

Officer Report

Application Number:	HGY/2023/2834
Application Type:	Full planning permission
Address:	12 Cromwell Avenue, Hornsey, London, N6 5HL
Proposal:	Demolition of the existing rear extension, the construction of new rear extension, the lowering of existing basement and a new front light well
Case Officer:	Eunice Huang
Valid Date:	27/11/2023
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Applicant:	Mr Simon Oliver
Agent:	Mr Kolja Strobl

RECOMMENDATION

Approve with Conditions

1. CONSULTATION RESPONSE

1.1 The following response was received following consultation on the application:

1) LBH Conservation: No objection. 12 Cromwell Avenue is located within the Highgate Conservation Area and is considered to positively contribute to the significance of the Conservation Area. There is no objection to the demolition of the existing extensions, nor the replacement extension, which while larger is still subservient to the existing building. The design is similar to several on the same street. There are other houses nearby, including those adjacent which have had similar basement extensions with front lightwells. The front boundary hedges are high which helps obscure the front lightwell from the street. There are a variety of existing railing types in the street, however the glass balustrade is more incongruous than the simpler black railings. It would be preferable to alter the balustrade to simple black railings so the front lightwell is more subtle. Materials should be conditioned either as further details, or to exactly match the existing.

2. LOCAL REPRESENTATIONS

2.1 The application has been publicised by way of letters, site notice and press advert. 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: 3
Support: 0
Object: 3

2.2 The following local groups/societies made representations:

- Highgate Conservation Area Advisory Committee (HCAAC) – Objects to the application. Not enough detail has been provided about the flood risk associated with lowering the basement level in this location. Ground investigation should be conducted now and a report submitted as part of this application, or at the very least should be required by condition before building works commences.

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

- Proposal will cause harm on the conservation area – above-ground barrier to lightwell and large rear decking/hardstanding compromises characteristics of the conservation area.
- Basement impact, including flood risk impact and structural impacts. Proposed excavation of the basement floor is significantly lower than the excavation previously completed at number 10.
- Overlooking
- Light pollution from any new roof lights
- Noise impact from additional bedrooms and increase in residents.
- Loss of garden area, increasing surface water flooding, and amenity and privacy issues.
- Construction management plan, material schedule, heritage statement, roof plan, flood risk assessment required.

3. REASONS FOR GRANTING PERMISSION

3.1 The proposal is for demolition of the existing rear extension, the construction of new rear extension, the lowering of existing basement and a new front light well.

3.2 The application site is occupied by a two storey, end of terrace dwelling, divided into two flats. This proposal relates specifically to the ground floor flat, which has access to the rear garden. This property sits on the north-western side of Cromwell Avenue, within a residential setting. The site is within the Highgate Conservation Area (CA) and the property makes a positive contribution to the character of the CA.

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

Design, Appearance & Heritage

3.4 The proposal involves the demolition of an existing rear extension, 1.63m deep, which presently comprises a sunroom and bathroom. In it's a place, a larger extension, 3m deep is proposed at the rear of the dwelling. In effect, the proposed rear extension projects 1.37m further than the existing extension. The proposed extension retains the existing width of the existing extension and outrigger, of 4.55m. The height and flat roof design of the extension also maintains legibility of the existing three storey outrigger form. The proposed bulk, scale and footprint of the rear extension renders it subservient to the host building, rear garden and surrounding development. The proposed rear extension would be constructed with brick to match the existing building.

3.5 It is also proposed to lower the floor level of the existing basement to create two habitable rooms. Excavation is proposed to lower the finished floor level by 800mm. This would also involve excavation to create a lightwell at the front of the property, as well as a sunken patio within the rear garden; both of which would provide light and ventilation to the basement bedrooms. Front lightwells are a common feature along this terrace row, including at Nos. 4, 6, 8 & 10 Cromwell Avenue. Furthermore, the hedging on the front boundary would assist in obscuring the front lightwell from the street. On this basis, the proposed basement is acceptable in relation to impact upon the appearance of the subject site and conservation area.

3.6 It appears that the proposed front lightwell would be installed with glass balustrades. However, glass balustrades would have an incongruous appearance with the host building. The use of simple black railings for the balustrade would better complement the street scene. Thus, a condition will be attached requiring the submission of a schedule of materials.

3.7 The proposed development, including the rear extension, decking and patio proposal, would involve the loss of an acceptable portion of the rear garden area. The proposal would retain an unbuilt rear garden area in excess of 164m², which would be sufficient for maintaining tree planting and the landscaped character of the area.

Neighbour Amenity

3.8 The rear ground floor extension is of a single storey height and setback 4m from the north-eastern neighbour (No. 10) and 0.84m from the irregular boundary of the south-western neighbour (No. 14a). The flank elevation of No. 10 does not have any openings. The flank elevation of No. 14a has an oblique angle, due to the irregular allotments, increasing the building separation from the application site. The proposed height and siting of the extension mitigates the extent of the amenity impacts upon both adjoining neighbours in relation to overbearing impacts, daylight and sunlight access and overlooking.

