



Officer Report

Application Number:	HGY/2023/2886
Application Type:	Minor planning application
Address:	Flat A, 30 Shepherds Hill, Hornsey, London, N6 5AH
Proposal:	Demolition of existing garage, and construction of new 3 storey self-contained 4 bed house with basement and rear living terrace, with associated vegetation removal and ancillary works.
Case Officer:	Nathan Keyte
Valid Date:	05/02/2024
Applicant:	Mr Colin Wilde
Agent:	Mr Jaimie Watler

1. SITE AND SURROUNDING

The site at 30 Shepherds Hill is three storeys with basement/ lower ground level, end of terrace building in use as 3 flats. A single storey garage is attached to the west side of the building, with a part one, part two extension on the east side of the building. The building is not a listed building but is located within the Highgate Conservation Area.

The site has a generous rear garden, separately divided between the flats. The topography of the site slopes down from front to rear, with a larger fall between lower ground floor level of the building and the rear of the site.

A visit was conducted to view the property 05.03.24, with the property also viewed via the photos provided with the application and via google aerial photography.

2. PROPOSED DEVELOPMENT

The proposal is for the demolition of an existing garage and construction of a new 3 storey self-contained 4 bed house with basement and rear living terrace, with

associated vegetation removal, front lightwell and ancillary works. The third storey will be setback from the host building front façade between 3.5m and 4.0m.

The extension to the rear of the host building will project approximately 10.3m from the rear building line, with an outdoor living terrace atop and closed timber board screen fence. The height of the rear projection, including timber fence, would be approximately 5.0m. The finished floor level will be approximately 0.7m below the host building lower ground level.

3. SITE HISTORY

All existing planning applications have been considered for this application.

OLD/1989/1776,

Address: 30A, Shepherds Hill, London, N6 5AH, London

Proposal: 18/1/89 Alterations to rear and side elevations to provide new windows and doors for new habitable space in basement.,

Decision Date: 3 May 1989

Decision: Approve with Conditions

HGY/2007/1787,

Address: 30B, Shepherds Hill, London, N6 5AH, London

Proposal: Erection of first floor rear extension.,

Decision Date: 17 October 2007

Decision: Approve with Conditions

4. CONSULTATION

Internal

Carbon Management – Requires additional information to understand how the proposed building complies with the London Plan and Haringey policies, targeting a zero carbon building, and demonstrating how carbon savings have been achieved following the energy and cooling hierarchies. This includes proposed u-values, efficiency, location and capacity of heating/ventilation systems, and PV, in addition to SAP calculations to accompany the carbon savings.

Transport - No objection, subject to additional details/ conditions.

Building Control – no response.

Haringey Conservation Officer – Objects. Comments incorporated into assessment below.

External

Highgate CAAC – Objects. In summary:

- Size and design proposed would not meet requirements of the Highgate Neighbourhood Plan or para 135 of the NPPF.
- The building is identified in the Highgate Conservation Area Character Appraisal as positive contributors to the area.
- Need to retain open views between properties.
- There is no tree report.
- Impact on neighbour amenity
- Impact on future resident amenity
- Daylight and sunlight of front lightwell proposed required.

Highgate Society – Objects. In summary:

- Supports additions to housing stock in principle.
- Bulk and dominance proposed would erode gaps between buildings and is not in keeping with the street.

Highgate Neighbourhood Forum – no response.

Thames Water – no objection.

5. LOCAL REPRESENTATIONS

The application has been publicised by the way of letters and public notices. The number of representations received from neighbours, etc excluding the local groups listed above, in response to notification and publicity of the application were as follows:

Objections: 5 (from 3 parties).

Support: 0

Objection material to planning:

- Impacts of basement construction on highway and noise.
- Proposal will be dominant and out of keeping with host building and conservation area.
- Development removes spaces between buildings.
- Impacts on neighbour privacy
- Impacts on outlook by introduction of built form.

- Drainage, subsidence and party wall issues.
- Noise transmission through existing building from additional residents.
- Impacts on biodiversity and trees.

