

Officer Report

Application Number:	HGY/2024/0536
Application Type:	Householder planning permission
Address:	Flat A, 7 Shepherds Hill, Hornsey, London, N6 5QJ
Proposal:	Replacement of existing raised decking to the rear of the property, landscaping of the rear garden and relocation of the side access gate.
Case Officer:	Mercy Oruwari
Valid Date:	28/02/2024
Applicant:	4
Agent:	Niffenegger & Campbell D Malloy

RECOMMENDATION

Approve with Conditions

1. REPRESENTATIONS

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

2. REASONS FOR GRANTING PERMISSION

The application site contains a ground floor flat within a three storey residential property located on the south side of Shepherds Hill, N6. The site forms part of a group of Edwardian three storey, double fronted detached dwellings. The garden has been split into sections with the section closest to the property being wholly allocated to the ground floor flat. The site is located within the Highgate conservation area but does not fall within the curtilage of a listed building.

The planning history of the site has been taken into account, however, is not relevant in relation to the decision for this application.

Permission is sought for works to the rear of the ground floor flat to replace the existing deteriorating raised decking leading to the garden. The new decking would be the same height as the existing, but it would be significantly reduced in footprint, isolated to one side of the property. High quality, robust and sympathetic materials would be used to construct the replacement raised decking. A small bench would replace the area of the decking under the windows that would be removed as part of the proposal.

In addition, the works include extensive re-landscaping of the rear garden. The grass would be replaced with fine gravel, and 4 x raised plant/flower beds would be placed throughout the rear garden space. Some of the small trees and shrubs including the ones at the rear of the host flat's section of garden would be removed. However, these are ornamental specimens that do not carry significant value. The more prominent birch tree to the north-east corner would be retained. To

mitigate for the loss of the smaller trees, part of the landscape work would see 2 x new trees planted within two of the plant/flower beds.

Given that the decking would be of the same height as the existing feature and of significantly reduced footprint, the proposal would not result in any loss of privacy by neighbouring occupants over and above the existing circumstances on site.

Privacy of the enclosed garden would be reinforced with additional planting around the perimeter of the host flat's section of garden. This would be in the form of small trees around the side and rear boundaries. Lastly, as part of the alterations the side access gate would be relocated further towards the main garden of the ground floor flat rather than adjacent to the building.

It has been noted that in the rear shared garden (communal garden for the upper floor flats) there are protected TPO trees. The works taking place in this section of the garden would have no impact on these trees. In addition, there is no excavation involved in the replacement of the deck or for the landscaping works.

The proposed works are minor and would have no impact on the pattern of development in the area. The rear of the property is also not visible to any public vantage point. Overall, the local character and visual amenity of the area would not be harmed, leaving the appearance of the conservation area preserved.

The proposed development is in general accordance 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. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

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** - GRANT PERMISSION subject to 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.

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.