

Officer Report

Application Number:	HGY/2024/0879		
Application Type:	Householder planning permission		
Address:	8 Southwood Lawn Road, Hornsey, London, N6 5SF		
Proposal:	Addition of a new garden room at the back of the rear garden to be used as a gym.		
Case Officer:	Mercy Oruwari		
Valid Date:	28/03/2024		
	4		
Applicant:	Mr and Mrs Christian J. Mehl and	Lin Qi	
Agent:	Mr George Omalianakis		

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. of individual responses: 1

Objecting: 1

The following comments were raised in the representations received from The Highgate Neighbourhood Forum:

- The applicant has had several recently approved applications for a variety of works.
- There's a tree in the photographs but not on the plans.
- A Tree Report should be submitted outlining impact on the trees.
- A 10% bio-diversity net gain should be demonstrated.
- It should be energy efficient.
- There are no details of double or triple glazing, insulation methods or an indication that a 'green roof' has been considered.

2. Planning assessment

Southwood Lawn Road runs from the southern end of Highgate Avenue west before turning northeast to join Jackson's Lane just before the junction with Southwood Lane. The subject site is located close to the corner just off Highgate Avenue. This stretch of houses are characterised by mainly two-storey semi-detached properties that are semi-linked. The properties are linked by flat roofed three-storey rear extensions that sit behind joint double storey pitched roofed outriggers which also sit behind joint single storey lean-to projections.

These properties are of the early late Edwardian era with an Arts and Crafts style influence, displaying a variety of details and decorative features. No 8 is part of a pair of houses with prominent front gables, squared ground floor bays and a cantilevered oriel bay at first-floor level. The lower floors are faced soft red brick, terminating with a string course and rendered upper floors. Another feature of these properties is the porches which have attractive timber turned columns supporting the leaded roof. The site is located within Highgate conservation area.

The application history in relation to this site is noted:

- HGY/2023/2071 – Variation of condition 2 (Approved Plans) attached to planning permission ref: HGY/2023/0861 to amend the approved scheme with the installation of an external Air Source Heat Pump (ASHP) located in the rear garden, erection of a single storey outbuilding in the rear garden with new tiled area, replacement of front elevation pebbledash finish with matching white painted render, replacement of steel corner column adjacent to rear kitchen window with brick pier. Granted
- HGY/2023/0861 – - Erection of rear dormer including the insertion of 4x front rooflights, installation of new window under front pitched roof area, erection of a ground floor extension and upper floor extension. Granted
- HGY/2013/1297 – No Objection
 - o Damaged Lilac tree: - Remove the main stem as it is infected with fungus and a danger to everybody close to it as it may fall any time. The 10 year old seedling (young tree) will remain and just pruned so it does not interfere with the neighbours property.
 - o Magnolia tree - The main tree itself is pruned very well, however, the seedlings and offshoots of the main tree (around 1.5 meters in height) interfere with the public footpath. The seedling is planned to be removed.
 - o T1 Ilex spp. (Holly) - We apply for this tree to be removed as it is in the way of a planned extension and it takes all light away from the little light we have (north facing garden).
 - o T2 Malus spp. (crab apple)(tree) and T3 Cotoneaster spp. (Cotoneaster) (shrub) - We apply for these trees/shrubs to be removed as it takes all light away from the little light we have (north facing garden). In exchange for the removal of T1-T3 we plan to place a Japanese cherry blossom tree to the left of T9 and in the front garden. Pruning T4-T9 by a tree surgeon by 1 - 1.5 meters. No Objection

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.

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 plus trees.

This application is seeking consent for the erection of an outbuilding in the back garden to accommodate a gym and sauna. This follows the recent approval of application HGY/2023/2071 which was a Variation of condition 2 (Approved Plans) attached to planning permission ref: HGY/2023/0861. The inclusion of 'a single storey outbuilding in the rear garden with new tiled area' was one of the items included in the amendments.

