



Officer Report

Application Number:	HGY/2023/3278
Application Type:	Householder planning permission
Address:	66 Priory Gardens, Hornsey, London, N6 5QS
Proposal:	To enlarge the existing basement; creation of front lightwell; alteration and enlargement of roof lantern of the existing side return extension; new large rooflight on rear roof pitch; replacement railings on terrace with new timber privacy screen; extension of rear patio; rear timber screening; alterations to rear fenestration and doors.
Case Officer:	Nathan Keyte
Valid Date:	07/12/2023
Applicant:	O. Alsop and K. Brown
Agent:	Ms Pereen d'Avoine

RECOMMENDATION

Approve with Conditions

1. SITE AND SURROUNDING

The application site is a three storey mid-terrace building located on the northern side of Priory Gardens. The site is located within the Highgate Conservation Area.

The special interest of Highgate Conservation Area derives from the history of the area and evolution of the original settlement. Highgate's historical narrative is discernible in the varied sequence of built development, spanning in time from the medieval village through to its expansion in the Victorian period and its consolidation in the 20th century.

Whilst generally the buildings along Priory Gardens are only of modest architectural interest, the exception on the north side is the impressive pre-1914 terrace at Nos. 36-78. This is a three-storey terrace, the ground and first floors in red brick with canted two-storey bays, white-painted stucco surrounds, arched recessed porches and a green glazed brickwork base. The third floor is a continuous attic storey, each house with three windows set in white painted roughcast rendering or banded red and yellow brickwork, beneath projecting timber eaves and a tiled roof broken by the party walls and chimney stacks.

The front garden walls are built in red brick with a stone capping to the brick gate piers. This is an exceptional group that is generally well preserved, including the roof form of the building. Accordingly, the terrace, including No.66 is considered to positively contribute to the significance of the Highgate Conservation Area.

The assessment has been informed by photos provided by the Agent, and via google aerial photography.

2. PROPOSED DEVELOPMENT

The applicant is proposing the following works to the rear of the dwelling:

- Extension of existing basement to full width of the property, and to be used as a utility space;
- Enlarging the existing roof lantern to the rear side return extension;
- New conservation area rooflight to rear roof pitch;
- Replacement railings to existing terrace, with new timber privacy screen;
- New full width patio to ground floor, with new timber privacy screen;
- New double glazed timber sash windows and timber doors to rear elevation.

The application has been amended since the original submission to remove the proposed front lightwell.

3. SITE HISTORY

There is no planning history in relation to this site.

4. CONSULTATION

The Highgate Society – No response.

Highgate Neighbourhood Forum – No response.

Highgate CAAC – Objection to creation of a lightwell. The extension of the rear patio would result in bio-diversity loss and could be mitigated by landscaping in front garden. A Construction Management Plan should be provided demonstrating how green glazed tiles are to be protected during building works.

[Officer response: The application has since been amended to remove the lightwell. With regard to the loss of biodiversity, the area of rear garden proposed to be occupied in patio is largely free of vegetation, and non of significant will be removed. No adverse effect to biodiversity will result from the development that would justify mitigation.]

LBH Building Control – No response.

LBH Conservation Officer – *There are various alterations proposed to the rear elevation. The terrace has a variety of railings on the roof of the outriggers and the existing railings are not of high quality, though lightweight. The replacement and realignment of the railings with metal railings as shown would improve the design quality of the railings and would have a neutral impact on the significance of the Conservation Area. The enlarged roof lantern would not have a greater impact on the proportions and design of the rear elevation than the existing. The loss of the original windows to the rear would cause some harm to the significance of the Conservation Area, through the loss of the original and high-quality features. This harm could be reduced by exactly copying the existing joinery details but there is no information provided on this. Details of the replacement windows could be ensured through condition.*

The proposed lightwell and basement extension was not included in the pre-app submission. The planning history cited in the design and access statement for a basement at No. 70 was in 2009 and in the intervening 15 years national and local planning policy has changed, there has been a CAAMP published, and importantly it has not been implemented - see attached photo. There are no basement lightwells along this important and intact terrace and the front gardens are short with low boundary treatments. There is an in principle objection to the creation of lightwells along this terrace and on this particular site. It would introduce a new type of feature on the terrace in a clearly visible location, erode the contribution the front gardens make towards the sub-urban character of the street, and disrupt the proportions of building.

