



# Officer Report

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number:</b> | <b>HGY/2023/0053</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Application Type:</b>   | <b>Householder planning permission</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Address:</b>            | 48 Shepherds Hill, Hornsey, London, N6 5RR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Proposal:</b>           | Creation of new basement/lower ground to accommodate relocated garage accessed via new gated courtyard and via new gated side entrance (off Broughton Gardens). Reconfiguration of left side (viewed from the street) levelled garden to create driveway access to courtyard. Erection of side ground floor extension/new study above garage. Removal of front steps with existing front door enclosed to create balcony, new street level front entrance door installed below. Installation of 2x3 vertical windows (1x front/1x side) and relocation of 1x first floor side window. |
| <b>Case Officer:</b>       | Mercy Oruwari                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Valid Date:</b>         | 09/01/2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Applicant:</b>          | Mr Sebastian Espinosa                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Agent:</b>              | Mr Robert Dye                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## **RECOMMENDATION**

### **Approve with Conditions**

#### **1. SITE DESCRIPTION**

The subject site is a three-storey end of terrace town house situated on the southern side of Shepherds Hill. Along with No 50 opposite the property sits at the junction of Broughton Gardens which leads to the small cul-de-sac located to the rear. The property forms part of a group of properties built in the Modern/International style that includes the adjoining Broughton Gardens. These properties make a positive contribution to the character of the Crouch End Conservation Area although they are not listed.

#### **2. THE PROPOSAL**

This is an application for the proposed development of a two-storey side (east) extension consisting of lower ground and ground floor levels. The side elevation works would also include the installation of a new vertical upper to lower ground level window. A new gated courtyard would be created in front of the new lower ground extension, which would be accessible from both the front of the house and via a new street level gate providing direct access from Broughton Gardens. The front entrance steps would be removed with the glazed entrance door being converted into a small street facing balcony. The existing garage doors would be removed with the opening being enclosed and a second vertical upper to lower ground floor window being installed on the front elevation. The new entrance door would sit under the converted balcony (the former main entrance), which would be accessed directly from the street levelled driveway. The final main development would involve landscaping of the tiered front garden. This would include reshaping

the east side planter beds to provide direct access to the new gated courtyard/garage. The final main development would be the levelling of the driveway down to street level.

### **3. RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- PRE/2021/0152 - Flank & rear upper ground floor extensions, extension & alteration to lower ground floor flank, minor alterations front elevation, alterations to front driveway & landscaping. Acceptable with amendments
- HGY/2010/1846 - Demolition of garden wall to Shepherds Hill and Broughton Gardens and erection of new garden wall to Shepherds Hill and Broughton Gardens. Approved with conditions

### **4. CONSULTATION RESPONSES**

#### Internal & External Consultees

The following were consulted on the planning application:

- LBH Conservation Officer: Raised no objection.

#### Neighbour Consultation

The number of representations received from neighbours in response to notification and publicity of the application were as follows:

No of individual responses: 1

Objecting: 1

Support: 0

The following issues were raised in representations and are addressed further on in this report or below:

- The proposed lowering of the drive and landscaping to the front will result in unsightly tall retaining walls, enlarged hard standing, and a driveway with more cars dominating the street scene and detracting from the conservation area.
- The proposals for the basement will involve substantial excavation works. The basement impact statement fails to adequately address the sequence of the work and how it will be done in such a way as to keep the pavements free and safe.
- Although this is a minor application the significant extent of the works means that the application should be supported by a comprehensive Construction Management Plan.

### **5. PLANNING CONSIDERATIONS**

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

Policy SP11 of the Strategic Plan and Policy DM1 of the Development Management DPD both aim to enhance the built environment through high quality design that respects local context and positive aspects of the area. Policy DM1 sets out that development should relate positively to its locality in terms of building height, form, scale, massing, building lines and architectural details and styles.

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 and 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 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, the policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

The property is located on a corner plot with all exposed elevations being visible from public vantage points. It is therefore more sensitive to any alterations or development works that are carried out. The proposal for this application has been amended following the feedback provided on the scheme presented for the pre-application (PRE/2021/0152). Whilst the double storey side extension including the lower ground floor level, has been retained, the depth of the extension has been reduced. This removes the wraparound element that was created with the combination of the deeper extension and the existing rear extension. The works to the front elevation and the front garden/driveway has mainly been retained with some minor alterations.

