

FORMAL PLANNING OBJECTION

Planning Application: 41 North Hill, London N6 4BS

Proposed Second Floor Extension and Associated Alterations

Submitted on behalf of the occupiers of Nos. 43/45 North Hill

EXECUTIVE SUMMARY

This objection is submitted in response to the application seeking planning permission for the construction of an additional second floor and associated alterations to No. 41 North Hill.

The application site occupies an exceptionally sensitive position within the Highgate Conservation Area immediately adjoining the Grade II listed buildings at Nos. 43–57 North Hill. Consequently, the Local Planning Authority is under a statutory duty to have special regard to preserving the setting of those listed buildings and preserving or enhancing the character and appearance of the Conservation Area.

While the applicant's Heritage Assessment concludes that the proposal would result in **"No Harm"** to the adjoining listed buildings and would have a **"Moderate Beneficial"** effect on the Highgate Conservation Area, those conclusions are not accompanied by sufficient objective analysis to demonstrate how they have been reached. The assessment itself acknowledges that the proposal comprises an additional storey, demolition of chimney stacks, alteration of the roof profile, a rear terrace and other external changes, yet concludes that these interventions do not harm the setting of the adjoining Grade II listed buildings.

Similarly, the Design and Access Statement repeatedly describes the proposal as an "incremental" stage in the evolution of the building. While No. 41 has undoubtedly evolved over time, the addition of a complete second floor represents a substantial increase in height and built volume. It is therefore necessary to assess the proposal on its actual planning impacts rather than on the descriptive language used in the supporting documents.

The application is also deficient in the technical information required to assess its impact upon neighbouring occupiers and adjoining heritage assets. No sectional drawings have been submitted illustrating the relationship between the proposed second floor and the living room and bedroom windows of Nos. 43/45. There is no BRE-compliant daylight and sunlight assessment, no quantified outlook assessment, no assessment of increased enclosure and no comprehensive privacy assessment.

Instead, the application relies upon a series of solar study drawings illustrating selected dates and times. While these drawings provide a general indication of shadow patterns, they are not equivalent to a recognised daylight and sunlight assessment and do not demonstrate the likely effect upon neighbouring habitable rooms.

This objection therefore submits that the application has failed to demonstrate that the proposal preserves the setting of adjoining listed buildings, preserves or enhances the Highgate Conservation Area, or protects the residential amenity of neighbouring occupiers. In the absence of sufficient objective evidence, the Council cannot reasonably conclude that the proposal complies with its statutory duties or the relevant planning policies.

1. INTRODUCTION

This objection is made on behalf of the occupiers of Nos. 43/45 North Hill, whose Grade II listed property immediately adjoins the application site. The proposal would introduce a new second floor to No. 41, materially increasing its height, bulk and overall mass immediately opposite the principal rear elevation of the listed building.

The purpose of this objection is not simply to oppose development, but to demonstrate why the submitted evidence does not justify the conclusions reached by the applicant. The report considers the proposal against the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, the Haringey Local Plan and the Highgate Conservation Area Appraisal.

Throughout this submission, the emphasis is placed on whether the applicant has discharged the burden of demonstrating that the proposal is acceptable. It is submitted that this burden has not been met.

2. DESCRIPTION OF THE PROPOSAL

The application seeks planning permission for:

- Construction of an additional second floor (roof extension);
- Demolition of two chimney stacks;
- Alteration of the roof form;
- Installation of solar panels;
- Formation of a rear balcony/terrace;
- Replacement glazed porch;
- Alterations to the principal elevation;
- Green roof to the rear outrigger.

Although consistently described as a "roof extension", the proposal should properly be understood as the creation of an additional storey. That distinction is important because the principal planning impacts arise from increased height, bulk and massing rather than simply changes to the roof.

3. STATUTORY DUTIES

Because the proposal directly affects the setting of Grade II listed buildings and lies within the Highgate Conservation Area, the Council is required to discharge two separate statutory duties.

Under **Section 66(1)** of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard must be paid to the desirability of preserving the listed buildings or their setting.

Under **Section 72(1)**, special attention must be paid to preserving or enhancing the character or appearance of the Conservation Area.

