for a large proposal including access from the roadside to the basement. The BIA suggests would suggest adding the lightwell would be acceptable and can be safely constructed under further investigation which shall be retained by condition.

5.15 As the parent application HGY/2021/0583 highlighted: Given the hillside setting of this property and the concerns raised by neighbouring residents it is also prudent that details of the final construction methodology to be used here are further reviewed, to make sure they are robust and stand up to scrutiny. As secured by way of planning condition such works are also required to be overseen by a structural engineer.

Quality of Accommodation

5.16 London Plan Policy D6 requires housing developments to be of high-quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.

5.17 As mentioned above, the proposed excavation is of modest nature by restricting most works to the footprint of the building and extending an existing basement. The proposal will result in an additional bedroom and ancillary living/ office space. Whilst the previous proposal was not considered acceptable and was refused, this proposal is considered on its own merits and forms part of an existing self-contained unit as opposed for the purposes of a separate unit. As such, the lightwell will mean that the basement room closest to the road will meet the BRE lighting criteria. The proposed lightwell will have a positive impact on the quality of living for the basement floor. The assessment was submitted as part of the application to highlight the ability to enhance the living conditions by the addition of the small lightwell. The overall addition of this lightwell will have a positive contribution on the basement area and enhance the quality of accommodation by allowing natural light into the space.

Conclusion

5.18 The proposal of the added lightwell to the front of the property is small, proportionate and will be dug down to a similar height to the road surface. The material submitted for this and previous applications would suggest that the addition of a front lightwell can be structurally constructed with the guidance of conditions.

5.19 Overall, the proposed variation of condition 2 is in general accordance with Policies DM1 & DM12 of the Development Management, Development Plan Document 2017, and Policy SP11 of Haringey’s Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

5.20 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.

6. RECOMMENDATION

GRANT PERMISSION, subject to conditions.

Conditions:

- 1 The development hereby permitted shall be begun not later than the expiration of 6th May 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/2021/0583 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 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 Notwithstanding the information submitted with the application no development shall take place until a final/ detailed Method Statement for the construction of the development (including the preconstruction structural conditions of the application property and adjoining property), have been submitted to and approved in writing by the local planning authority.

The Method Statement shall also demonstrate that the predicted Burland Scale at the time of the construction phase is no more than Burland Scale 1 throughout the building and that of either neighbouring buildings which are 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

- 4 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.

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.

- **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.