#### Side Elevation, Garden and Boundary Wall:

Being set back from the main front elevation and sitting neatly flush to the rear elevation, the proposed side extension would not dominant the original plan form of the building. This would allow the new structure to blend and relate appropriately to the plot, maintaining a level of spaciousness that contributes toward the charm and character of the area.

It is noted that the property parallel to the application site at No 50 has been extended by way of a single storey side extension. This was granted permission in 1975, however, the side extension constructed is not considered to be a sympathetic addition. Although, there are variants between the two plots, the proposed addition to No 48 could be seen as adding an element of symmetry between the two properties. However, the proposed design of the side structure for the host property would be more sympathetic and in keeping with the style of the main building and the estate in general. Unlike the pitched roof of the extension at No 50, the extension at the host property would have a flat roof with a wraparound window on the upper ground floor level similar to the main house using the same materials and colour. The new structure would also be completed with a green roof.

The lower ground element of the developments on the side involves excavation works. This level would accommodate a plant room to the back and a new larger garage, replacing the existing smaller garage located on the lower ground level directly under the main building. Both would sit directly below the large study on the upper ground level of the new structure. The garage would be accessed via the new courtyard enclosed by double gates at the front. The courtyard would also be accessible via a new gate/door directly from Broughton Gardens. New steps would also be constructed on the side of the new extension providing direct access to the rear garden from the courtyard.

As well as the wraparound window on the new extension, a new window would be installed on the side of the lower ground level of the extension. In addition, a new vertical set of 2x panelled windows (spanning from the upper ground to the lower ground level) would be installed on the side elevation of the main house. These would replicate the style of the existing first floor side elevation window, which would also be replaced. All the new windows would be double glazed with white painted steel frames to replicate the existing fenestration throughout the house. On the upper level of the new extension a set of thin style profiled, double glazed sliding doors would be installed to provide access to the rear garden from the study.

The lower ground level, and the courtyard would not be highly visible from any public vantage point. The side gate from Broughton Gardens would be a minor development. Overall, the above works including the double storey extension, the gate, and all the new fenestration would not

detract from the character and appearance of the property and its setting within the conservation area. As such, it is considered that this element of the proposal would be acceptable.

#### Front Elevation, Garden and Driveway/Landscaping:

The proposed front upper/lower ground floor elevation would feature changes to the façade. The steps to the main front entrance on the upper ground floor level would be removed and the existing doorway enclosed with a fixed glass balustrade to create a street facing balcony accessed from the hall. The removal of the steps and the levelling/excavation of the driveway would allow for a new front door to be installed at the lower ground level. The opening for the existing garage doors would be infilled with a new front elevation wall and a vertical set of 3x panelled windows (spanning from the upper ground to the lower ground level). To the left of the front elevation 2x wide white painted steel gates would be installed, replacing the existing single gate. These would enclose the courtyard used to access the lower ground level garage. The white painted steel of the gates would allow them to subtly blend into the building and surrounding area.

Part of the proposal includes the lowering of the existing garage floor both to create more headspace and to also create a wider space. The newly excavated area would accommodate a wide entrance hall accessed via the new front door and a door directly from the new garage on the side. The area would also contain a new utility room and WC towards the back.

As mentioned above the driveway would be lowered to be level with the new lower ground floor entrance. It was noted in the pre-application meeting that 'the proposed levelling of the front drive would not be objected to'. The driveway would be laid with new permeable pavers throughout. The driveway area has been widened nearer to the house by reducing the size and shape of the 2 rear tiers/planters of the front garden nearest to the boundary of Broughton Gardens. This creates better access to the new gated courtyard/garage.

Concerns have been raised regarding the lowering of the driveway resulting in tall retaining walls, enlarged hard standing, with more cars dominating the front garden area. The main front door at No 54 is at a high level with steps leading up from the parking/garage area. The wall for the steps is quite exposed. This would be similar to the situation of the exposed retaining walls following the proposed works at the host property. However, the scheme for the front garden has been revised to introduce more planting/trees to soften the appearance of the front garden. The increased percentage of the hard standing surface at the front as a result of reducing the tier levels/planters in the front garden (widening the driveway), would still be notably less than 50%. This would be acceptable. In addition, the material used for the driveway would be permeable pavers which further reduce the impact of the increased level of hardstanding. Regarding the increased parking in the front garden the main purpose of widening the driveway is to create access to an enclosed garage for parking cars. The house would also remain as a single-family dwelling so would likely accommodate the similar number of cars for the household.