These are not discretionary planning considerations. They are statutory duties that must carry considerable weight in the decision-making process.

The submitted Heritage Assessment recognises that the proposal affects the setting of the listed buildings but concludes that there will be "No Harm". This objection examines whether that conclusion is supported by adequate evidence.

4. FAILURE TO PROVIDE SUFFICIENT INFORMATION

A recurring concern throughout the application is the absence of technical evidence needed to assess the proposal.

The following information has not been provided:

- Section through the ground-floor living room of No. 43/45.
- Section through the first-floor bedroom of No. 43/45.
- Verified outlook analysis.
- BRE daylight assessment.
- BRE sunlight assessment.
- Vertical Sky Component calculations.
- No Sky Line assessment.
- Privacy assessment.
- North elevation.
- West elevation showing the proposal in the context of the adjoining listed terrace.

These omissions are significant because the proposal would stand only approximately 4.5 metres from neighbouring habitable-room windows.

Without these assessments, the Council is left to infer the likely effects rather than evaluate them objectively.

Planning applications should provide sufficient information to enable informed decision-making. In this instance, the omission of fundamental technical assessments significantly reduces confidence in the conclusions reached by the applicant.

5. HERITAGE ASSESSMENT – CRITICAL REVIEW

The Heritage Assessment identifies the relevant heritage assets and correctly notes that the proposal lies within the Highgate Conservation Area and affects the setting of the adjoining Grade II listed buildings.

However, the methodology and conclusions raise several concerns.

5.1 Unsupported conclusion of "No Harm"

The report concludes that the proposal causes **"No Harm"** to the Grade II listed buildings while simultaneously acknowledging that it introduces:

- a new storey;
- a new roof profile;
- demolition of chimney stacks;
- additional glazing;
- increased built form.

These are not minor alterations. They materially alter the scale and appearance of No. 41.

The assessment should therefore explain in detail why such changes do not affect the appreciation of the neighbouring listed buildings. Instead, the conclusion is stated rather than demonstrated.

5.2 Treatment of Setting

Historic England guidance recognises that setting includes spatial relationships, enclosure, views and the way heritage assets are experienced.

The Heritage Assessment focuses primarily on broader public views and the appearance of the streetscape. Comparatively little attention is given to the immediate relationship between No. 41 and the listed dwelling at Nos. 43/45, despite this being where the proposal has its most direct physical impact.

There is no detailed analysis of how the additional storey alters the experience of the listed building from its principal rear rooms or courtyard.

5.3 Moderate Beneficial Impact

Perhaps the most surprising conclusion is the assertion that the proposal would have a **"Moderate Beneficial"** effect on the Highgate Conservation Area.

The report should explain precisely how increasing the height and mass of a building adjoining an eighteenth-century listed group results in a beneficial heritage outcome.

The supporting reasoning is limited, and this conclusion therefore appears insufficiently evidenced.

6. DESIGN AND ACCESS STATEMENT

The Design and Access Statement places considerable emphasis on the historical evolution of No. 41 and repeatedly refers to the proposal as an "incremental" addition.

While the building has evolved over time, previous alterations do not establish that any further alteration is acceptable. Planning decisions must assess the current proposal on its own merits.

The document also relies heavily on qualitative descriptions of the design process but provides comparatively little objective analysis of the proposal's effects on neighbouring listed buildings or residential amenity.

Narrative explanation cannot substitute for evidence.

7. SCALE, BULK AND MASSING

The principal physical effect of the proposal is the introduction of a substantial additional storey.

This materially alters:

- overall height;
- roof profile;
- perceived mass;
- visual dominance;
- relationship with adjoining listed buildings.

The Grade II listed cottages derive much of their significance from their modest scale and established proportions.

Introducing a substantially taller neighbour immediately opposite the principal rear elevation inevitably alters that relationship.

The issue is not simply one of architectural appearance but of proportional balance.

The proposal would result in No. 41 becoming visually dominant within this immediate group.

That is a material planning consideration.

8. HARM TO THE HIGHGATE CONSERVATION AREA

The application site lies within the Highgate Conservation Area, one of Haringey's most historically significant conservation areas. The Highgate Conservation Area Character Appraisal identifies the area's special interest as deriving from its historic evolution, varied architectural character, mature landscape, historic roofscape and the survival of groups of buildings illustrating successive phases of development.