The proposed front elevation lightwell would be considered to cause some less than substantial harm to the significance of the Highgate Conservation Area as it would degrade the intact and important impressive 360-78 terrace and its contribution to the significance of the Conservation Area and accordingly Conservation object to this application. The proposed scheme should accordingly be considered in line with local plan policy DM9, and NPPF paragraphs 205, 206, and 208.

[Officer comment: the front lightwell has since been removed. A condition is proposed to require additional details prior to commencement of works to be provided.]

5. LOCAL REPRESENTATIONS

The application has been publicised by the way of letters and public notices. No objections or responses have been received.

6. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and character and appearance of the conservation area;
2. Impact on neighbouring amenity
3. Basement Works

Design & Heritage

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.

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.

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.

Policy DH2 of the Highgate Neighbourhood Plan (HNP) 2017 requires proposals to preserve or enhance the character and appearance of Highgate's conservation areas. Policy DH4 requires rear extensions to be subordinate to and complement the original dwelling. Policy DH5 requires proposals for roof extensions, dormers and rooflights to respect the existing roof form in terms of design, scale, materials and detail.

The proposal has been assessed by the Conservation Officer and, subject to conditions, will reduce potential harm to the Conservation Area. The proposed changes to the upper terrace railings will have a neutral impact upon the conservation area, and where the changes to the rear roof lantern will not have a greater impact upon the proportions and design of the rear elevation.

With regards to the screening proposed on the existing roof terrace, a condition is recommended to ensure the materiality and proportions are sensitive to the conservation area, noting the prominent position. The screen height is shown to be modular which steps from 1.8m at the building façade and balances the introduction of additional bulk with privacy aspects (discussed further below).

The proposed rear rooflight will be conservation in style, would be permissible under permitted development, and where others are noted within the terrace. With regards to the proposed rear patio, this is not an uncommon feature of the terrace, with others noted at adjoining no. 64 and at no. 78.

With regard to the proposed basement works, these will not be visible, and relate to the expansion of an existing basement. However, a condition is recommended to ensure detail for any plant/ cables associated with ventilation of the basement is submitted for approval.

With regards to the proposed changes to the rear facing windows and French doors, the application form submitted with the application indicates the windows will be replaced sash for sash, and will be in timber, though the windows will be double glazed. A condition is recommended by the Conservation Officer to ensure the joinery details match those of the existing windows. It is requested by the Agent that conditions relation to windows and doors fall under separate conditions as the intention is to make changes to the doors as part of early works. This is considered to be acceptable considering the windows and doors are to fit within existing openings.

Noting these points, and the overall design and scale of the proposed development, these are considered to be proportionate and subordinate to the host building and in keeping with the pattern of development within the area. Considering the points above, the character and appearance to this part of the conservation area will not be harmed, and in the case here will be left preserved.

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. Policy DH3 of the HNP also states that proposals should not harm the amenity of adjacent properties.

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.

The use of the upper outdoor terrace is in existence and there are a number observed to be located within the terrace of buildings. It is proposed to install privacy screens along the shared boundary of no. 64 Priory Gardens at roof terrace level, and undertake modifications to the railings. Considering the area adjoining the proposed screen will be a door to a stairway, impacts upon daylight or sunlight from the screen will be acceptable. With regards to privacy, the proposed screen at terrace level will improve privacy between the units.

