



# Officer Report

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| <b>Application Number:</b> | <b>HGY/2024/0009</b>                                                                                                                                                                                 |
| <b>Application Type:</b>   | <b>Householder planning permission</b>                                                                                                                                                               |
| <b>Address:</b>            | 108 Highgate Hill, Hornsey, London, N6 5HE                                                                                                                                                           |
| <b>Proposal:</b>           | To alter the existing patio, and to add a independently supported timber trellis above the existing brick boundary wall (there is an associated Listed Building Consent application: HGY/2023/3314). |
| <b>Case Officer:</b>       | Nathan Keyte                                                                                                                                                                                         |
| <b>Valid Date:</b>         | 02/01/2024                                                                                                                                                                                           |
| <b>Applicant:</b>          | Mr Douglas Paskin                                                                                                                                                                                    |
| <b>Agent:</b>              | Mr Douglas Paskin                                                                                                                                                                                    |

## **RECOMMENDATION**

### **Approve with Conditions**

#### **1. SITE AND SURROUNDING**

The subject property at 108 Highgate Hill is a 3-storey terrace building with loft space and basement, in use as a single household. The building is Grade II\* Listed Building located within the conservation area of Highgate.

There is an existing rear patio, with a large brick wall on the western side. This leads to a garden path to the large rear garden. The rear garden western wall is approximately 1.6m in height, falling to approximately 1.3m near the rear of the site. A visit was conducted to view the property on 08.02.24.

#### **2. PROPOSED DEVELOPMENT**

The proposal is to add an independently supported timber trellis above the existing brick boundary wall to a maximum height of 1.9m.

The works to the patio area will be to excavate back to provide a larger level area for the patio. Excavation will be approximately 0.36m in depth. A 0.3m setback will be retained where excavation is planned adjacent to the large brick wall. There is an associated Listed Building Consent application: HGY/2023/3314.

#### **3 SITE HISTORY**

HGY/1991/1042, - Address: 108, Highgate Hill, London, N6 5HE, London

Proposal: Listed Building Consent for insertion of new brickwork to replace cement in front south facing garden wall. Replacement of railings on front wall facing road - Decision

Date: 14 April 1992 / Decision: Approve with Conditions

HGY/2023/3314 - Address: 108, Highgate Hill, London, N6 5HE, London

Proposal: Listed building consent to alter the existing patio, and to add a independently supported timber trellis above the existing brick boundary wall (amended description).  
Decision Date: Processing

#### **4. CONSULTATION**

Highgate CAAC – No comment.

Highgate Neighbourhood Forum – No comment received.

Highgate Society – No comment received.

Archaeological Advisory Service – Works unlikely to have a significant impact. No further assessment or conditions necessary.

Haringey Conservation Officer – No objection to the works. The trellis proposed will be separate from the wall and fully reversible. Regarding the patio works, a condition is recommended that additional details on the propose retaining walls and works/ materials be provided prior to commencement.

#### **5. LOCAL REPRESENTATIONS**

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

#### **6. MATERIAL PLANNING CONSIDERATIONS**

The main planning considerations raised by the proposed development are:

1. Design and heritage;
2. Impact on neighbouring amenity;
3. Other matters.

##### **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.

The works to the patio and rear fence will be minor and not visible from the wider context. The fence will be of a maximum height of 1.9m and will extend above the boundary brick wall. The use of materials and the lightweight trellis design, as well as being built independently of the rear garden wall, will be acceptable and no objections have been raised by Council's Conservation Officer.

Regarding the rear patio works, a 0.3m minimum separation will be maintained from proposed excavation to the existing historic boundary wall. A condition of consent is proposed to ensure the future retaining and materiality will be acceptable.

Considering these points, and that no harm has been identified by the Conservation Officer, the proposal is considered acceptable leaving the character and appertaining of the conservation area preserved as well as not harm being caused to the setting of the listed building on site.

### **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.

The rear timber trellis will be under 2.0m and will not result in shading that will adversely impact the amenity of the adjoining rear garden to the west. Privacy will be improved by the fence design.

With regards to the works to extend the existing patio, while these may result in an increase in use of the space, considering the scale, existing built form, and that no additional overlooking will occur, these works are not considered to adversely impact the amenity of neighbouring properties.

### **Other matters**

The age of the brick wall adjacent to the proposed patio works is noted. While it is acknowledged that a 0.3m setback from the excavation works will be maintained, and excavation will be limited, an informative advising of care to be taken and the health of the wall is to be added. It is recommended that works be undertaken with the input of a registered structural engineer.

## **Conclusion**

The proposal is considered acceptable in terms 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.

## **7. CIL APPLICABLE**

Not applicable as no floorspace being created.

## **8. 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 Notwithstanding the details contained within the approved plans no works for the excavation of the rear garden ground levels shall be carried out on the site until details of the proposed retaining walls, including external surface materials, have been submitted to and agreed in writing by the Local Planning Authority, and the work shall then be carried out and retained in accordance with those 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.

### **Informatives:**

INFORMATIVE: The age of the brick wall adjacent to the proposed patio works is noted. While it is acknowledged that a 0.3m setback from the excavation works will be maintained, the Applicant is recommended that works be undertaken with the input of a registered structural engineer.

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.