Officer Report

Application Number:	**HGY/2023/2252**
Application Type:	**Householder planning permission**
Address:	17 Priory Gardens, Hornsey, London, N6 5QY
Proposal:	Ground and first floor extension to rear of property and remodelling of garage and garden space.
Case Officer:	Josh Parker
Valid Date:	18/08/2023
Applicant:	Mr & Mrs Dasani
Agent:	Mr Simon Whitehead

1. SITE AND SURROUNDING

The subject site relates to a two-storey Edwardian detached house constructed with a red brick with white painted decorative elements, timber sash windows and pitched slate roof. The property is two-storey to the front, however it has a sizable loft space with rear dormer and side dormers. The material palette to the rear is a reflection of the front façade.

The street is formed of terrace, semi-detached and detached buildings with the properties having a mixture of styles and facing materials. Many of the properties have rooflights to the front and dormer extensions and more traditional extensions to the rear.

Whilst the street facing scene of the northern side has a level of consistency, the southern side where the subject site is located is more varied. The rear elevations are also significantly more varied, with a mix of styles and architectural detailing.

The property is located on Priory Gardens a residential road located off Shepards Hill with Highgate Underground Station located to one end of the road. The site is located within Highgate Conservation Area.

2. PROPOSED DEVELOPMENT

The application is for the following works:

Ground and first floor extension to rear of property and remodelling of garage and garden space.

3. SITE HISTORY AND ENFOREMENT

The planning history of the site has been taken into account when coming to this decision.

Neighbouring properties have received permission for dormers, extensions, alterations, and residential conversions.

4. LOCAL REPRESENTATIONS

The application has been publicised by the way of letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

Objections:8 including HCAAC
Support:0

- Does the shed have planning permissions.

Officer comments: shed appears to be well established for over 15 years.

- Rear extensions and outbuilding might cover 50% of the rear garden.

Officer comments: The extension would infill a neglected piece of rear garden, with the proposed layout having better inclusion with the proposed access to the rear garden.

- There is pressure on parking in the street and the loss of a garage will increase that pressure.

Officer comments: There will still be ample parking space on the driveway to serve the needs of this dwelling with Highgate station located 100m away, equally available to the needs of future residents.

- The purpose of the remodelling of the garage is unclear. It should not be used as a separate dwelling.

Officer comments: The drawings show it is to be used as a home gym, with its use as a separate self-contained flat requiring planning permission.

- The proposed 'green roof' should comply with GRO Code 2014 and a relatively deep substrate used.

Officer comments: There is no policy basis to insist on specific green roof substrate for a green roof in connection with domestic extensions.

- The roof should have limited access for maintenance including watering to prevent overlooking of neighbours.

Officer comments: Officers agree and have conditioned that the roof area should not be used as a terrace.

- Lack of arboriculture report for the front and rear tree.

Officer comments: The application as amended has omitted the basement works. Equally as per amended plans submitted the ground area serving the root protection area to a large tree in the back garden will not be altered.

- Lack of basement impact assessment.

Officer comments: As above, the application as amended has omitted the basement works.

- Boundary fence should not be over 2m.

Officer comments: Drawings have been revised. The fence would follow the topography of the site and would be approximately 2m in height and fall under permitted development.

- The development would affect amenity in terms of privacy, light, outlook, overlooking, overshadowing and general amenity.

Officer comments: Discussed in report below.

- The development would affect the oblique views from neighbouring addresses

Officer comments: A specific view cannot be protected, rather impact on outlook, whether overbearing, conditions of daylight and sunlight would be negatively affected etc need to be considered, as discussed further on in this report.

- Construction hours and CMP need to be implemented.

Officer comments: The works are relatively modest in nature given the basement has been omitted. Hours of construction are already controlled, as per separate legislation, the Control of Pollution Act 1974. An informative is imposed reminding parties of such working hours. The nature of the works here are too small in planning terms to require the submission of a construction management plan (CMP). Rather typically a CMP is required for major schemes/ new build schemes etc.

- Impact on drainage

Officer comments: As reflected above the basement works have been removed from the scheme and also the extent of works the rear garden reduced.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance of Highgate conservation area,
2. Impact on neighbouring amenity

Design and appearance of Highgate 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. DPD Policy D9 requires development to preserve or enhance the character and appearance of the Borough's conservation areas.

Highgate Neighbourhood Plan (NP) Policy DH4 concerns side extensions which should respect the streetscape and not block or significantly infill the gaps between buildings, while being subordinate in scale to the original dwelling and complementing its character. Policy DH3 also requires rear extensions to be subordinate to and complement the original dwelling. Policy DH5 indicates that dormers should respect the existing roof form in terms of design, scale, materials and detail and be restricted to the rear.

The application seeks to rationalise the internal layout and increase floor space on the ground and first floor.

Ground floor extension

Works would involve infilling the approximately 4.5m area next to the existing extension to complete a full house width rear extension. This would follow similar heights to the existing being approximately 3.8m with large, glazed doors facing the rear garden.

Such a ground floor extension would be comparable in size to that which can be built without the need for planning permission (4m). Such an extension would be a subordinate addition in terms of height and scale and in relation to the original building form. The extension would also serve to enhance living accommodation by means of allowing more natural light and providing additional floorspace.

First-floor extension

Above this ground floor extension, a first-floor extension would be added to provide a bedroom. This extension is to be cited centrally on the rear elevation, pulled in from both flank walls as well as back from the wall of the ground floor.