The proposal is considered proportionate and subordinate to the host building and would not negatively impact the amenity of the site, or adjoining properties. Therefore, the local character and visual amenity of the Crouch End conservation area would be protected.

#### **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.

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 the amenity of neighbouring residents.

Due to the position of the development on a corner the height and depth of the extension would not adversely impact the amenity of neighbouring properties.

## **Basement Development**

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.

Development Management 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.

The subtext of this policy recognises that for basement development, where appropriate, applicants will need to submit specific information to demonstrate that these issues can and have been addressed.

The property already has an existing lower ground floor level beneath the house which is a common feature of the properties on this road. A Basement Impact Assessment (BIA) has been submitted with the application to support the proposed basement works.

The works proposed here is to increase the depth of the internal height of the existing lower ground floor by digging downwards. The area under the main building to the right of the existing lower ground level would also be excavated to create the wider entrance hall/WC/utility area. There would also be a significant amount of digging to the left to create the space for the lower ground part of the new extension/new garage. 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 to the party wall would in effect be very similar to typical underpinning works and/or foundations repair; where foundations are taken below the swelling and shrinkage zone of London Clay, so as to reduce the risk of damage caused by the water consumption of trees in a shrinkable soil as well as due to normal seasonal movement.

As with all basement projects, the more intrusive aspect of basement design and construction takes place after the planning process. Other legislation provides further safeguards to identify and control the nature and magnitude of the effect on neighbouring properties. Specifically, the structural integrity of the proposed basement works here would need to satisfy building regulations. In addition, the necessary party-wall agreements with adjoining owners must be in place prior to the commencement of works on site.

In this instance a condition is being imposed to ensure that works are overseen by a suitably qualified engineer.

In conclusion the LPA are satisfied that the development here can be carried out without impacting land stability, ground water conditions or the amenity of adjoining/ neighbouring residents.

## **Trees and Landscaping**

London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

DM Policy (2017) DM1 'Delivering High Quality Design' states that the Council will expect development proposals to respond to trees on and close to the site. None of the trees present at the site are subject to a Tree Preservation Order (TPO), although there is one TPO designation to the adjoining property at No 46 at the front. As the works to the host property are on the other side of the site this would not pose any impact for this tree.

Most of the soft landscaping at the front of the site would be retained apart from the reduction in the size of the 2 tiers/planter beds towards the rear adjacent to the boundary of Brought Gardens. There would be no loss of trees from the rear garden but 6 small trees plus 3x small planter beds would be removed from the side to accommodate the new development. The initial proposal did not include any replanting on the site. This has been revised with a 3x new trees being planted. There would be new trees planted in the rear tiers/planters on either side of the driveway and a third in the courtyard area.

A condition is being imposed to ensure the works are carried out in accordance with the approved plans.

Overall, the proposal accords with the requirements of the policies outlined above.

## **6. CONCLUSION**

The proposed development is in 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.

The proposal is considered acceptable in respect of its character, appearance and impact on the site, and would not result in material harm to the residential amenity of neighbours. All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

## **7. RECOMMENDATION**

The application is recommended for approval subject to the following 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 external materials to be used for the proposed development shall match those specified in the application submission, unless otherwise first agreed in writing with the Local Planning Authority.

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.

- 4 The approved replacement tree planting, as shown in PA 001, PA 002, PA 102, PA 105A, PA 201A, PA 202A, PA 204A and PA 205A, must be planted no later than one planting season after the completion of the development hereby approved. If the new trees, or any replacement for it, dies or is damaged or lost for any reason within five years of the initial planting, another tree of the same species and size must be planted in same location, unless the Local Authority agree in writing to any variation.

Reason: To achieve good arboricultural practice and protect the visual amenity of the area.

- 5 No development of the basement shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed to supervise the construction works throughout their duration and their appointment confirmed in writing to the Local Planning Authority. In the event that the appointed engineer 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 to safeguard the amenities of neighbouring occupiers and the general locality.

#### **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: 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.