

Officer's Report

Application Number	HGY/2023/0842
Type	Householder planning permission
Location	Flat 1, 415 Archway Road, Hornsey, London, N6 4HT
Proposal	Enlargement of existing rear extension with a single storey full width rear addition including a partial wraparound creating a small courtyard for the ground floor flat.
Case Officer	Mercy Oruwari
Valid Date	27/03/2023
Applicant	Nada Faridane
Agent	Mr Antonis Karydis

RECOMMENDATION - Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for the erection of a single storey rear extension.

Site and Surroundings

The application site is a three-storey property at the end of a row of terraces. It's immediate adjoining neighbour is a 3 storey purpose built block of flats that had permission for to erect an additional 4th floor on the roof. The surrounding area is mixed in character.

The site is located within the Highgate Conservation Area (CA). The CA Appraisal and Management Plan sets out that the character of the CA is formed by the relationship of its historic pattern of development, its high percentage of buildings of architectural merit and its distant views, amongst other things. Archway Road is an important part of this character, being a major route through the area fronted by Victorian and Edwardian buildings.

Relevant Planning and Enforcement history

The only relevant planning in relation to the site is noted.

PRE/2023/0014 - Proposed enlargement to existing extension and erection of a new extension at the rear of the garden accessed by a corridor.

OLD/1987/0052 - 22/5/87 Conversion to 3 self-contained flats. Granted – This included the extension at the rear of Flat1 which would be partially demolished and replaced with the proposed enlarged extension.

2. CONSULTATION RESPONSES

The application has been publicised by way of 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:

Objecting: 1

Supporting: 0

The following local groups/societies made representations:

- Highgate CAAC

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:

- The small courtyard is actually a lightwell.
- Would this courtyard (lightwell) provide enough light to bedroom 2.
- The new extension may be visible from Church Road.
- If approved, a condition prohibiting the use of the roof as a terrace should be set.
- Accuracy of the 3D plans representing balconies, fences and roof terrace combined with the proposed extension.
- The side walls may impact light for lower flat at No 417.
- Loss of garden space may impact biodiversity.

3. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

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

3. Other considerations.

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. Policy DH3 of the Highgate Neighbourhood Plan (2017) requires rear extensions to be subordinate to and complement the original dwelling.

As already noted, the site is located within the Highgate Conservation Area (CAs), and the Council has a statutory duty to ensure that proposals in such areas preserve or enhance the significance of the CA. Policy at all levels replicates and reiterates this statutory duty. DPD Policy DM9 notes that the Council should seek to preserve the original historic form and character of heritage assets.

This application follows the revision of the proposal for an extension put forward in pre-application advice earlier this year. The submitted proposal is for the demolition of an existing extension with the deeper structure sitting over the infilled former sunken patio. The new structure would include the creation of partial infills divided by a small courtyard. On one side of the courtyard, enclosing that space would be the wall of the kitchen part of the new kitchen/diner/living room area. The intention of the internal design is to provide more spacious and functional spaces for the occupiers.

On the other side of the courtyard the enlarged bedroom 2 (formally the existing bedroom 1) would give access to the space through a sliding door. It is accepted the courtyard is small but the flat has full access to the main rear garden. The only room that directly accesses the courtyard would be bedroom 2 with the courtyard acting as a lightwell. This arrangement is considered acceptable given this is not the main bedroom to this unit.

The height of the extension would be no higher than other nearby residential rear single storey extensions. The roof would not be openly visible from Church Road given the presence of high intervening fences as well as the difference in levels between the application site and Church Road.

Overall, given the enclosed nature of this site and the subordinate nature of the proposed extension, its form would not be visually conspicuous to public views. The addition of a rear extension here would have a harmful effect on any existing architectural features which contribute to local character and appearance.

Considering the significance of the heritage asset as described above, and taking into account the nature of the site here and the varied rear building lines, such an extension would not have a harmful effect on the character or appearance to this part of the conservation area, leaving it preserved.

The existing roof terrace, which appears to be well established/ in-situ feature would be retained. The size of the terrace would not be increased as a result of the works here. A condition is being imposed to prevent use of the roof associated with the extension here being used as a roof terrace.

The ground floor flat shares the same entrance door as the upper floor flats. Within the proposed development this entrance would be retained but next to it a second opening would be created providing an exclusive independent access into Flat 1. The new hallway would be carved out of the enclosed master bedroom suite (formally the living room/kitchen).

Overall, the proposed development here is considered to be acceptable in design and heritage terms.

Impact on the amenity of adjoining occupiers

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

The proposed extension would project 3 metres beyond the existing rear extension at No 413. While adding a further extension to the back of this property is not ideal, the character of the area here is varied in terms of building lines, plot sizes and building types. Given the current nature of the site here, with high boundary treatments the addition of such an extension would not materially impact conditions of light and outlook to adjoining occupiers.

Other considerations

In relation to the concerns regarding the potential impact of the extension on biodiversity ideally it would be preferable for a larger part of the garden to be retained, however the benefits of providing an improved family sized unit out-weight such harm. It is pointed out that the pattern of development here to this part of Archway Road is not of large gardens.

Regarding the accuracy of the 3D images, it is pointed out that the purpose of such visuals is to represent the general form of the extension proposed. The plans as submitted provide clarity in respect of the current roof terrace.

Conclusions

The proposed extension is considered acceptable both in terms of its impact on the host property and the surrounding area, leaving the character and appearance to this part of the conservation area preserved. Equally, the extension will not adversely affect the residential amenity of neighbouring properties.

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

4. 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.

5. RECOMMENDATION

GRANT PERMISSION subject to the following 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	The external brick to be used for the proposed development shall match in colour, size, shape and texture those of the existing building unless otherwise stated within the approved plans. Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality 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.
4	No part of the roof to the extension hereby granted shall be used as a roof terrace or balcony. Reason: In order to restrict the use of the premises to one compatible with the surrounding area because other uses within the same Use Class or another Use Class are not

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: 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.