

Application Number:	HGY/2025/3538
Application Type:	Householder planning permission
Address:	64 Sheldon Avenue, Hornsey, London, N6 4ND
Proposal:	Erection of Single Storey Rear Outbuilding
Case Officer:	Nathan Keyte
Valid Date:	19/12/202
	5
Applicant:	Naama Fischman
Agent:	George Vasdekys

RECOMMENDATION

Refuse

1. Proposed development

This is an application for the erection of a outbuilding in the rear garden. The building will be used as garden office, art studio and storage.

A green roof is proposed, with the exterior wall cladding being of cedar, with cement render to the rear.

Side glazing is proposed on the south east elevation.

Three U grade trees will be removed and one c grade tree will require pruning.

2. Site and Surroundings

The application site is located on the eastern side of Sheldon Avenue, within the Bishops Sub-Area of the Highgate Conservation Area.

The application site previously comprised of a large two-storey detached dwelling. Permission was granted to replace the dwelling with a new two storey dwelling house with extensive basement and landscaping works. Various variations and non material changes have been made to the development since its original approval, as outlined in the planning history below.

The new building with its various basement levels, has a footprint of approximately 360 sqm, with the footprint of the dwelling above ground being approximately 170 sqm. The site has an area of approximately 850 sqm.

3. Relevant Planning and Enforcement history

The following is the relevant recent planning history of the site:

HGY/2015/2184

Proposal: Redevelopment to replace the existing house (Use Class C3) with a new single dwelling house (Use Class C3)

Decision Date: 22 September 2015

Decision: Approve with Conditions

HGY/2016/0090

Approval of details pursuant to Condition 4 (landscaping) attached to planning permission HGY/2015/2184

Decision Date: 8 March 2016

Decision: Discharge

HGY/2016/0091

Approval of details pursuant to Condition 5 (trees to be retained) attached to planning permission HGY/2015/2184

Decision Date: 8 March 2016

Decision: Discharge

HGY/2016/0386

Proposal: Non-material amendment following a grant of planning permission HGY/2015/2184 to alter fenestration, relocate courtyard and recess the first floor master bedroom balcony

Decision Date: 3 March 2016

Decision: Approve with Conditions

HGY/2021/0722

Proposal: Variation of condition 2 (approved plans) attached to planning permission HGY/2015/2184 involving alterations to front and rear façades, relocation of courtyard and swimming pool, front lightwells and internal alterations.,

Decision Date: 7 May 2021

Decision: Approve with Conditions

HGY/2024/0792

Proposal: Non-material amendment to planning permission HGY/2021/0722 [Variation of condition 2 (approved plans) attached to planning permission HGY/2015/2184 involving alterations to front and rear façades, relocation of courtyard and swimming pool, front lightwells and internal alterations] for changes to internal layout.

Decision Date: 15 April 2024

Decision: Approve

HGY/2024/2152

Proposal: Alterations to Fenestration, formation of new rear dormer and increasing size of existing dormers; insertion of four new conservation style rooflights; demolition of existing chimney and construction of new chimney; construction of front boundary wall with railings and sliding gates and changes to photovoltaic panels.

Decision Date: 14 November 2024

Decision: Approve with Conditions

HGY/2024/3377

Proposal: Applying render over existing facing brickwork

Decision: Allowed at Appeal

HGY/2026/0018

Proposal: Non-Material Amendment to HGY/2024/2152 to change a rear window and alteration to front railings and gates by introduction of additional gate for pedestrian access

Decision Date: 29 January 2026

Decision: Approve

4. Consultation

Highgate CAAC: Objects. Objects to additional loss of trees and development, considering the extent of development already having occurred on the site. Concerns raised regarding flooding. Height of building will impair view from allotments to the rear.

The Highgate Society: No comment received.

The Highgate Neighbourhood Forum: No comment received.

LBH Conservation Officer: Notes inconsistency in plans with the submitted tree protection plan, and notes the soft landscaping required under previous permissions which the proposal will alter, with replacement planting being a significant factor in the decision on the original replacement dwelling application. Scale of proposed outbuilding would represent overdevelopment of the site.

LBH Arborist: No objection subject to conditions requiring additional details of foundation design.

5. Local representations

The application has been publicised by way of 1 site notice displayed in the vicinity of the site, letters and public notices. No representations from members of the general public were received.

6. Material planning considerations

The main planning considerations raised by the proposed development are:

1. Design and heritage
2. Amenity
3. Trees and landscaping
4. Flooding

Design and heritage

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.

