

Officer's Report

Application Number	HGY/2022/3500
Type	Householder planning permission
Location	9, View Road, London, N6 4DJ
Proposal	Erection of a greenhouse structure and an outbuilding/studio in the rear garden (Part-retrospective).
Case Officer	Cameron Sturges
Valid Date	05/10/2022
Applicant	Paul Davison
Agent	Sanya Polescuk

RECOMMENDATION

Approve with Conditions

2. REPRESENTATIONS

2.1 One representation was received in response to notification and publicity of the application. The following issues were raised:

- Objections raised concerning energy performance and insulation (*Officer Comment: This is not a material planning consideration given the scale of the building in question – an outbuilding within the grounds of an existing house, as opposed to a new build house*).
- Considerable area of glazing on the front of the new building may cause light pollution problems. (*Officer Comment: The scale and associated use of such a building is not viewed to lead to light pollution to an extent to refuse consent*).
- Impact of the proposed outbuilding on the roots of neighbouring trees. (*Officer Comment: The structure is proposed to be lightweight and its foundations are unlikely to be deep, very likely pile foundation. A tree report is deemed to be unnecessary upon consideration of the minor impact of the outbuilding*).
- In 2021 permission was granted to remove a TPO tree from this corner of the garden under planning permission HGY/2021/1059. Has the replacement tree been planted, and would the new building adversely affect it? If no replacement tree has been planted then the applicants are in breach of condition 3 set on permission and should not be allowed to place a substantial building where there used to be a large TPO tree. (*Officer Comment: The application for permission for the TPO was granted on 09/07/2021 and is valid for two years. The agent has noted that the applicant is currently preparing documentation to suitably address the discharge of the abovementioned condition*).
- The new building will cause a loss of amenity to the three or four plot holders on the other side of the fence, shading a greenhouse, trees and vegetable beds. (*Officer Comment: The height, siting and scale of the buildings are subordinate and unimposing in relation to neighbouring amenity. Adequate natural screening in the form of vegetation within the application site will further lessen any visual impact on the buildings from neighbouring plots*).
- The applicants should also consider the impact of rainwater falling on the new building (*Officer Comment: The applicant has demonstrated adequate fall from the roof structure in*

drawings 5579 (TD) 01 and 5579 (TD) 02).

· If the new building is taller than the current garden fence it will be visible from Highgate Allotments, which are considered to be part of the public realm, so the new building will impact public visual amenity (*Officer Comment: Considering the very small height of the outbuilding, tree and fence coverage and the setback of the structure, it will not be discernible or harmful to Highgate Allotments*).

· A condition should also be set that the new building should not be used for Airbnb style rentals or as servants' quarters (*Officer Comment: The outbuilding is not proposed for use for any other use other than an office, with no sewer or water connections. A condition is being imposed requiring it to be used for purposes incidental to the enjoyment of the main house with an Airbnb use not an incidental use*).

3. REASONS FOR GRANTING PLANNING PERMISSION

Site & Surroundings

3.1 The application site relates to a Grade II listed 2-storey detached house and its gardens. No 11a sits adjacent to the south-west, with its front elevation set further back. No.7 lies adjacent to the north-east, with the adjoining single storey garages to both houses adjacent to each other in the gap in-between. The application site is located mid-street on View Road, between the intersection of North Hill and Denewood Road. Highgate Allotments directly adjoin the property to the rear boundary.

3.2 The site is located within the Highgate conservation area (CA) and is a Grade II listed building.

Relevant Planning and Enforcement History

3.3 The planning history of the site has been taken into account when coming to this decision, as outlined below:

HGY/2011/1082 - Listed building consent for internal refurbishment to ground and first floor including new bathroom at first floor level, relocation of kitchen, refurbishment of first floor bathroom and moving utility room to existing garage. External works to remove existing street facing door and restore to original brickwork facade and removal of side facing scullery window and make good with brickwork to match existing – Granted

HGY/2012/1087 - Replacement of existing front garden walls that face pavement and rear garden with new, including 3no. timber gates (householder application) – Granted

HGY/2012/1088 - Listed building consent for replacement of existing front garden walls that face pavement and rear garden with new, including 3no. timber gates – Granted

HGY/2014/1869 - Retention of external rear elevation and garden works: reclaim existing rear garden porch paving and surrounding fence. – Granted

HGY/2014/2532 (Listed Building Consent) - Listed building consent for retention of external rear elevation and garden works: reclaim existing rear garden porch paving and surrounding fence – Granted