The Appraisal does not simply identify individual buildings of merit. It repeatedly emphasises that the significance of the Conservation Area arises from the relationship between buildings, their scale, their roof forms, historic plot patterns, mature planting and

the spatial qualities of the streetscape. These relationships are fundamental to the area's character.

The application proposes to introduce an entirely new second storey above an existing two-storey building. Although presented as a roof extension, the proposal materially alters the building's height, roof profile and overall mass. These changes must be considered not in isolation but in terms of how they affect the wider composition of the Conservation Area.

The Design and Access Statement argues that No. 41 makes only a neutral contribution to the Conservation Area. Even if that proposition were accepted, it does not follow that substantial enlargement of the building automatically enhances the surrounding heritage assets. A building of neutral value can still play an important role in maintaining the established scale, rhythm and spatial balance of a conservation area.

The proposal would increase the prominence of No. 41 within a sensitive historic group. That change in prominence is itself capable of altering the character of the Conservation Area.

The Conservation Area Appraisal places considerable emphasis on the varied but carefully balanced roofscape of North Hill. Roof forms, chimneys and the differing heights of buildings contribute to the richness of the townscape. The proposed additional storey, together with the removal of existing chimney stacks, would inevitably alter that roofscape.

The Heritage Assessment concludes that these changes would produce a "Moderate Beneficial" effect on the Conservation Area. However, the assessment provides limited explanation of why increasing the height and mass of the building produces a beneficial heritage outcome. It does not compare the proposal with the characteristics identified within the Conservation Area Appraisal nor explain how the enlarged building preserves the established balance between the historic listed cottages and later development.

The conclusion therefore appears insufficiently supported by the analysis presented.

9. HARM TO THE SETTING OF THE GRADE II LISTED BUILDINGS

The adjoining buildings at Nos. 43–45 form part of a Grade II listed group recognised for its architectural and historic interest. The Heritage Assessment correctly identifies them as designated heritage assets affected by the proposal.

However, the assessment of setting is incomplete.

Historic England guidance makes clear that the setting of a listed building is not confined to public views. Setting also includes the surroundings in which the asset is experienced, including spatial relationships, enclosure, intervisibility and the contribution of neighbouring buildings to its significance.

The proposal introduces a materially larger building immediately adjacent to the listed group. While No. 41 is itself unlisted, its relationship with the listed buildings forms part of the setting in which they are experienced.

From the rear of Nos. 43/45, the proposed additional storey would increase the apparent height of the neighbouring building at close quarters. This would alter the established relationship between the buildings by increasing the visual dominance of No. 41.

The Heritage Assessment largely considers wider public views from North Hill but gives comparatively little attention to this immediate relationship.

That omission is significant because the statutory duty under Section 66(1) extends to preserving the setting of the listed buildings as a whole, not merely their appearance within the streetscape.

The listed cottages derive much of their significance from their modest eighteenth-century proportions. The proposal would introduce a neighbouring building whose enlarged scale competes more strongly with that historic group.

It is therefore difficult to reconcile the conclusion of "No Harm" with the physical changes proposed.

10. RESIDENTIAL AMENITY

Loss of Outlook

One of the most significant impacts of the proposal concerns outlook from the neighbouring property.

The proposed second floor would stand directly opposite the principal rear windows serving the ground-floor living room and first-floor bedroom of Nos. 43/45 at a separation of approximately 4.5 metres.

Outlook is distinct from daylight.

Even where acceptable daylight levels may remain, an increase in the height and mass of an opposing building can materially affect the quality of the internal environment by increasing enclosure and reducing openness.

The application contains no outlook assessment.

There are no verified visualisations illustrating the change experienced from the neighbouring rooms.

No sectional drawings have been prepared through those rooms.

Consequently, the Council has no objective evidence demonstrating that outlook would remain acceptable.

Sense of Enclosure

The proposed additional storey inevitably increases the perceived enclosure experienced from the neighbouring windows.

This is particularly important because of the very limited separation distance.

The relationship between height and distance is fundamental when assessing overbearing impact.