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.

The proposed outbuilding will have a width of 13.4m, depth of 4.5m, and a height of 2.7m. The building will have a floor area of 60.3 sqm. Existing development allowed under planning permission on the site includes the new building with its various basement levels, which have a

cumulative footprint of approximately 360 sqm, with the footprint of the dwelling above ground being approximately 170 sqm. The site has an area of approximately 850 sqm.

The scale of the proposed outbuilding in combination with the previously approved development on the site would represent an overdevelopment of the site and it is unclear why some of the uses proposed for the outbuilding could not be accommodated within the very generous interior of the main building. The proposed building along almost the entirety of the rear boundary and the reduction in the extent of soft landscaping including the proposed and retained trees on the site would be considered to cause less than substantial harm to the significance of the Highgate Conservation Area. The importance of the loss of landscaping particular to this site is elaborated upon further in the 'trees and landscaping' section of the officers report.

Considering the points above, the proposal may be a subordinate development to the host dwelling and the character and visual amenity of the conservation area will be protected. However, the proposal is considered overdevelopment due to its size, amount of garden reduction and loss of soft landscaping.

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 in accordance with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Paragraph 212 of the National Planning Policy Framework (2024) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. It is unclear what the public benefits, rather than private benefits would be in this case, and none have been put forward that would outweigh the harm to the heritage asset.

Impact on neighbouring amenity

London Plan Policy D4 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 outbuilding is located at the rear of the site away from neighbouring dwellings, and set off the side boundaries by approximately 1.0m. The scale and siting of the outbuilding would not result in a material loss of sunlight or daylight, or have an overbearing appearance to the neighbouring properties. While the degree of glazing proposed is high, and the topography of the site raises the garden building relative to the adjoining dwellings, considering the depth of the garden, in addition to existing fencing, this will reduce overlooking. There will be no material loss of privacy to neighbouring properties.

Considering the points above, the proposal is acceptable in neighbour amenity terms.

Trees and landscaping

London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

DPD Policy DM1 requires proposals demonstrate how landscaping and planting are integrated into a development as a whole, responding to trees on and close to the site.

The application site and surrounding properties are typified by large gardens to the rear, as noted important to the verdant character of the area. The introduction of such a large building in terms of footprint would remove a large area of garden suitable for soft landscaping, with no mitigation proposed.

The following was noted within the 2015 planning permission for the new dwelling:

The previous application was refused as the proposed development would result in the unacceptable loss of trees on the site which would be detrimental to the visual amenity of the area contrary to the provisions of Saved Policy OS 17 of the Haringey Unitary Development Plan 2006 and Policy 7.21 of the London Plan 2011.

The scheme has been revised to increase the number of trees retained on the site, and the basement has been reduced in length to allow more trees to be retained and planted. It is considered that this, along with a landscaping plan that will be conditioned, overcomes the previous reason for refusal

A condition was placed on the decision requiring further landscape detailing, which was discharged under HGY/2016/0090. The proposed development would remove the landscaped edge from the rear boundary, trees that were to be retained, as well as a number of trees required to be planted. It is further noted that the proposed plans do not match the tree protection plan, both submitted under this application.

As such, Officers deem that the proposal would not comply with London Plan Policy G7, nor DPD Policy DM1 as the proposal would constitute a significant reduction in space for soft landscaping, a feature typical to the application site and surrounding area.

Flood

The site is not located within a critical drainage area however is subject to a Flood Zone 3 overlay. The proposed building is located outside of the Flood overlay, and where the building integrates a green roof. Noting these points and the nature and scale of the proposed development, the development is acceptable with regard to impacts of flooding.

Conclusion

In summary the proposed development by reason of its size, siting, depth and associated loss of space for soft landscaping and amount to an overdevelopment of this site, as well as being harmful to the conservation area, , contrary to the policies outlined above.

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

7. BNG

The development relates to development incidental to the enjoyment of the household within the curtilage of the existing household.

8. CIL

N/A

9. Recommendation

It is therefore recommended that this application be REFUSED for the following reason:

Refusal Reasons:

The proposed development by reason of its size, siting, depth and associated loss of space for soft landscaping and amount to an overdevelopment of this site, as well as being harmful to the conservation area, contrary to policies DM1, DM9 and DM12 of the Development Management, DPD (2017) policies SP11 and SP12 of Haringey's Local Plan Strategic Policies 2017 and Policies G7 and HC1 of the London Plan (2021).