HGY/2015/0510 - Partial internal refurbishment on ground, first floor and loft to include, on the ground floor, kitchen, new cloakroom, new study with spiral cellar, and new under-stair storage, on the first floor, bedroom 3 with new en suite & staircase to loft, and at loft level, new bedroom 4 with en suite. External works include replacement of existing window

on SE elevation (first floor), new window on NW Elevation (ground floor), replacement of existing roof tiles and replacement of 2no. dormers and addition of 1no. new dormer. – Granted

HGY/2015/0512 - Listed building consent for partial internal refurbishment on ground, first floor and loft to include, on the ground floor, kitchen, new cloakroom, new study and new under-stair storage, on the first floor, bedroom 3 with new en suite & staircase to loft, and at loft level, new bedroom 4 with en suite. External works include replacement of existing window on SE elevation (first floor), new window on NW Elevation (ground floor), replacement of existing roof tiles and replacement of 2no. dormers and addition of 1no. new dormer. – Granted

HGY/2015/2248 - Construction of spiral wine cellar under ground floor level. – Granted

HGY/2015/2249 - Listed building consent for construction of spiral wine cellar under ground floor level – Granted

HGY/2022/1570 - Listed Building Consent for demolition of existing single storey side garage adjoining property and erection of larger replacement single storey side extension; Installation of air source heat pump and air conditioning unit to the rear – Granted

HGY/2022/1572 - Demolition of existing single storey side garage adjoining property and erection of larger replacement single storey side extension; Installation of air source heat pump and air conditioning unit to the rear. - Granted

Design, Appearance & Heritage

3.4 The applicant seeks planning permission for the erection of a greenhouse structure (retrospectively) and an outbuilding/studio in the rear garden.

3.5 The greenhouse has already been erected to the rear of the property, on the north-eastern boundary and retrospective approval is sought for this structure. The greenhouse is used to grow fresh fruit and vegetables. The structure is 2.5m high, 2.5m wide and 5.3m in depth and pulled in from the adjacent neighbouring boundary. The footprint of the greenhouse is rather minor within the context of a large garden and can therefore be considered as an acceptable development. The greenhouse has been constructed using stone, brickwork, glass panels and powder coated aluminium alloy. These materials are in keeping with the surrounds and is subservient to the architectural style of the house.

3.6 The outbuilding is proposed to be located at the far end of the rear garden. It will include 1no. sitting room and 1no. office to enable 'working from home' practices. It will not be connected to running water or sewer. The structure is 2.2m high, 6m wide and 6m in depth. Materials used for the garden studio will comprise larch strip timber cladding, sedum flat roof, glazing and 'heritage steel' windows and doors. The materials proposed suitably address the character of the house and is further proportionate to the context of the large garden area.

3.7 The proposal is considered proportionate and subordinate and is in keeping with the pattern of development in the area. There are a number of outbuildings and greenhouses in the rear gardens of properties in the immediate area. The development would not result in harm to the character and appearance of the CA as they are also hidden from the immediate view of the streetscape.

3.8 The height, siting and scale of the structures would not impact on light or outlook to any neighbouring occupants, given the distances in question and the low height of both buildings respectively. The structures would only be partially visible, projecting above the boundary fence with views of it also restricted by the existence of mature trees and shrubs within the property curtilage and neighbouring gardens.

3.9 Overall, in design terms, the works would be acceptable, with the character and appearance of the host property, the surrounding area and the CA left preserved.

Setting of Listed Building

3.10 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting.

3.11 From the listing description and other evidence presented it is noted that the significance of the designated heritage asset relates primarily to the age, form, elevations and historic fabric of the main building.

3.12 The siting of the structures here would not affect the setting of the listed building, and the context in which it is experienced. As such the setting of the listed building is left preserved. The development here does not trigger the need for a listed building application.

Conclusion

3.10 The development is acceptable in design and heritage terms and in relation to the setting of the listed building. Overall, the proposed development is in accordance with Policies DM1, DM9 and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 and SP12 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the Highgate Neighbourhood Plan 2017, the London Plan 2021 and the NPPF.

3.11 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 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 those as specified on the approved plans.

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

- 4 The garden room hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the residential dwelling 9 View Road and shall not be used as an independent dwelling or for commercial purposes, without the prior approval in writing of the local planning authority.

Reason: In the interests of the amenities of the area and to comply Local Plan 2017 Policy SP2 which set out appropriate standards and requirements for all new dwellings

Informatives:

- **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: Outbuildings and Building Regulations**
Your attention is drawn to the need to comply with the relevant provisions of Building Regulations which can apply in relation to certain outbuildings in terms of size, use and proximity to a boundary. Please refer to the following for further advice.
https://www.planningportal.co.uk/info/200130/common_projects/43/outbuildings/
<https://www.haringey.gov.uk/planning-and-building-control/building-control>