



Officer Report

Application Number:	HGY/2023/2980
Application Type:	Householder planning permission
Address:	12A View Road, Hornsey, London, N6 4DB
Proposal:	Erection of outbuilding in garden for use as garden room.
Case Officer:	Sabelle Adjagboni
Valid Date:	03/11/2023
Applicant:	Mr Mikhail Apukhtin
Agent:	Mr Karl Lawton

RECOMMENDATION

Approve with Conditions

1. Consultation

Local representations

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

No representations were received in response to notification and publicity of the application by the general public.

Consultation

LB of Haringey Arboricultural Officer comments:

The Arboricultural Report addresses previously raised tree protection concerns. However, every part of the Indigo survey, including the arboricultural method statement (piling and ground protection) and tree protection plan need to be conditioned and implemented.

Highgate Conservation Area Committee

Visibility – Concerns that the proposal will be visible from the public realm as the boundary trees are not dense.

Damage to tree roots and impact on trees – Concerns about how a building this size can be constructed without any damage to trees considering its proximity to them. Also concerns on the accuracy of the drawings in showing the relation between the building and greenery. No details/drawings of the proposed screw pile foundations have been provided relative to the tree and shrubs. Also, no replacement trees have been provided.

2. Planning assessment

The application site relates to a two-storey semi-detached dwellinghouse within View Road, N6. The site is located within the Highgate Conservation Area but is not a listed building.

The application history in relation to this site has been taken into consideration in coming to this recommendation.

This application is being considered against DPD Policy DM12 'Housing Design and Quality' and DPD Policy DM1 'Delivering High Quality Design' which requires buildings/ structures to be of a high, site-specific, and sensitive design quality, sensitive to landscaped areas and tree provision and to safeguard neighbouring amenity. Equally policy DM1 requires proposals to respond to trees on and close to a site. 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.

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.

Core objective 5 of the Highgate Neighbourhood Plan requires proposals to preserve and enhance Highgate's unique character. Policy OS2 sets out that trees subject to a TPO which have townscape, ecological or amenity value should be retained where possible.

With regards to landscaping and tree considerations, policy G7 of the London Plan (2021) sets out that development proposals should ensure that, wherever possible, existing trees of value are retained. Policy DM1 of the Development Management Plan DPD (2017) sets out that development proposals demonstrate how the landscaping and planting are integrated into the development as a whole.

The main issues with this application are the effect of the development on the character and appearance of the surrounding area and on the living conditions of neighbouring occupiers with regards to outlook, and the impact on protected trees.

This application is seeking consent for the construction of a garden room to be used as a home office. The garden structure will be 6.3m in width and 4.3m in depth and will be positioned to the back of the garden. The structure will be pulled in from the shared boundaries. The structure will be 2.77m in height.

While the footprint of the outbuilding is sizeable, viewed within the context of its setting within the large rear garden, and its screening from view by virtue of the boundary landscape features and boundary wall of the site, the size of the structure is considered to be acceptable.

The external finish would be oak vertical cladding on the walls with a black EPDM roof. The structure would also feature aluminium framed windows and door. The garden room is of a good quality contemporary design. The timber-clad external finish of the outbuilding would also be in keeping with its surroundings and appropriate for an outbuilding in a rear garden setting.

The proposal is considered proportionate and subordinate and is in keeping with the pattern of development in the area.

The height, siting and scale of the outbuilding would not impact on light or outlook to any neighbouring occupants, given the distances in question and the relatively low height of the building. The structure would only be partially visible, projecting marginally above the boundary fence with views of it also restricted by the existence of mature trees and shrubs within neighbouring gardens.

The outbuilding would only be of limited visibility from the adjacent View Road, given the substantial green boundary and boundary wall. It is relatively small in footprint and the timber cladding and flat roof further assist in assimilating the building into its verdant context. As such the structure will not appear overbearing or harmful to outlook.

A condition can be imposed that requires the outbuilding to be used solely for purposes incidental to the enjoyment of the single family dwellinghouse 12A View Road.

As shown in the drawings, there are many trees close to the proposed garden room. These are protected by a tree preservation order (TPO). Hence, an internal consultation was carried out with the LPA's Tree Officer, with the comments detailed above. As per the information submitted with the application, the structure will sit on small diameter piles as opposed to using deep trench foundations, as such, reducing the extent of the required excavation and impact on such trees, a matter which shall be secured by way of a planning condition.

Overall, the proposed development is in accordance with relevant policies within the London Plan and Local Plans. The structure will be discrete in nature and size, as well as largely hidden from public viewpoints, meaning the character and appearance of the conservation area will not be harmed, as such left preserved.

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

3. Recommendation

It is therefore recommended that this application be APPROVED in accordance with 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 garden room hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the residential dwelling 12A View Road , N6, 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.

- 4 The garden room hereby approved is to be constructed using 'small diameter piles' and in line with all other protective measures outlined in the approved Tree Report.

Reason: In order to safeguard the root systems of adjacent trees which are to remain after the building works are completed and in the interests of visual amenity, in accordance with London Plan policy (2021) G7 and policy DM1 of the Haringey Development Management DPD (2017).

Informatives:

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.

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.