



Officer Report

Application Number:	HGY/2023/2240
Application Type:	Householder planning permission
Address:	47 Weston Park, Hornsey, London, N8 9SY
Proposal:	Proposed extension of existing cellar to form habitable accommodation with associated alterations including formation of front lightwells and installation of new windows (Proposal identical to expired approved application HGY/2020/1177).
Case Officer:	Mercy Oruwari
Valid Date:	17/08/2023
Applicant:	Darryl Wright
Agent:	Mr Joe Wright

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

1.1 This is an application for an identical proposal to the approved HGY/2020/1177. The proposal includes the extension of the existing cellar to form habitable accommodation with associated alterations including formation of front lightwells and installation of new windows.

Site and Surroundings

1.2 The application site is a three-storey terraced property situated on the southern side of Weston Park with a built in cellar located beneath the house covering approximately half the footprint of the original house. The surrounding area is residential. The site does not contain a listed building but is located within the Crouch End conservation area.

Relevant Planning and Enforcement History

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

- HGY/2023/0810 - Approval of details reserved by condition 3 (Appointment of a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) to supervise the construction works throughout) attached to planning consent HGY/2020/1177 – Approved
- HGY/2020/0670 - Certificate of lawfulness for the insertion of 4 front elevation and 3 side elevation windows in connection with existing cellar and ground floor accommodation (Amended Description). Permitted Development

- HGY/2020/1177 - Proposed extension of existing cellar to form habitable accommodation with associated alterations including formation of front lightwells and installation of new windows – Approved with conditions

2. CONSULTATION RESPONSE

2.1 The following were consulted:

- Crouch End Neighbourhood Forum
- Weston and Haringey Parks R.A

2.2 No responses were received.

3. LOCAL REPRESENTATIONS

3.1 The application has been publicised by way of press advert, site notice and letters. No representations received from neighbours, local groups etc in response to notification and publicity of the of the application.

4. MATERIAL PLANNING CONSIDERATIONS

4.1 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 neighbouring amenity;
3. Basement Development

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

4.2 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.

4.3 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.

4.4 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.

4.5 The basement alterations would not be visible from the public realm as they are below ground level. The front lightwells are significantly set back from the main road in the front garden. Both the new windows and the proposed front lightwells would be hidden from a clear public vantage point as the garden is enclosed behind a boundary wall and substantial hedge.

Impact on neighbouring amenity

4.6 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.

4.7 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.

4.8 Given the location of the alterations being in the basement in combination with the separation distance to neighbouring properties these features would not have a significant impact nor be harmful to neighbouring amenity.

4.9 Overall it can be demonstrated that there will be no unacceptable harm to the living conditions of neighbouring residents. As such the scheme is considered to be in accordance with policies outlined above.

Basement Development

4.10 Policy SP11 of Haringey's Local Plan requires that new development should ensure that impacts on natural resources, among other things, are minimised by adopting sustainable construction techniques. Policy DM18 ('Residential Basement Development and Light Wells') 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; does not increase flood risk to the property and nearby properties; avoids harm to the established character of the surrounding area; will not adversely impact the amenity of adjoining properties or the local natural and historic environment.

4.11 The Basement Impact Assessment (BIA) used to support the previously approved application HGY/2020/1177 was submitted in support of this application. This outlined that the proposal is for the extension of the existing cellar space to form a basement under the footprint of the original house, along with the construction of two lightwells to the front of the property. The purpose of the assessment was to determine if the proposed basement can be constructed without having a detrimental impact on the surroundings with respect to surface flooding, groundwater flow and land stability.

4.12 The BIA states in regards to surface flow, ground water flow and the site being within flood zone 1 there is very little risk of flooding.

4.13 The BIA outlines that the site is underlain by London Clay. It is of the shallowest strata at the site. There are no superficial deposits shown overlying the London Clay, given that prior to the property being constructed the site was originally agricultural land. It is unlikely that there will be any significant depth of made ground. It is recommended in the BIA that a site specific

investigation be carried out before works commence which will determine the ground and groundwater conditions and the type and depth of the neighbouring foundations.

4.14 The neighbouring properties have similar cellars beneath their houses, to depths of approximately 1.7m. The existing cellar of the site covers an area of half of the original footprint of the house whilst the remainder has a void floor space with a height of c. 0.7m. The proposed works will involve deepening the existing cellar by approximately 1.8m and 2.8m elsewhere. The foundations of the houses are approximately 0.5m beneath the ground and this would suggest a differential depth will be between 1.3 and 2.3m. The BIA states that the existing foundations of the property and the party walls with Nos 45 and 49 will require underpinning in order to construct the basement.

4.15 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.

4.16 The structural integrity of the proposed basement would need to satisfy modern day building regulations. In addition, the necessary party-wall agreements (Party Wall Act 1996) with adjoining neighbours would need to be in place prior to commencement of the works on site. The purpose of Building Control/ Building Regulations is to ensure that the engineering design is professional and competent, the construction work is undertaken in a skilful and proficient manner and that the sequence of working on site (including temporary works) are properly planned and carried out.

4.17 The site is within 5m of the highway/pedestrian right of way with the proposed light wells at the front of the property being approximately 2.8m from the edge of the public footpath. As the depth of the light well will be 2.8m below the street level it is recommended that a suitable temporary support be put in place to minimise the impact on the highway or public footpath.

4.18 The Council's Building Control Team previously reviewed the BIA as part of the consultation for the approved application. They confirmed that the screening undertaken was sufficient and satisfied all the potential areas of impact in regards to the surroundings in respect to surface flooding, groundwater flow and land stability, also the potential effects on the stability of neighbouring properties. The works are viewed not to represent a significant structural stability hazard.

4.19 All works of this nature would need to be overseen by an established Structural Engineer company through to completion. A standard condition was applied to the approved application HGY/2020/1177 to ensure that the works were overseen by a suitably qualified company/engineer. This condition was verified and discharged under reference HGY/2023/0810. The appointed structural engineer named as Baker Chatterton Structural Design. Although, the condition was in relation to the previous application it would be also valid for this application. If the appointed structural engineer named under HGY/2023/0810 cease to work on the scheme at anytime before completion, the Local Authority must be notified of the details of the newly appointed structural engineer. This would need to be approved in writing by the Local Authority before any works can commence.

4.20 Overall officers are satisfied that the works would not cause any adverse impact on the structural stability of neighbouring properties, other infrastructure, current geological conditions or local amenity in general, in compliance with Development Management DPD policy DM18.

Conclusion

4.20 The design of the proposal is acceptable in terms of the appearance of the property and the character and appearance of this part of the conservation area. The amenity of adjoining occupiers will not be harmed and sufficient information has been submitted at this stage to demonstrate that the works do not represent a significant structural stability hazard or will affect ground water conditions.

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

5. 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.

6. 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 No development of the basement shall commence unless under the supervision of Baker Chatterton Structural Design named as the appointed Chartered Civil Engineer (MICE)/Chartered Structural Engineer (MI Struct.E) for all construction works. This was confirmed and approved in writing in the Approval of Details application HGY/2023/0810 (attached to planning consent HGY/2020/1177). In the event that the appointed engineer named above 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 to supervise their completion and their appointment confirmed in writing to the Local Planning Authority. 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 this Authority in accordance with this condition.

Reason: The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring residential properties and to comply with the policy DM18 of the Development Management DPD 2017.

- 4 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 on the

plans hereby approved.

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: 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: 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.