Objections raised not material to planning:

- Consultation period, letters received with less than 21 days remaining on consultation period. [Officer comment: the consultation period takes into account the time to deliver letters and this is common on applications.]
- Notes another application for the site (HGY/2024/0440), to establish lightwells and basement works which should be considered together. [Officer comment: the second application relating to the site is noted, however the proposal is to ultimately be considered on its own merits].

6. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of development
2. Design and character and appearance of the conservation area;
3. Standard and quality of residential accommodation
4. Inclusive access
5. Impact on neighbouring amenity
6. Transport considerations
7. Energy and Sustainability
8. Waste Management
9. Other matters

Principle of development

Providing additional residential housing is supported at national, regional and local plan level. National Planning Policy Framework (NPPF) sets out requirements for Local Planning Authorities to significantly boost the supply of housing whereby the approval of housing development on small sites is supported with the emphasis that such sites can make a positive contribution to meeting the housing targets of an area.

London Plan (2021) Policy D3 seeks to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services.

In summary, the principle of additional housing is accepted, subject to other considerations, as discussed further in this report.

Heritage, Design and Appearance

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.

Paragraph 12.3.4 of the Highgate Conservation Area Appraisal and Management Plan (HCAAMP) with regards to new development states that all forms of unsympathetic development would be resisted, though Council will not dictate the choice of architectural styles if of high quality and remain sympathetic to the context and the host building and/ or neighbouring buildings.

Paragraph 12.3.4 of the Highgate Conservation Area Appraisal and Management Plan (HCAAMP) with regards to new development states that all forms of unsympathetic development would be resisted, though Council will not dictate the choice of

architectural styles if of high quality and remain sympathetic to the context and the host building and/ or neighbouring buildings.

The Highgate Conservation Area Appraisal and Management Plan provides a guide as it relates to side extensions within the conservation area. These to be subordinate to the main building and relate to the features of the main building, be setback from the side boundaries, and following alignments of windows and materials and detailing.

Rear extensions should follow the scale and form of any surrounding traditional extensions and should complement the character of the main dwelling. Furthermore, rear extensions should:

- be one storey less than the main building to appear subordinate.
- Should only exceptionally cover the entire width of the rear elevation so as to retain a part of the original façade.
- Depth should be no deeper than 4m in case of detached properties, and 3m for terraced properties.
- Original windows and door openings to be retained where possible on rear elevations.

Policies of the Highgate Neighbourhood Plan 2017 mirror the above. In specific the following DH4 is noted. This states that side extensions to detached or semi-detached properties, including the enlargement of existing garages, should be sensitive to and respect the character of the streetscape, and not block or significantly infill gaps between buildings, or otherwise disrupt the integrity of the individual architectural composition or group where these contribute to the character of the local area. They should be subordinate in scale to the original dwelling and complement its character in terms of design, proportion, materials and detail. They should not harm the amenity of adjacent properties.

The development site sits within the Highgate Conservation Area on Shepherd's Hill, a wide, tree-lined street with a spacious character, originated as a path through fields leading to Highgate and did not become a road until 1882. The first houses were developed from this date onwards, the entire south side, and the north side east of The Priory, being built up by 1894. The road is on high ground and the land falls away steeply to the south. Property at No 30 forms part of a group of four remaining Victorian villas comprised at Nos. 26-32 that positively contribute to the character of the conservation area.

The design, decorative features, gardens and spatial relationship between buildings and between buildings and their gardens are established, positive features of the conservation area and the gap between these villas in parts allow views into the

verdant rear gardens thus contributing to the suburban, verdant character of this stretch of the conservation area.

It is acknowledged that other small scale, one to two storey side extensions with ancillary uses to the host building have been erected within the neighbourhood the past years, and the proposed building is setback from the street. However, the proposed 3 storey self-contained 4 bed side house with basement and rear living terrace, is very uncharacteristic of the historic pattern of development and siting of this group of villas and would very undesirably obscure the gap between buildings. While the proposed third storey is setback, the lack of setback of the remaining two storeys from the front wall of the host building and lack of setback of 1.5m from the side boundary of those portions of the proposed building over one storey further promotes the dominance of the proposed built form and erosion of gap between buildings.