At approximately 4.5 metres, relatively modest increases in height produce proportionately greater effects upon neighbouring occupiers than would occur at more generous separation distances.

No assessment of enclosure has been undertaken.

The Heritage Assessment does not consider this issue, and the Design and Access Statement simply concludes that neighbouring amenity remains acceptable without presenting supporting evidence.

Daylight and Sunlight

The application contains no BRE-compliant daylight assessment.

Specifically, no information has been provided regarding:

- Vertical Sky Component;
- No Sky Line;
- Annual Probable Sunlight Hours;
- Average Daylight Factor where relevant.

These are the recognised technical tools used to evaluate the effects of development upon neighbouring habitable rooms.

Instead, the application relies upon solar study drawings showing selected dates and times.

Those drawings illustrate general shadow patterns but do not assess daylight received by individual rooms.

Nor do they demonstrate whether the proposal satisfies recognised BRE guidance.

Consequently, the application has not objectively demonstrated that neighbouring daylight and sunlight would remain acceptable.

Privacy and Overlooking

The proposal also introduces new second-floor windows overlooking the neighbouring property.

Those windows would have direct views towards:

- the ground-floor living room;
- the first-floor bedroom;
- the rear courtyard.

The application provides no meaningful privacy assessment.

No analysis has been undertaken of viewing angles, sightlines or likely overlooking.

The omission is particularly important because overlooking from a newly created upper floor differs materially from overlooking at existing levels.

The Council is therefore asked to conclude that privacy impacts are acceptable without the benefit of any supporting analysis.

11. CRITIQUE OF THE SOLAR STUDIES

The submitted solar studies should not be regarded as a substitute for a comprehensive daylight and sunlight assessment.

The drawings illustrate only selected dates and limited times of day.

While such diagrams may assist in understanding general shadow patterns, they do not evaluate:

- daylight within neighbouring rooms;
- annual sunlight availability;
- cumulative reductions in sky visibility;
- changes in daylight distribution.

Moreover, the drawings use different assessment times for different seasons, making direct comparison more difficult. The application does not explain why those particular times were selected or demonstrate that they provide a representative assessment of likely impacts.

The studies therefore cannot reasonably be relied upon as evidence that residential amenity would remain unaffected.

12. PLANNING BALANCE

The proposal would undoubtedly provide additional accommodation for the applicant.

However, that is a private benefit rather than a public planning benefit.

Against this must be weighed:

- the absence of essential technical evidence;
- the uncertainty surrounding heritage impacts;
- the increased scale and mass of the building;
- potential harm to neighbouring residential amenity;

- unresolved concerns regarding outlook, enclosure, privacy and daylight.

Where statutory heritage duties apply, uncertainty should not be resolved in favour of development.

The burden lies with the applicant to demonstrate that unacceptable harm will not occur.

It is submitted that the application has not discharged that burden.

13. CONCLUSION

For the reasons set out above, the proposal has not demonstrated compliance with the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990, nor has it demonstrated compliance with the relevant heritage, design and residential amenity policies.

The supporting documents contain a number of broad conclusions but comparatively little objective evidence demonstrating why those conclusions should be accepted.

In particular, the application fails to provide sufficient information regarding:

- the effect of the proposal upon the setting of the adjoining Grade II listed buildings;
- the impact upon the character and appearance of the Highgate Conservation Area;
- the effect upon neighbouring outlook, enclosure, daylight and privacy;
- and the adequacy of the proposed mitigation.

Accordingly, the Local Planning Authority cannot be satisfied that the proposal preserves the setting of the listed buildings or preserves or enhances the Highgate Conservation Area.

Planning permission should therefore be refused.

