

Officer Report

Application Number:	HGY/2023/1697
Application Type:	Householder planning permission
Address:	25 Jacksons Lane, Hornsey, London, N6 5SR
Proposal:	Erection of rear outbuilding
Case Officer:	Cameron Sturges
Valid Date:	27/06/2023
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Applicant:	Weir
Agent:	Mr Paul Chrysaphiades

RECOMMENDATION

Approve with Conditions

1. SUMMARY OF RECOMMENDATION

GRANT PLANNING PERMISSION, subject to conditions

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This is an application for the erection of an outbuilding to the rear of the property.

Site and Surroundings

The application site relates to a property located on the southern side of Jacksons Lane. The host property is a part two-storey, part 3-storey terraced dwelling house comprising flats. The subject site is located within the Highgate Conservation Area and does not fall within the curtilage of a listed building. There are no TPO's issued for the subject site.

Relevant Planning and Enforcement History

The relevant planning and enforcement history of the site is outlined below:

HGY/2014/1420 - Replacement of existing lounge uPVC double glazed window with extra window opening and uPVC bedroom sash window with double glazed sash windows – APPROVED – 29/07/2014

3. CONSULTATION RESPONSE

The following were consulted regarding the application:

- LBH Conservation

3.2 The following responses were received:

Internal:

1) Conservation – No objections, subject to the below:

· This is in a residential area, with no shorter views from the street there is no in principle objection to an outbuilding, however this should be located so that it does no impact on the trees which are visible in the satellite images and the green canopy in this area is likely to be visible from the other side of the block, up the hill. It is unclear if the size and siting of the outbuilding would affect these. However, the main concern is the proposed plastic cladding material. Plastic wall cladding is not appropriate in the Conservation Area, an alternative material for the wall finishes should be used i.e timber cladding.

4. LOCAL REPRESENTATIONS

The following were consulted:

- Neighbouring properties
- Highgate CAAC
- Highgate Neighbourhood Forum

4.2 The application has been publicised by way of press advert, site notice and 16 letters to neighbouring properties. The number of representations received from neighbours, local groups etc in response to notification and publicity of the of the application were as follows:

No of individual responses:

Objecting: 2 (1 objector commented twice)

Supporting: 0

4.3 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:

- Impact on vegetation (*Officer comment: The proposed outbuilding will be constructed using ground min-piles which allows tree roots to continue to grow below the building*).
- Impact on verdant fauna and flora at the rear of the garden.
- Several large mature trees almost within touching distance of the proposed structure.

5. 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; and
2. Impact on neighbouring amenity.

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.

The 'Highgate Neighbourhood Plan' states that development proposals, including alterations or extensions to existing buildings, should preserve or enhance the character or appearance of Highgate's conservation areas, and respect the setting of its listed buildings and other heritage assets. Development should preserve or enhance the open, semi-rural or village character where this is a feature of the area.

The application is for the erection of a composite timber framed structure to be used for storage as well as an entertainment room. The structure will be located at the rear of the property, pulled in from the neighbouring properties.

The structure is 2.7m high, 5.5m wide and 4m in depth. The footprint of the outbuilding is rather minor within the context of a large garden and can therefore be considered as an acceptable development. The applicant has advised that the outbuilding will be constructed using ground screws, minimising impact on tree roots below ground.

The proposal is considered proportionate and subordinate to the host building and is in keeping with the pattern of development in the area. Therefore, the character and appearance of the conservation area will be protected.

While the footprint of the outbuilding is relatively large, viewed within the context of a large garden and the fact that an almost identical structure can be built under 'permitted development' the size of the structure is considered to be acceptable.

The building is to be used for purposes incidental to the house in question. In order to retain control over the nature of the use a condition is being imposed in relation to this.

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.

The height, depth and placement of the outbuilding would not result in a material loss of sunlight or daylight or have an overbearing appearance to the neighbouring properties. Large trees and vegetation in rear gardens will provide natural screening of the structure when viewed from neighbouring properties. There will be no material loss of privacy to neighbouring properties. The proposal is therefore acceptable in amenity terms.

Conclusion

The proposed development is in general 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 London Plan 2021 and the NPPF.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

6. CIL APPLICABLE

N/A

7. RECOMMENDATION

GRANT PLANNING 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 garden shed hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the residential unit 25 Jacksons Lane, Hornsey, London, N6 5SR 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.

- 4 The outbuilding hereby approved is to be constructed using 'garden screws' as per information submitted.

Reason: In order to safeguard the root systems of adjacent trees which are to remain after the building works are completed and in the interests of visual amenity

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: 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>

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: Building materials

The applicant is advised that natural timber cladding should be used in the construction of the outbuilding.