



Officer Report

Application Number:	HGY/2023/3043
Application Type:	Householder planning permission
Address:	84 Highgate High Street, Hornsey, London, N6 5HX
Proposal:	Demolition of existing rear garden outbuilding and erection of a new rear garden outbuilding for storage, exercise and meditation.
Case Officer:	Nathan Keyte
Valid Date:	08/12/2023
Applicant:	Mrs Jihane Yassine
Agent:	Mr Michael Hapeshis

RECOMMENDATION

Refuse

1. SITE AND SURROUNDING

The application site relates to a Grade II listed building, three storey terraced property located on the northern side of Highgate High Street. The property is in use as a dwellinghouse (flat) with shop located on the ground floor at the front of the building. The host property is also located within the Highgate Conservation Area and the Highgate High Street Local Shopping Parade.

The existing outbuilding is a standalone timber painted garden shed with a projecting front awning. The building occupies the northeastern section of the rear garden, and access is gained to the small section of the garden to the north through the structure. This northern section of garden space is understood to be covered by a lean-to structure.

As indicated by the submitted plans, the current fenced boundaries are stated to not reflect the legal boundaries of the site.

A visit was undertaken to the site as part of a previous application, dated 02.08.23. At the time of the visit, it was observed that the trunk of a large tree to the site to the north projected into the rear boundary of the subject site.

2. PROPOSED DEVELOPMENT

Demolition of existing rear garden outbuilding within curtilage of a Grade II Listed Building, involving works to boundary wall, and erection of a new rear garden outbuilding for storage, exercise and meditation. The building is stated within the Heritage Statement as having a proposed physical connection to the external wall at no. 82.

There is a related listed building consent application HGY/2024/0012 for the same works.

Site History

HGY/2024/0012

Address: 84, Highgate High Street, London, N6 5HX

Proposal: Demolition of existing rear garden outbuilding within curtilage of a Grade II Listed Building, involving works to boundary wall, and erection of a new rear garden outbuilding for storage, exercise and meditation.

Status: Under consultation

HGY/2020/2450,

Address: 84, Highgate High Street, London, N6 5HX

Proposal: Listed building consent for fire and sound proof partitioning at ground floor level between the shop and basement and the flat at 1st and 2nd floor levels and protecting rear means of escape,

Received Date: 28 September 2020

Valid Date: 28 September 2020

Decision Date: 4 December 2020

Decision: Approve with Conditions

HGY/1996/0948,

Address: 84, Highgate High Street, London, N6 5HX, London

Proposal: Listed Building Consent for internal alterations to shop and formation of new staircase, repair and render of elevation and window replacement to match existing.,

Received Date: 25 July 1996

Valid Date: 25 July 1996

Decision Date: 17 September 1996

Decision: Approve with Conditions

HGY/1996/1253,

Address: 84, Highgate High Street, London, N6 5HX, London

Proposal: Display of non-illuminated hanging sign between first and second floors of front elevation.,

Received Date: 24 September 1996

Valid Date: 24 September 1996

Decision Date: 5 November 1996

Decision: Approve with Conditions

3. CONSULTATION

The responses below were received following consultation of the application:

· Highgate CAAC – Objection. States the property is a shop and a flat, rather than a live/work. Further:

1. The proposed outbuilding would cover over 75% of the garden which greatly exceeds 50% of the curtilage
2. An outbuilding of this size will not preserve the setting of this Grade II property and it will cause substantial harm to its character and integrity.
3. The proposed outbuilding is 3.4m high and situated right up to 2 boundary walls. We understand that the height must not exceed 2.5m if it is located within 2m of the property boundary.
4. The building has over 15 square metres of internal floor space which requires it to be sited at least 1m away from any boundary.

· Highgate Neighbourhood Forum – No comment received.

· Highgate Society: Objects. Concerns regarding building coverage proposed. Concerns of overlooking raised for the north elevation. Unclear how water and wastewater, insulation and

ventilation will occur. Condition recommended to ensure new building to be incidental to the residential use of no 84, and not the commercial component.

- Archaeological Advisory Service – No comment received.
- Haringey Conservation Officer – Objects. Comments incorporated into the assessment below.

LOCAL REPRESENTATIONS

The application has been publicized by way of press & site notice displayed in the vicinity of the site. One further representation was received in addition to the local groups, and which was in support of the application.

4. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

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

Heritage, Design and Appearance Comments:

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.

