

Officer Report

Application Number:	HGY/2023/2997
Application Type:	Householder planning permission
Address:	42 Southwood Lane, Hornsey, London, N6 5EB
Proposal:	Erection of timber framed outbuilding/ Garden Studio in rear garden.
Case Officer:	Nathan Keyte
Valid Date:	07/11/2023
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Applicant:	Isherwood
Agent:	Miss Faulconer

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

1.1 This is an application for a rear garden outbuilding/ studio. The building will measure approximately 3.0m in width, 3.0m in depth and a maximum height of 2.9m falling to 2.5m at the eaves. Plans have been revised since submission to provide building set in from the rear boundary wall by 1.0m, and side boundaries by 0.5m.

1.2 Materials will consist of timber cladding, with the roof clad in grey roof felt, and glazing on the front and north elevations. The glazing on the side elevation is to be obscured.

1.3 The proposal has been amended since the time of submission, to reduce the extent of eaves proposed on the structure.

Site and Surroundings

1.4 The application site is a late Georgian terrace house, built of London stock brick, in use as a single dwelling. The property is part of a continuous terrace of houses listed/ Grade II in May 1974. Southwood Lane lies within the Highgate Conservation Area.

1.5 The properties are provided with large rear gardens of approximately 22m in depth. The levels of the properties differ in the terrace, with the rear ground level approximately 0.5m below that of no. 44 to the north to the north, and 0.5m above that of no. 40 to the south.

1.6 There also exists a change in level between the rear of the property and the properties on Kingsley Place to the east, with the ground level being almost at roof height of no. 30 Kingsley Place.

1.7 A visit was undertaken to the site on 7 December 2023. It was noted at the time of visit that works had commenced on the listed building, presumably in relation to planning permission HGY/2022/2556. However, conditions of that permission were in need of discharge, and so works are understood to have since stopped.

Relevant Planning and Enforcement History

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

OLD/1966/0823,

Address: 42, Southwood Lane, N6

Proposal: Lower ground floor extension at rear of dwelling house.,

Decision Date: 6 July 1966

Decision: Approve with Conditions

HGY/2022/2556,

Address: 42, Southwood Lane, London, N6 5EB

Proposal: Listed building consent for alteration and repair to interior and exterior of building (AMENDED PLANS).,

Decision Date: 7 July 2023

Decision: Approve with Conditions

1.9 As noted earlier in this report, at the time of the Officer's site visit, works had commenced on the listed building, presumably in relation to planning permission HGY/2022/2556. However, conditions of that permission were in need of discharge, and so works are understood to have since stopped while an application is made to discharge the required conditions, and confirm the extent of works that have occurred. A informative is proposed to clarify that the current application relates to the outbuilding only, and does not provide any form of approval for works to the host building.

2. CONSULTATION RESPONSE

2.1 The following were consulted regarding the application:

- LBH Conservation – no in principle objection to the outbuilding was provided, noting the existence of several outbuildings nearby. However, the design was originally considered to cause harm due to an oversailing roof form. It was recommended that a simpler less prominent roof form be provided, and constructed in less conspicuous materials.

[Officer comment: the design of the proposed roof has since been amended to remove the oversailing design. The application has been amended from black roof felt to dark grey and is assessed further in the report].

- The Highgate Society – no comment
- Highgate CAAC – no comment
- Highgate Neighbourhood Forum – no comment

3. LOCAL REPRESENTATIONS

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

No of individual responses:1

Objecting: 1

Supporting: 0

3.2 The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Amenity concerns on neighbours to the east, due to proximity, size, and potential use.

[Officer comment: addressed in the assessment below].

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;

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

4.2 London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D3 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

4.3 Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character. Policy DM1 requires that new development must contribute to the character and amenity of the local area by amongst other things relating positively to neighbouring structures by having regard to building heights; form, scale and massing around the site; urban grain; local architectural styles; detailing and materials.

4.4 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.

4.5 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.

4.6 There are several rear garden structures located in the terrace, of varying styles and forms. Haringey's Conservation Officer has no in-principle objections to the building, and where the oversailing roof design of the originally submitted structure has been amended. The roof material has also been amended from black to dark grey, and where the timber cladding is considered to be appropriate for a garden structure of this nature and scale. The proposal will retain a large setback between the listed building and the proposed outbuilding, preserving the pattern of development within the terrace.

4.7 The proposal will be in accordance with the relevant policies, and will not lead to harm caused to heritage assets.

Impact on neighbouring amenity

4.8 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.

4.9 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.

4.10 Due to the location and siting of the outbuilding, and considering the revision in setback from the rear boundary, there are considered to be no significant impacts with regard to dominance or sense of enclosure on neighbouring properties resulting from the proposed outbuilding. Potential privacy impacts are mitigated by the side window being obscured glass, and a condition is proposed to ensure the building remains in incidental use to the host building.

4.11 The proposal is therefore considered to accord with the above policies relating to amenity and is considered to be acceptable.

Conclusion

The proposal is considered acceptable. All other relevant policies and considerations, 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 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.

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 42 Southwood Lane N6 5EB, 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.

Informatives:

This planning permission relates to the outbuilding as shown in the approved plans only and does not provide any permission for works to the listed building on the site.

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.

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.

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive

way. We have made available detailed advice in the form of our pre-application advice service and published development plan, comprising the London Plan 2021, the Haringey Local Plan 2017 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.