As with the structure approved under application HGY/2023/2071, the proposed timber framed outbuilding would be built on a raised platform located at the back corner of the rear garden

adjacent to the fence on the boundary of No 10. The proposed platform would be slightly larger than the one approved but still modest enough to retain a substantial portion of the garden. The building would be accessed via a single timber/aluminium framed door. A timber/aluminium framed window would be installed in the sauna section of the building and a large rooflight would provide light into the gym area.

The garden structure will be 2.5m in width and 5m in depth along the boundary of No 10. The structure would be positioned to the back of the garden with a tapered triangular section housing the sauna. The building will be pulled in from the shared boundary by 0.3. Including the platform the building would be 2.8m high.

While the footprint of the outbuilding is larger, viewed within the context of the size of the garden and the fact that such a structure can be built under 'permitted development' the size of the structure is considered to be acceptable.

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. There are a number of outbuildings found in the rear gardens of properties in the immediate area.

Given that the ground level of No 8 is lower than No 10, the height, siting and scale of the outbuilding would not have an impact on light. Also, the timber cladding and flat roof further assist in assimilating the building into its context. As such the structure will not appear overbearing or harmful to outlook.

The floor plan shows its use as a gym and sauna would be incidental in nature. In order to retain control over the nature of the use a condition is accordingly being imposed to ensure the use of structure is limited to one incidental to the residential use of the house.

As shown in the drawings there are trees adjacent/close to the proposed garden building. These are not protected by a TPO. Also, there are no indications of any digging/excavation works for the creation of the platform or the erection of the shed/outbuilding and therefore there'll be no impact on such trees. In case of any change to the proposed platform and/or shed to include digging or excavations, an informative is added to ensure that such detail is assessed by the Local Planning Authority. For this scale of works a Tree Report would not be required.

In relation to the concerns regarding the potential impact of the platform and outbuilding on biodiversity, the structure here does not consume a large space in relation to the size of the garden with equally such works possible without the need for planning permission, under 'permitted development' i.e. Class E – buildings etc incidental to the enjoyment of a dwellinghouse'. As such there would be no grounds to refuse consent on such a ground, with equally garden outbuildings being a feature commonly found in neighbouring gardens. In addition, the request for the demonstration of a 10% biodiversity net gain is not required for Householder applications.

Overall, the proposed development is in accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 of Haringey's Local Plan Strategic Policies 2017.

The proposal would comply with Policy DM9 of the Development Management, Development Plan 2017 as the structure will be discrete in nature and size, as well as hidden from public viewpoints

as such 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 outbuilding hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the residential dwelling 8 Southwood Lawn Road 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 other protective measures outlines in the approved drawings.

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.

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.

INFORMATIVE: Works to Trees(s) within a Conservation Area

It is brought to your attention that trees located within a conservation area which have a stem diameter of 75mm or greater, measured at 1.5m, are afforded protection. Works to such trees require that the Local Planning Authority be given 6 weeks written notice unless an exception applies. Such notification should be made electronically via the Planning Portal www.planningportal.co.uk

where there is guidance on completing the form and what supporting evidence may be required or if this is not possible via email to planningsupport@haringey.gov.uk.

INFORMATIVE: Outbuildings/ Garden Rooms

This certificate applies only to the extent of the operations outlined in the description of development and shown in the accompanying drawings. In specific it is brought to your attention that the outbuilding hereby approved is for purposes incidental to the use of the main dwelling house in its use as a single-family dwelling. Any operation/use which is materially different would give rise to a material change of use which may result in a breach of planning control which is liable to enforcement action by the local planning authority.

INFORMATIVE: Outbuildings and Building Regulations

Your attention is drawn to the need to comply with the relevant provisions of Building Regulations which can apply in relation to certain outbuildings in terms of size, use and proximity to a boundary. Please refer to the following for further advice.

https://www.planningportal.co.uk/info/200130/common_projects/43/outbuildings/

<https://www.haringey.gov.uk/planning-and-building-control/building-control>