Such an extension will change the rear elevation to this property however, given the detached nature of this property and the generous set back of the first-floor extension in relation to both adjoining properties/ the nearest windows to these properties, such an extension would not appear intrusive in relation to these adjacent properties. In planning policy terms there is no specific policy restricting first floor extensions, with rather each application having to be considered in the context of each site, considering the scale, design, appearance and impact on neighbouring amenity etc of such an extension.

The facing materials, fenestration and hipped roof form to such a first-floor extension, as well as the ground floor extension, serve to give the extensions an architectural appearance sympathetic to the appearance of the property and the immediate context, where there is no specific rhythmic cohesion or appearance to the rear of these properties.

Given also factors such as the location at the rear, vegetation on boundaries and rising ground levels at the back, such extensions would not be overly prominent or harmful to the character and pattern of development to the surrounding area.

Garage

The existing garage is also proposed to be reconstructed, making it into a usable gym space, incidental in use to the main dwelling, for which a condition will be imposed.

This would be a wooden clad structure and feature a sizeable green roof for the entirety of the flat surface. The timber-clad external finish of the structure and green roof would be appropriate for an outbuilding in a rear garden setting.

Impact on the character and appearance of the conservation area

In relation to the extensions as discussed above the individual parts are considered acceptable and compatible in relation to the specific nature of this site.

In the case here, the significance to this part of the conservation area as a heritage asset lies in the contribution of the frontages to these properties, while the rears have a much more neutral effect.

As discussed above in terms of the rear elevations, the extensions here are considered acceptable in design terms having minimal impact on the character and appearance of the conservation area, as such leaving it preserved.

In reaching this decision considerable importance and weight has been given to preserving the character and appearance of the conservation area, in line with the statutory test.

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.

As set out in the objections received concerns are raised in respect of the addition of a first-floor extension to the rear, and the impact this would have in relation to privacy, light, outlook, overlooking, overshadowing and general amenity.

As discussed above and as shown in the plans submitted the first-floor addition is well setback from both adjoining boundaries, with neighbouring properties also pulled in from the respective boundaries.

Such gaps as well as the south facing orientation to the properties here, means that such a first-floor extension would not have a harmful effect on available sunlight/ daylight and outlook to such properties. As per the drawings provided the plans show that the side walls to such extensions will not breach a 45 degree line in relation to the centre of the nearest windows to No 15 (the nearest affected property). Given such factors such extensions would also not be overbearing or oppressive to living conditions to the neighbouring occupiers.

All-new windows with such extensions would face the rear garden looking into the steep topography of the site, as such meaning the privacy and amenity to neighbouring occupiers would not be materially affected.

The outbuilding to be used as a gym has been amended to respond to concerns raised. Concerns were raised about overlooking/ use of the roof top to such a structure. Means of access and a balustrade to facilitate use of the roof area as a roof terrace has been removed to address concerns about possible overlooking and privacy, and equally a condition will be imposed to require such a structure to be used for purposes incidental in nature.

This outbuilding is replacing an existing outbuilding and therefore does not present any new issues in terms of daylight/ sunlight to neighbouring properties, sense of enclosure, impact on outlook etc.

The gym would be incidental in nature to the host building, as secured by way of a planning condition, and as such does not present specific amenity concerns in terms of use or coming and goings etc.

Comments have been raised in regards to fencing, however it is pointed out that no works are included in this application for works to fencing. Revised drawings have been submitted showing fencing following the topography of the site and the parameters of ‘permitted development’.

Any such works would need to comply with the criteria set out in ‘permitted development’ in respect of ‘walls, fences, gates’ or if larger be subject to a further application for planning consent, at which point consultation would be carried out.

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 the policies outlined above.

Conclusion

The rear extensions are considered acceptable given the detached nature of this property and the specifics of the site. Such extensions would not be overly prominent or harmful to the character and pattern of development to the surrounding area, as such leaving the

character and appearance of the conservation area, unharmed. The extensions will not materially impact neighbouring amenity in terms of conditions of light and outlook and privacy, nor be overbearing.

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.

CIL
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.

Conditions:	
1	The development to which this permission relates must be begun no later than th ree 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 Countr y 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 wh ere those details are altered pursuant to the conditions of this planning permissio n. 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 c olour, size, shape and texture those of the existing building. Reason: In order to ensure a satisfactory appearance for the proposed developme nt, to safeguard the visual amenity of neighbouring properties and the appearanc e 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.
4	No part of the outbuilding hereby granted shall be used as a roof terrace or balco ny. All maintenance of the green roof shall be specifically temporary in nature. Reason: In order to restrict the use of the premises to one compatible with the su rrounding area and protect the neighbouring amenity

5	Notwithstanding the approved plans no above ground works on the outbuilding sh all commence until details of the green roof hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The details shall includ e its (their) type, vegetation, location and maintenance schedule. The developmen t shall be implemented in accordance with the approved scheme prior to its first o ccupation and the green roof shall be retained thereafter. Reason: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity and supports the water retention on site d uring rainfall. In accordance with Policies G1, G5, G6, SI1 and SI2 of the London Pla n (2021) and Policies SP4, SP5, SP11 and SP13 of the Haringey Local Plan (2017)
6	The outbuilding hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of 17 Priory Gardens and shall not be us ed as an independent dwelling or for commercial purposes, without the prior app roval in writing of the local planning authority. Reason: In the interests of the amenities of the area and to comply Local Plan 201 7 Policy SP2 which set out appropriate standards and requirements for all new dwellings.

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: 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.