84 Highgate High Street is a Grade II Listed building located within the Highgate Conservation Area.

The application site is located within the Highgate conservation area, Policy DH2 of the Highgate Neighbourhood Plan (HNP) 2017 requires proposals to preserve or enhance the character and appearance of Highgate's conservation areas and respect the setting of its listed buildings and other heritage assets. Policy DH10 states there will be a presumption against the loss of garden land in line with higher level policies.

The Highgate Conservation Area Character Appraisal and Management Plan 2013 in relation to garages and outbuildings states that these should be ancillary to the main house, be no more than one storey with roof forms to relate to the main building or as appropriate, and with a footprint to align with the footprint of the building rather than plot boundaries.

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 mediaeval village through to its expansion in the Victorian period and its consolidation in the 20th century. The High Street lies within the mediaeval core and shows the close-knit street pattern of dwellings fronting long narrow plots - the vestiges of mediaeval 'burgages' - which are discernible today. Smaller dwellings and ancillary buildings were grouped around yards behind the High Street. The transformation of Highgate from a village to the equivalent of a small town started in the 18th century and continued into the early 19th century with the building up of the High Street. No. 84 dates to the C18, with a later shopfront, and the adjacent No. 82 is also C18. To the rear are small exterior spaces of varying lengths and ground floor extensions and outbuildings which follow the original burgage plot lines, emphasizing this important historic urban grain.

The current rear garden space based on the plans provided is comprised as below:

Existing storeroom: 9.7m² + 3.7m² awning

Lean-to roof area: 9.6m²

Area currently noted as being utilised by no. 86 Highgate High Street: 9.2m²

Open area: 24.8m²

Total Area is approximately 57 sqm. The footprint of the proposed rear garden structure will be approximately 42m², or 74% of the garden area.

The outbuilding would occupy the majority of the existing external space and would cross over the historic burgage plot lines. Though it would be narrow, because of its size, shape and that it would extend the full width of the plot, and have a maximum height of 3.4m, the proposed outbuilding is not considered to be of a scale subservient to the host building and the land on which it falls. It is acknowledged that land to the east contains a level of built environment to the rear of the host buildings, these often retain large garden areas or green space.

The materiality of the proposed outbuilding is also considered to be an incongruous mix with lead, glass blockwork and timber cladding as a combination, and within its context. It is understood from the proposed plans that the blockwork walls would face into the adjoining property, in use as The Crown Public House, and therefore would be visible.

Considering these points, the proposed outbuilding would be an incongruous and prominent addition which would not be subservient to the listed building. The development would result in a low level of less than substantial harm to the conservation area and the listed building.

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 outweigh the level of harm identified by the proposed development.

Amenity Comments

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 proposed development will be single storey, though with a pitched roof that rises to 3.4m on the eastern and northern boundaries, falling to approximately 2.3m at the boundary with no. 86 Highgate High Street. Considering the height and the existing environment, the proposal is unlikely to result in a sense of enclosure or dominance on the Public House at no. 86 Highgate High Street. With regard to privacy impacts and overlooking, though the provision of glass blocks on the shared boundary will be an incongruous feature, these could be made obscure and not significantly impact the privacy of the rear garden at the Public House.

With regard to the 3.4m height proposed on the northern boundary with 82 Highgate High Street, a high structure extends along the majority of the shared boundary, and the proposed additional height along the shared boundary will be similar to this.

Other matters:

As noted earlier, a visit was undertaken to the site as part of a previous application, dated 02.08.23. At the time of the visit, it was observed that the trunk of a large tree to the site to the north projected into the rear boundary of the subject site. It is unclear on the plans provided whether the proposed structure would intersect with this tree. Were the application otherwise found to be acceptable, this information would have been requested.

Conclusion

The proposed rear garden structure, by reason of its design and scale, would introduce an incongruous oversized development and result in a low level of less than substantial harm to the Conservation Area and listed building setting where no public benefit is outlined to be provided to outweigh the harm, and would be contrary to 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, and Policy DH2 of the Highgate Neighbourhood Plan 2017. The details of the decision are set out in the RECOMMENDATION.

CIL APPLICABLE

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

RECOMMENDATION:

REFUSE APPLICATION for the following reason:

Refusal Reasons:

The proposed rear garden structure, by reason of its design and scale, would introduce an incongruous oversized development and result in a low level of less than substantial harm to the Conservation Area and listed building setting where no public benefit is outlined to be provided to outweigh the harm, and would be contrary to 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, and Policy DH2 of the Highgate Neighbourhood Plan 2017.