With regard to the amenity of no. 64 Priory Gardens from the proposed rear ground floor patio, the privacy screen proposed will suitably address any issue with regard to additional impacts on privacy. However, it is noted that no privacy screen is proposed with the boundary at no. 68 Priory Gardens, which has an outdoor patio area adjacent to the subject site. Photos provided indicate that on this

boundary is an existing part trellis, and vegetation. A condition is recommended to secure detail of this treatment, as well as the final design of the privacy screen, to have a height of 1.8m. Based on the drawings provided and the existing boundary treatment, such a screen would not have a significant impact with regard to daylight/ sunlight on the amenity of the adjoining property.

There are no significant impacts on amenity considered to result from the proposed rooflight, basement enlargement, enlargement of the roof lantern, or changes to rear windows and doors.

Considering the points above, the existing environment and the proposed design and scale of the proposed works, it is deemed that the proposal will have an acceptable impact on neighbouring amenity.

Basement Works

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.

DPD 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 and not to adversely impact the amenity of adjoining properties or the local natural and historic environment.

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.

The building has an existing basement/ cellar (of approximately 1.2m height). A draft Basement Structural Method Statement was submitted with the application. This outlines the site's geological and hydrological setting. The proposed excavation to the existing basement would result in a 2.0m additional depth, and an increase in floor area of the basement.

The site is within a Critical Drainage Area as defined in Policy DM26, which requires that all proposals for new development within a CDA to incorporate measures to reduce the overall level of flood risk, and dependent on the nature and scale of the development to provide a Flood Risk Assessment. The development here is not however "new development" but rather an extension/ basement to an existing house. The works here are contained within the existing footprint of the house. As such as there is only a very modest increase in the proportion of hard surfacing on site, meaning surface water discharged to the ground will not be adversely affected.

It is firstly important to bear in mind that this is the least complex type of retro-fit basement development, as opposed to a new single level basement, multi-level basement or the large basement projecting into a garden. Mindful of the existing void space here, the differential between the existing and proposed foundations will not be significant. Such works do not represent a significant structural stability hazard, on the grounds of using industry standard underpinning in advance of the excavation below the current void.

As with all basement projects 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. In specific the structural integrity of the proposed basement works here would need to satisfy modern day building regulations. In addition, the necessary party-wall agreements with adjoining owners would need to 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.

Conclusion

The proposed works are considered in respect of design, heritage and amenity considerations. 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.

6. CIL APPLICABLE

The increase in internal floor area does not exceed 100 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

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 Detailed design and appearance of any external plant or cables associated with the basement works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and together with a full schedule of the exact product references for any/all materials.

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality in compliance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 2017.
- 4 Prior to the commencement of the respective buildings works above grade, detailed drawings, including sections, to a scale of 1:20 to confirm the detailed design and materials of the:
 - a) Detail of boundary treatment and privacy screens proposed along the shared boundaries and terrace with no. 64 and no. 68 Priory Gardens. A combination of timber and trellis is recommended for the screens where these will adjoin the host building.
 - b) Details of the terrace railings.
 - c) Joinery and material details of the rear facing windows to be replaced, indicating how these will match.

d) Joinery and material details of the rear facing doors to be replaced, indicating how these will match.

Shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and together with a full schedule of the exact product references for all materials.

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality in compliance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 2017.

- 5 No basement development shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed, and such appointment confirmed in writing to the local planning authority, to supervise the construction works throughout their duration. 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, and such appointment confirmed in writing to the local planning authority, to supervise their completion. 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 the local planning authority in accordance with this condition.

Reason: To ensure that the proposed development would have no undue impact on the structural integrity of adjoining and neighbouring buildings, in accordance with Policy DM18 of the Haringey Development Management DPD 2017.

- 6 The proposed rooflight(s) hereby approved shall be 'Conservation style', flush with the roof plane in which they are installed, and shall be maintained as such for the lifespan of the development.

Reason: In order to ensure a satisfactory appearance for the Conservation Area and to comply 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.

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.