



Officer Report

Application Number:	HGY/2023/1536
Application Type:	Full planning permission
Address:	Flat 1, 16 Milton Road, Hornsey, London, N6 5QD
Proposal:	Erection of a single storey rear outbuilding.
Case Officer:	Sabelle Adjagboni
Valid Date:	12/06/2023
Applicant:	Jule Lange
Agent:	Mr David Duval-Johnston

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development.

This is an application for the installation of a timber outbuilding.

Site and Surroundings

The application site relates to the back garden of a two-storey terrace property, with accommodation at roof and basement floor level, containing three flats. To the rear the site is three-storeys in height given the different in levels between street level and the rear garden. The site is located within Highgate Conservation Area.

Relevant Planning and Enforcement history

There is no recent planning history in relation to the site. However, the history of the site also shows that it was converted into three flats in 1973.

Consultation response

Highgate Conservation Area Advisory Committee (CAAC)

We are concerned that the Flood Risk Report does not consider the risk of pluvial flooding. The houses in the area are built on clay; many of them have extensions into their back gardens and a large amount of hardstanding has been installed. We would prefer the structure to have a green roof to increase the biodiversity of the area. There should be a rainwater pipe connected to a water butt and mains drainage.

2. LOCAL REPRESENTATIONS

The application has been publicised by way of a site notice displayed in the vicinity of the property and 48 letters to neighbours. No representations were received.

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 neighbouring amenity; &
- 3 Other considerations.

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 considered. In relation to extensions or alterations to residential buildings, including roof extensions.

The proposed outbuilding would be located at the back of the garden and will sit in an area already covered with decking. The structure would have a width of 2.6m and a depth of 4.5m, with a height of 2.5m. The external finish would be red cedar untreated battens. The structure would also features a dark grey painted aluminium double glazed 3-sash bi-folding door. The small, proposed window on the north elevation will be in the same material as the door and will mainly serve to let light into the outbuilding.

Given the modest size of the proposal, it is considered to be proportional and subordinate to the rest of the property. Additionally, the proposed development would be ancillary to the main property.

The proposal is in keeping with the pattern of development in the area. There are a number of outbuildings in the rear gardens of properties in the immediate area. The development would not result in harm to the character and appearance of the Conservation Area.

Regarding the comments made by the Highgate CAAC, the proposed outbuilding is small in footprint and would sit in an area with current decking and as such will not materially affect the infiltration of rainwater into the natural ground. There would be no policy grounds to refuse consent for such a structure on flood risk grounds, with such structures typically not requiring planning consent, i.e. in relation to a single family dwelling.

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 proposal is set away approximately 600mm from both boundaries with Nos. 14 and 18. The proposed height is about 2.5m and would be roughly 500mm above the boundary fence line. Considering the set back from the boundaries and distances in question the height, siting and scale of the outbuilding would not impact on light or outlook to neighbouring occupants. The additional height over and above the boundary fence is not significant. The proposed side window would be at a height of roughly 1.7m above ground level and as such will not lead to overlooking or loss of privacy.

The outbuilding is being conditioned to be used for purposes incidental to the flat in question, so as to protect neighbouring amenity.

Impact on trees

As shown in the information provided there is a tree in the rear garden of the site backing onto the application site. In terms of foundations the structure will sit on ground screw base as opposed to using deep trench foundations. As such the need for excavation and impact on the root protection area to trees and vegetation in neighbouring gardens is minimised.

Conclusion

The proposal is considered acceptable in terms of siting and design, as well as in relation to heritage and amenity considerations.

All other relevant policies and considerations, including equalities, have been considered. Planning permission should be granted 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 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 outbuilding hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the residential dwelling Flat 1, 16 Milton Road 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 'ground screw base consisting of galvanised steel ground screws topped with a timber base frame" unless otherwise agreed in writing with the Local Planning Authority.

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: 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: 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>