

Officer Report

Application Number:	HGY/2023/0453
Application Type:	Householder planning permission
Address:	39 Hornsey Lane Gardens, Hornsey, London, N6 5NY
Proposal:	Demolition of existing conservatory and external steel staircase. Addition of new ground floor rear windows and first floor rear juliet balcony.
Case Officer:	Ben Coffie
Valid Date:	15/02/2023
Applicant:	3 Heverin and Douglas
Agent:	Mr Jon Richards

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

Planning permission is sought for the demolition of existing conservatory and external steel staircase and addition of a new ground floor rear windows and first floor rear Juliet balcony. The proposal has undergone changes which involved the omission of the roof extensions.

Site and Surroundings

The application site forms part of group of terrace properties located on the north side of Hornsey Lane Gardens. These properties are three storeys high above basement on plan they are two-rooms deep plus a projecting three-storey flat-roofed rear projection with canted bay windows. The roofs follow a distinctive and consistent design - ie. a mansard over the main body of house clad in clay tiles, and a flat roof above the rear bay. The site is located in Highgate conservation area however is not a listed building.

Relevant Planning and Enforcement history

N/A

2. CONSULTATION RESPONSE

Highgate CAAC- object to this application for the following principal reasons:

- The extension would not be subordinate to the existing elevation in terms of its design and scale. It would be wholly at odds with the existing roof line of the terrace, and would be a highly conspicuous – and incongruous - feature seen from Milton Park and neighbouring properties.

- The drawings suggest that the roof of the extension would be higher than the ridge of the main roof, and would be visible from street level
- The proposed stainless steel cladding is entirely inappropriate in this context
- The raised roof height may impact on daylighting on the neighbouring properties
- It would set an unfortunate precedent for similar applications in the Miltons area

3. LOCAL REPRESENTATIONS

The application has been publicised 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: 0

Objecting: 0

Supporting: 0

4. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

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

Design & impact on the character and appearance of the area

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.

The application site is located adjacent the Highgate conservation area, Policy DH2 of the Highgate Neighbourhood Plan (HNP) 2017 requires proposals to preserve or enhance the character and appearance of Highgate's conservation areas. Policy DH4 requires rear extensions to be subordinate to and complement the original dwelling. Policy DH5 requires proposals for roof extensions, dormers and rooflights to respect the existing roof form in terms of design, scale, materials and detail.

The proposal will introduce a new rear window, which would be a timber framed glazed with stainless steel capping to outer frame in place of the conservatory. A Juliet balcony would replace the existing external stair.

The development is considered minor in nature and would not constitute any harm to the existing character and appearance of the host dwelling of the conservation area, leaving it preserved.

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.

No material harm to neighbouring amenity would be caused by such works.

Conclusion

The proposal is considered acceptable in terms of its impact on the character and appearance of the host property and amenity considerations.

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

RECOMMENDATION

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.

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.