

Officer Report

Application Number:	HGY/2023/1566
Application Type:	Householder planning permission
Address:	28 Hornsey Lane Gardens, Hornsey, London, N6 5PB
Proposal:	Erection of a two storey rear extension previously granted permission by appeal decision dated 24th March 2023 (PIN's Ref: APP/Y5420/D/22/3310714, LBH Ref: HGY/2022/2136) together with the proposed raising of the roof height of the extended house and erection of a new rear dormer extension.
Case Officer:	Daniel Kwasi
Valid Date:	13/06/2023
Applicant:	3
Agent:	Mr Amir Rabbanian
	Mr Mike Beck

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for the erection of a raised roof over the entire building and one rear dormer, which would extend over the two-storey flat roof extension that was allowed under PINS appeal reference APP/Y5420/D/22/3310714.

The works would involve the increase in the ridge height by 0.6m, the conversion of the existing hipped roof to a crown roof that covers the entire house, and the construction of a rear dormer to create a new bedroom and ensuite. The proposed description was amended slightly by stating that the raised roof height would cover the entire house. This would convert the roof from a hipped to crown roof.

Site and Surroundings

The application site is a two-storey detached dwelling located within a residential setting along a row of other detached and semi-detached properties. The house has a two-storey flat roofed addition to the rear which extends over half the width of the property.

The site is within the Highgate conservation area. The neighbouring properties at no.26 and 30 benefit from extensions and alterations to the rear and have more depth and height than the site building.

Relevant Planning and Enforcement history

The most recent planning history in relation to the site is as follows.

APP/Y5420/D/22/3310714 GTD 24/03/2023 Two storey extension to rear of house.

HGY/2022/2136 REF 23/9/2022 Two storey extension to rear of house.

HGY/2022/0371 WIT 11/4/2022 Demolition of existing dwelling and erection of new dwelling in conjunction with proposed crossover, parking, refuse / cycle store and re-landscaping of frontage

2. CONSULTATION RESPONSE

The responses below were received following consultation on the application:

Internal:

1. LBH Conservation Officer: no response

3. LOCAL REPRESENTATIONS

The application has been publicised by way of 1 site notice displayed in the vicinity of the site and 28 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: 1

Supporting: 1

The objection raised is summarised as follows:

- The proposal has an enlarged roof that exceeds the height of the one that has been allowed at appeal.
- The roof has a flat area on the top that is out of keeping and detracts from the Conservation area.
- Unsightly flat-topped roof will be easily visible.
- Scheme that was approved at appeal had a slightly raised roof but the pitches met at a ridge not a flat roof.
- Side window is shown on the side elevation which would be directed to the boundary, creating privacy and fire concerns. (Comment: Ground floor plan updated to show side window. The inclusion of such windows would need to meet Building Regulation which deals with issues of fire safety, risks of spread of fire on boundaries etc).

4. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

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

Background

In regard to the planning history, planning permission was granted on appeal under APP/Y5420/D/22/3310714 for a two-storey extension to the rear of house. In paragraph 9 of the appeal decision letter, the Inspector acknowledged the concerns of the proposed flat roof form in addition to the existing flat roof two storey extension, however concluded that the proposed extension would not look out of place within its context due to the diverse appearance of roof forms nearby.

In paragraph 10 of the Appeal Decision letter, the inspector stated that proposed extension would not appear as a dominant addition nor be highly visible in the locality. Therefore, the merits of the two-storey extension are not being re-considered here as this is an extant consent. Instead, the assessment would look at the changes to the proposed roof height and character.

Regarding the impact on neighbouring conditions, the inspector stated that No.26 comprises a tall brick wall of a substantial height and depth which restricts views of the appeal site, that there are no side elevation windows that would have direct and open views of the proposed extension, and that windows on the rear elevation are at an angle due to the positioning of property. Therefore, the Inspector was content that the proposed development would not represent a visually overbearing feature for the occupiers of No 26.

Design and Impact on the character and appearance of the conservation area

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.

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.

Policy DH5 of the Highgate Neighbourhood Plan 2017 requires proposals for roof extensions, dormers and rooflights to respect the existing roof form in terms of design, scale, materials and details.

The increase in the ridge height by 0.6m would have minimal impact on the appearance of this building within the context of this part of the street, having buildings of different appearance and roof forms and sitting elevated above the street. While the objection in respect of the area of flat roof is noted, such an element of roof would not be discernible within this varied roofscape, where current areas of flat roof are to be found but not visible.

It is noted that neighbouring properties have significantly higher roofs than the existing site, and would still remain significantly higher than the proposed roof.

The extension of the roof over the entire house, which would include the two-storey rear extension approved under appeal ref APP/Y5420/D/22/3310714, would, as identified by the Planning Inspector serve to complement the original building more than the existing flat roof above the two-storey extension at the rear, serving to enhance the character and appearance of the Highgate conservation area. The works here of changing the current roof form would not affect the character and appearance of property, given as discussed the varied roof scape here.

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.

Policy DH3 of the Highgate Neighbourhood Plan 2017 also states that proposal should not harm the amenity of adjacent properties.

The proposed increased ridge height would still be lower than the neighbouring roof at no.26. The side rooflights would not be in a position to cause overlooking. The roof form would not have an overbearing appearance, nor be a material loss of privacy to no.26. Considering that the rooflights are not in a position to cause overlooking, they do not

necessarily need to be obscure glazed. Therefore, the proposal is acceptable in amenity terms.

Conclusion

The proposal is considered acceptable in terms of the design and impact on the character and appearance of the conservation area, and in terms of the impact on neighbouring amenity.

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.

CIL APPLICABLE

The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayor's CIL charge will be £8,585.15 (133 x £64.55) and the Haringey CIL charge will be £52,351.46 (133 x £393.62). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

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.

- 3 The external materials 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.

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.

INFORMATIVE : Community Infrastructure Levy

The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayor's CIL charge will be £8,585.15 (133 x £64.55) and the Haringey CIL charge will be £52,351.46 (133 x £393.62). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.