

Officer's Report

Application Number	HGY/2023/0907
Type	Full planning permission
Location	Flat A, 57 Hillfield Park, Hornsey, London, N10 3QU
Proposal	Replacement of existing single storey rear extension, partial rear/side infill extension, excavation to lower floor of existing basement, creation of new front light well and installation of new front window opening into basement to create habitable spaces.
Case Officer	Oskar Gregersen
Valid Date	30/03/2023
Applicant	Ozcan Ekin ALBAYRAK
Agent	Mr EKIN ALBAYRAK

RECOMMENDATION

Approve with Conditions

CONSULTATION RESPONSE

The responses below were received following consultation on the application:

- LBH Conservation Colleagues left the following comments:

'A site visit verified that similar alterations to the front garden have been carried out on at least three properties, including no61 within the adjoining pair of houses, and other similar proposals have recently been approved. Moreover, the existing brick boundary walls with tall hedges and mature planting often provides sufficient screening to the lower ground floor elevations, preventing the view of the front gardens and lightwells from the public road and retaining the homogeneous character of the street scape which contributes to the character and appearance of the Conservation Area.

The proposed alterations would therefore have a minimal impact on the significance of the Conservation Area and would not be considered incongruous within the street scene, providing that visual mitigation is provided in the form of additional planting to the front garden, to permanently be retained as approved.'

LOCAL REPRESENTATIONS

The application has been publicised by way of 1 site notice displayed in the vicinity of the site and 23 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: 1
Objecting: 0
Supporting: 0
Neither: 1

The following issues were raised in representations:

- No files visible on the register (Officer comment: The files were made available upon viewing of this comment)

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

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

Design and appearance

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.

The proposal seeks the erection of a 3m deep side infill extension to the front of an existing addition to the rear of the dwelling. This would make the existing courtyard smaller but would still retain a courtyard with an area of 4sqm. Further the proposal seeks the replacement of existing rear doors and windows with full width bifold doors.

Secondly, the proposal seeks the excavation of the existing basement by 700mm, with the installation of new windows at lower ground level. The new space would create an additional bedroom with an area of 16.6sqm, a library with an are of 13.56sqm, and a bathroom and utility room. The two habitable rooms would both benefit from a window allowing natural light to enter, and these windows would be finished in timber similar to the other existing windows. Policy DM18 of the Haringey Development Management DPD deals specifically with basements. Amongst other things it states that basements should avoid harming the appearance or setting of the host building or the established character of the surrounding area. It also 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. Policy SP11 of the Haringey Local Plan 2013 (Local Plan) and policies DM1 and DM12 of the Haringey Development Management DPD, seek to ensure that new development enhances and enriches the built environment.

A Basement Impact Assessment (BIA) has not been submitted with this application. It is however accepted that the extent of works here are not significant. 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.

The property already has a cellar/ void area which is a common feature to properties of this period. The works proposed here is to lower the floor level to part of the footprint of the house (by 700mm). The proposal will involve deepening the existing foundations downwards along the boundary with adjoining properties. 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. Such works would be similar to typical underpinning works/ foundations repair to a party wall.

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 by the LPA to ensure that such works are overseen by a suitably qualified engineer.

Policy DM18 outlines that where new lightwells are proposed account will be taken of whether they protect the architectural character of the host building and their effect on the character and appearance of the surrounding area. The supporting text to this policy advises where light wells are not an established and positive feature in the street their introduction can harm the character and appearance of the street scene.

The proposed side infill is deemed to appear sub-ordinate to the host dwelling, and would create additional, functional space at the rear of the dwelling. Officers note that there is no note on the proposed material of the side infill, and therefore officers cannot state if this portion of the application can be supported, as it is unclear of the proposed finish.

The proposed new windows at the front elevation would be at a low level in relation to the front elevation and would be screened when viewed from the street, their impact on the conservation area was stated by colleagues not to be overtly detrimental to the character of the conservation area, and the excavation works are similar enough to that of underpinning works that a Basement Impact Assessment would not be required.

The rooms created by the basement works would be appropriate in size, with both benefitting from natural light and providing additional habitable rooms for the residents of the site. Overall the proposal is deemed to be sensitive to the host dwellinghouse and surrounding area, whilst providing additional space of adequate size and can be supported.

Impact on the character and appearance of the conservation area

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.

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.

It is unclear whether the proposed changes would overall not be adversely impactful on the character of the conservation area. The proposed additional windows would be finished in timber to match the existing windows, and the elevations are not proposed to change in a manner that is deemed to be detrimental to the host dwelling, however, the material of the proposed side infill is not stated. LBH Conservation colleagues stated that 'the proposed alterations would have minimal impact on the Conservation Area'. Therefore the proposal is deemed to be acceptable with respect to its impact on the Conservation Area.

Impact on neighbouring amenity

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.

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.

Overall, the proposal is not deemed to be more that substantially impactful on neighbouring amenity. The proposed side infill extension would abut an existing infill of the neighbouring No. 53 Hillfield Park, and would not create a sense of enclosure or cause any issues of overshadowing.

Additionally, the proposed bifold doors would not be overtly impactful on neighbouring amenity, as the site backs onto an old railway line and therefore there would not be any additional issues of overlooking or loss of privacy.

The issue with respect to neighbouring amenity lies in the lack of submission of a BIA. The proposed basement works have not been shown to be possible without impacting the host dwelling or neighbouring properties, therefore the proposal cannot be supported in amenity terms.

Conclusion

The proposal is considered to be acceptable as the additional windows on the front elevation are deemed to not be adversely impactful to the host dwelling or surrounding area, whilst providing additional habitable space at basement level. The basement works are deemed to be similar to that of underpinning to support the dwellings and is seen to be acceptable without a Basement Impact Assessment.

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

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.

RECOMMENDATION

Approve subject to 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 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: 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: 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: 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.