**HARM FROM ADDITIONAL MASS
OF SECOND FLOOR ON LIGHT & OUTLOOK
AND SETTING OF LISTED BUILDING**

**LOSS OF PRIVACY FROM PROPOSED
SECOND FLOOR WINDOWS PRIVATE
REAR AMENITY COURTYARD**

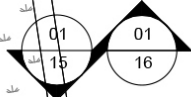
Kitchen
11'10" x 9'8"
3.61 x 2.95

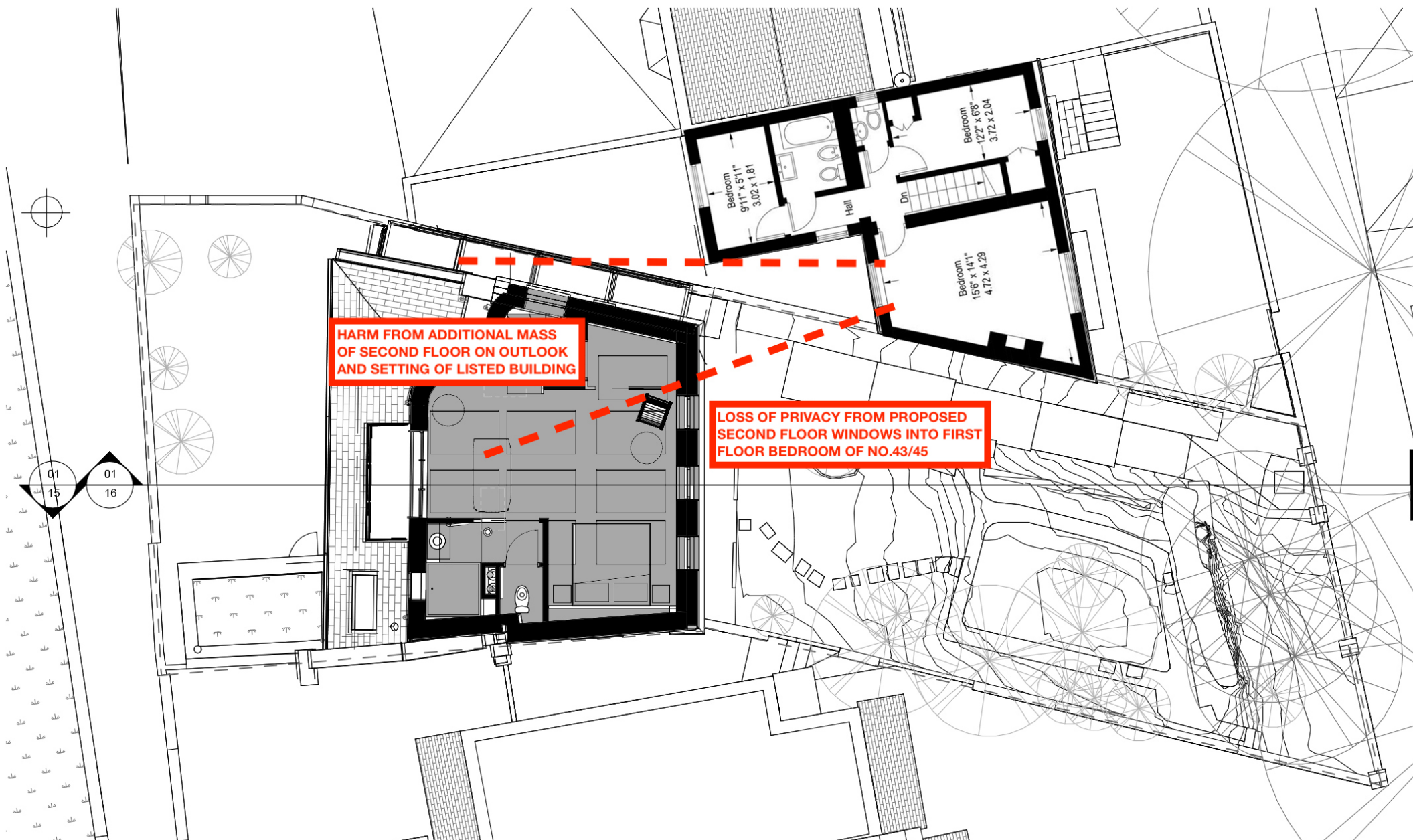
Living Room
15'0" x 13'9"
4.58 x 4.18

Entry

Up

Down





**HARM FROM ADDITIONAL MASS
OF SECOND FLOOR ON OUTLOOK
AND SETTING OF LISTED BUILDING**

**LOSS OF PRIVACY FROM PROPOSED
SECOND FLOOR WINDOWS INTO FIRST
FLOOR BEDROOM OF NO.43/45**

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