While some aspects of brickwork is proposed to match the host building, metal windows are also proposed and where some of these are large in size. The proposed building would undesirably compete with the established proportions and design of the host building and would appear as an anomaly in views of the Conservation Area along Shepherd's Hill and would have a negative impact on the character of the conservation area.

The rear projection of the proposal is also considered quite long, the dominance of which will be exacerbated by the walls and fencing atop this in addition to the topography of the site. The provision of an outdoor terrace atop the roof of this would be a feature not consistent with the surrounding area.

The proposal, by reason of its overall size, design and massing would appear an overly bulky and incongruous form of development out of keeping with the pattern of development of the area and detriment to local visual amenity and would result in harm to the significance of the Conservation Area, and would be contrary to policy SP11 of the Haringey Local Plan and policies DM1, DM9 & DM12 of The Development Management DPD 2017.

Statutory Duty

In coming to the above conclusion, special attention has been given to the desirability of preserving or enhancing the character or appearance of the conservation area and the listed building in accordance with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

No public benefit has been identified which would balance the level of harm identified by the proposed development. While the addition of a dwelling will

increase the housing stock within Haringey, this would not outweigh the harm caused to the Conservation Area as a result of the proposed development.

Standard and quality of residential accommodation

London Plan Policy D6 requires housing developments to be of high-quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments. The criteria set out within parts c-g of part A of DMP policy DM16 largely echo some of the design aspects covered within policy D6 of the London Plan.

The proposal would see the new dwelling provided as follows:

Unit no.	No.	Floorspace	London Plan	Amenity
	beds/persons	(sqm)	requirement (sqm)	space provision (sqm)
New dwelling	4b8p	206 sq.m	130 sq.m	Ok

The proposed dwelling would be dual aspect and would provide sufficient levels of outlook and daylight for the future occupiers. The future occupiers would benefit from a rear garden amenity area which is approximately 50 sqm. As such, the proposed development would provide a high quality and spacious environment for future occupiers.

The floor to ceiling height for all the flats are considered acceptable as they will meet the minimum height of 2.5m as set out by the London plan 2021. Given the above, the proposed units would provide an acceptable standard of accommodation for future occupiers.

With regards to daylight and sunlight levels, noting the depth of the front light well in the proposed basement level to serve a bedroom, and the depth of the proposed courtyard, were the application to otherwise be acceptable further details would have been requested to ensure adequate light levels are achieved.

Inclusive access

London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used

easily and with dignity by all. London Plan Policy D7 require that 10% of new housing is wheelchair accessible and that the remaining 90% is easily adaptable for residents who are wheelchair users. DPD Policy DM2 also requires new developments to be designed so that they can be used safely, easily and with dignity by all.

An internal lift is provided within the proposed dwelling, in addition to a disabled shower at lower ground floor. The proposal will satisfy the requirements for inclusive access.

Impact on neighbour 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.

Regarding daylight and sunlight, with the exception of the lower ground floor projection, the proposed building will generally be in line with the existing built form in the area and would not have negative shading impacts. With regard to the proposed lower ground floor projection, a 45 degree line drawn in elevation from the building and privacy fence will not subtend the middle of the glazing of the lower ground level patio doors at the adjoining the existing flat at 30A Shepherds Hill.

Impacts relating to privacy on neighbouring properties resulting from the proposed rear terrace will largely be avoided by the proposed timber screens. However, considering the raised nature of the terrace atop the roof of the lower ground floor extension and the depth of this, there will be some additional views back towards the upper rear windows of the host building and neighbouring properties introduced by the outdoor terrace. With regards to additional overlook introduced by the upper floors of the proposed building to existing rear gardens, considering the degree of overlook existing in the area, this is not considered to be significant.