3.9 Local representations have raised concerns about the amenity impacts upon the first floor level flat within the host building. In respect to overlooking and light pollution, it is noted that the flat roof of the rear extension includes a rooflight over the new kitchen and dining room. The rooflight would provide views up towards the sky. However, the rooflight would not facilitate viewing angles that would enable direct views into the upper level flat. Any lightspill emanating from the kitchen/dining room through the rooflight would not be directed towards neighbouring properties. Any lightspill generated would be consistent with the residential uses in the surrounding area, and would not be considered a material impact.

3.10 It is noted that the proposal would add two bedrooms to the flat, increasing the occupancy capacity of the dwelling from 1 bedroom to 3 bedrooms. The proposed number of bedrooms is considered reasonable in increasing the housing capacity the site, whilst maintaining the amenity of neighbouring occupiers. The noise generated by normal residential activities from a 3-bedroom flat is considered acceptable within the existing residential density of the immediate area. The addition of decking and a sunken patio is located within the existing rear garden. The proposal therefore does not introduce any new noise-generating uses to the site.

Basement development

3.11 DPD policy DM18 ('Residential Basement Development and Light Wells') requires proposals to demonstrate that a basement development 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 and not to adversely impact the amenity of adjoining properties or the local natural and historic environment. Policy DM24 reiterates the requirement of new development to manage and reduce surface water runoff.

3.12 London Plan 2021 policy relates more specifically to large-scale basement development but in paragraph 3.10.6 it is recognised and outlined that small-scale basement excavations, where they are appropriately designed and constructed, can contribute to the efficient use of land, and provide extra living space. Paragraph 3.10.5 equally highlights the need to manage sensitively through the planning application process potential impact on the local environment and residential amenity.

3.13 Policy DH7 of the Highgate Neighbourhood Plan (2017) is equally relevant and requires impact assessments to be submitted with basement development where there is evidence that there may be problems with drainage or flooding and to show there are no adverse effect from such development on the structural stability of adjacent properties or associated potential damage. It specifically talks about there being no possibility of irreparable damage to the local water regime both in terms of ground water diversion and surface water flooding and that construction should not be allowed where there is evidence that damage to neighbouring properties would exceed Burland Scale 1.

3.14 The proposed development involves excavation to lower the finished floor level of the existing basement by 800mm, and create a lightwell and patio. The formation level would be around 1150mm below the existing floor level. A Basement Impact Assessment (BIA) was submitted with the application outlining the impacts of the proposed basement construction on the local slope stability surface water and groundwater regime. The BIA provides desktop information on geology and hydrogeology conditions. A ground investigation was also carried out, with two boreholes.

3.15 The site not located within Flood Zone 2 or 3. However, it is at risk of flooding from surface water, based on modelling undertaken by the Environment Agency. The report outlines that there would be a small change in the amount of paved surfacing, but this would not materially affect surface water flows. The proposed basement works are primarily located within the existing footprint of the existing dwelling and basement level. Furthermore, the proposed sunken patio is sited in an existing impermeable surface area. The proposed front lightwell would remove a small portion of the permeable area in the front garden. The BIA thus concludes that the basement would not have an adverse impact on the site's surface water run-off.

3.16 Groundwater was neither encountered during the drilling of the boreholes nor on two subsequent monitoring visits. The BIA concludes that the basement is not considered to extend beneath the water table surface.

3.17 The applicant's Structural Methodology Statement outlines the construction methodology to ensure continued structural stability throughout the construction process,

without adversely affecting the integrity of the surrounding building stock or overload the near-surface geology. It is not expected that any cracking will occur during the works, and it is expected that there would be negligible differential movement in respect to the adjoining property at No. 12.

3.18 Overall, the level of information provided at the planning application stage is considered acceptable. A condition is to be imposed to ensure that the structural side of the basement/excavation works are overseen by a suitably qualified chartered engineer. The submission of a construction management plan (CMP) is also required prior to the commencement of works on site. This will provide further information on the broader programme of works associated with the construction of this new dwelling.

3.19 Other areas of legislations, the Party Wall Act and Building Regulations etc., also provide further safeguards to identify and control the nature and magnitude of the effect on neighbouring properties. The necessary party-wall agreements with adjoining owners would need to be in place prior to commencement of works on site.

Conclusion

3.20 The proposed development is in general accordance with Policies DM1, DM9 & DM12 of the Development Management, Development Plan Document 2017, Policies SP11 & SP12 of Haringey's Local Plan Strategic Policies 2017 and Policies DH1, DH2 and DH3 of the Highgate Neighbourhood Plan. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

3.21 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

4. RECOMMENDATION

GRANT PLANNING 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 Prior to their first use on site a schedule of all external finish materials including wall, roof, lightwell balustrade materials, including finish colour, shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such. Samples should be submitted with a schedule of the exact product references.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity consistent with Policy D3 of the London Plan 2021, Policy SP11 and SP12 of the Haringey Local Plan 2017 and Policy DM1 and DM9 of The Development Management DPD 2017.

- 4 No development shall take place, including any works of demolition, until a Method of Construction Statement, to include details of:
- a) parking and management of vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials
 - d) programme of works (including measures for traffic management)
 - e) provision of boundary hoarding behind any visibility zones
 - f) wheel washing facilities:
- have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained during the demolition and construction period.

Reason: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies T4, T7 and D14 of the London Plan 2021, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017.

- 5 The basement works hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith and retained for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy.

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.