With regards to impacts on outlook, the extent of blank wall combined with outdoor terrace screen fencing and removal of garden will result in the appearance of a large addition to the rear garden and would have an adverse impact on the outlook of

neighbouring residents to the east. To the west, due to topography this impact would be less pronounced. The height of the side building proposed, viewed in conjunction with the existing built form in the area and without greater setbacks, would also appear an overly dominant feature as viewed from the rear gardens of neighbouring properties.

The proposed development by reason of its depth, height, and resulting views facing back towards the adjoining buildings would appear an overbearing and unneighbourly form of development, to the detriment of the neighbouring occupiers residential amenity and contrary to policies DM1 and DM12 of The Development Management DPD 2017 and London Plan Policy D6.

Transport considerations

London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

Local Plan (2017) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DM Policy (2017) DM31 'Sustainable Transport'.

An additional car park is proposed in front of the development, with sufficient area for bike and bin storage to be provided. Details regarding these points would be secured by condition were the application otherwise found to be acceptable.

Energy and Sustainability

The London Plan sets out detailed policies in relation to energy efficiency, renewable energy, climate change and water resources. Local Plan Policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions through on-site renewable energy generation.

DPD Policy DM21 also requires new development to consider and implement sustainable design, layout and construction techniques, with proposals required to

apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements.

The submitted information relating to Energy and Sustainability is insufficient to determine that the proposal will comply with the above policies. Were the application otherwise found to be acceptable, additional details relating to this would have been sought.

Basement development

A basement impact assessment has been provided, dated 31/01/2024. The BIA concludes that works to construct the development can occur without unacceptable impacts on the structural stability of the existing buildings on the site or neighbouring buildings. Part 10 of the BIA notes that the RC underpins and retaining walls have been designed to limit any potential lateral movement to less than 10mm.

Tree works. No TPO is registered against the site, however the proposal will result in the removal of a number of small garden trees, and works near a large pine tree. Were the works otherwise found to be acceptable, an assessment by an arborist would have been requested to ensure the works would not harm the health of trees to remain.

CONCLUSION

The proposal by reason of its overall size, design, massing would appear an overly bulky and incongruous form of development out of keeping with the pattern of development of the area and detriment to local visual amenity, and would result in harm to the significance of the Conservation Area where no public benefit to outweigh the harm is provided, and would be contrary to policies SP11 & SP12 of the Haringey Local Plan and policies DM1, DM9 & DM12 of The Development Management DPD 2017.

The proposal by reason of its overall size, siting and relationship with neighbouring properties, would cause unacceptable harm to the residential amenity and outlook of neighbours contrary to DPD Policy DM1 and Policy DM12 and London Plan Policy D6.

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

7. CIL APPLICABLE

The increase in internal floor area would exceed 100 sq.m., being 206.6 sq.m, and therefore would be liable for the Mayoral and Haringey's CIL charge. Based on the information given, the Mayoral charge will be £14,311.18 (206.6 sqm x £69.27) and the Haringey CIL charge will be £87,278.17 (206.6 x £422.45). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

8. RECOMMENDATION

Refuse permission for the following reasons:

1. The proposal by reason of its overall size, design, massing would appear an overly bulky and incongruous form of development out of keeping with the pattern of development of the area and detriment to local visual amenity, and would result in harm to the significance of the Conservation Area where no public benefit to outweigh the harm is provided, and would be contrary to policies SP11 and SP12 of the Haringey Local Plan and policies DM1, DM9 & DM12 of The Development Management DPD 2017, as well as policies DH2 & DH4 of the Highgate Neighbourhood Plan 2017.
2. The proposal by reason of its overall size, siting and relationship with neighbouring properties, would cause unacceptable harm to the residential amenity and outlook of neighbours contrary to DPD Policy DM1 and Policy DM12 and London Plan Policy D6.
3. The application has failed to demonstrate how the proposed development would adequately reduce carbon emissions and limit energy use and in the absence of this information, the proposal would be contrary to Policy SP4 of the Haringey's Local Plan Strategic Policies (2017) and Policy DM21 of the Development Management DPD (2017).