

Officer Report

Application Number:	HGY/2024/2032
Application Type:	Householder planning permission
Address:	1A Cholmeley Park, Hornsey, London, N6 5ET
Proposal:	Removal of 4 x trees (previously approved for removal under CON/2021/0507) to allow erection of single storey front storage extension, erection of single storey extension to existing rear extension.
Case Officer:	Roland Sheldon
Valid Date:	22/07/2024
Applicant:	4 MR V DIAS
Agent:	Mr Ashley Newman

RECOMMENDATION

Approve with Conditions

1. Site and Surroundings

The subject site contains a single storey building located on the eastern side of Cholmeley Park. The surrounding uses are residential. The site does not contain a listed building but is located within the Highgate Conservation Area. There are a number of locally listed buildings within the locality however, including nos. 223 and 221 Archway immediately adjacent to the site. The property has historically been converted into use as a 2-bedroom unit without planning permission. The use as such was formalised when planning permission was granted following appeal under planning reference HGY/2007/0973 for retention including modifications / partial reduction of an existing single storey building (erected without permission and subject to an enforcement notice - issued 28th June 2004) to accommodate a two-bedroom living unit.

2. The Proposal

Removal of 4 x trees (previously approved for removal under CON/2021/0507) to allow erection of single storey front storage extension, erection of single storey extension to existing rear extension.

3. Relevant Planning and Enforcement history

The planning history in relation to the site is as follows.

1a Cholmeley Park, N6

HGY/2007/0973: Retention including modifications / partial reduction of an existing single storey building (erected without permission and subject to an enforcement notice -issued 28th June 2004) to accommodate a two-bedroom living unit – granted

HGY/2012/1646: Erection of partial first floor extension to provide two bedrooms and childrens play area (householder application) – refused and dismissed on appeal

HGY/2014/1539: Extension of main bedroom into patio, relocation of main entrance and refuse enclosure with new fence boundary treatment (householder application) - granted

HGY/2017/1802: Removal of existing wooden façade of part of the frontage of the dwelling and replacement with anodized aluminium material. Installation of additional glazing into front door entrance and replacement of existing window frames with aluminium framed units – Approved 25/07/2017

HGY/2017/1927: Non-material amendment to amend the position of a front window and front entrance door to planning permission HGY/2014/1539 – Approved 28/07/2017

CON/2021/0507: T1,T2,T3 and T4 - Leylandii trees (11m)- Cut to ground level – No objection 09/10/2021

PRE/2024/0051: Proposed first floor extension, erection of single storey ground floor front and rear additions to dwellinghouse.

4. CONSULTATION RESPONSE

a. The following were consulted on the planning application:

Internal

- LBH Conservation: No comments received.
- LBC Arboriculture: No objections to the removal of the four low grade Leylandi conifers. Query as to whether there is any intended landscaping or planting.

External

- Highgate CAAC: The site is overdeveloped. Would the increased size of the kitchen not result in excessive loss of garden space? The loss of the trees is unacceptable. Lack of clarity with regards to elements of the finish of the extension. There is a lack of scope to plant replacement trees in such a position.
- Highgate Neighbourhood Forum: The trees make a contribution to the street scene. Their removal will reduce the verdant separation between the site and 1 Cholmeley Park. There should be replacement planting.

LOCAL REPRESENTATIONS

The application has been publicised by way of a site notice displayed in the vicinity of the site, a notice placed in the local press, and letters sent to neighbouring occupants. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

Objecting: 1
Supporting: 0
Neither: 0

The following comments were received that are material to the determination of this planning application:

- Loss of privacy
- Loss of light/overshadowing
- Visually overbearing impact on occupants of no. 223 Archway Road
- Uncharacteristic design

5 MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and heritage.
2. Impact on neighbouring amenity
3. Trees/landscaping

Design & Heritage

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.

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. 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. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

The proposal seeks to erect 2 modest single storey extensions to the front and rear of the property. The proposal would also involve excavation of the current front storage area by 1 metre and a slight increase in height of the existing storage structure by 0.85 metres, in order to facilitate the creation of a low-ceiling first floor element. In scale however, this structure would still have the appearance of a single storey element when viewed from the street however.

The front extension would infill the small gap between the existing storage area and the back edge of the pavement and would be externally clad in grey metal on its flank elevation (not visible from the street) and cedar wood cladding on its front elevation.

The existing single storey rear kitchen projection would be extended in depth by a further 1.5 metres.

The proposed extensions are modest in scale and would not detract from the character and appearance of the host building or the wider locality. The proposed extensions and alterations would preserve the character and appearance of the Highgate Conservation Area, and are acceptable with regards to design and heritage considerations.

Impact on neighbouring 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.

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 the amenity of neighbouring residents.

The proposed increased depth of the single storey rear extension would project 1.5 metres depth at the same height as the existing extension. The extension would not run along the shared boundary, being marginally set-in from the splay of the boundary and would have minimal to no impact on the outlook/light conditions of neighbouring occupants within no. 1 Cholmeley Park. There are no flank windows facing the boundary with this neighbouring property.

The alterations to marginally increase the height of the existing storage structure and the proposed front extension would be located on the boundary shared with the rear garden of neighbouring of no. 223 Archway Road. The slight increase in height of the structure currently used for storage would marginally increase its visual prominence when viewed from the rear garden and windows of no. 223 Archway Road, but would not result in a visually overbearing impact, or unacceptable loss of outlook or light on the occupants of this neighbouring property. There are no side or rear facing windows that would result in any erosion of current privacy levels for this neighbouring property. As such, taking the above into consideration, the proposal is acceptable with regards to amenity impact considerations.

Trees/landscaping

London Plan policy G7 sets out that wherever possible, existing trees of value should be retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed. This principle is echoed in Local Plan policy SP13 and DM policy DM1.

The proposal seeks to remove 4 x Leylandi trees within the frontage of the site. The trees are identified by the tree officer as self-planted low-grade specimens. A previous grant of permission has been given for their removal under application CON/2021/0507. The report for this application by the tree officer mentioned that tree 3 was dead and trees 1, 2 and 4 were of average condition and normal vigour. They were identified as mutually crown suppressed with limited aerial space to develop into quality specimens.

It is acknowledged that they play a screening and landscape role in adding some verdant quality to this part of the street. However, they are low-grade specimens. The adjacent 3 Sycamores within 223 Archway Road are now subject to a tree preservation order and provide the main verdant separation between Archway Road and Cholmely Park. As such, the loss of the 4 Leylandi trees is acceptable from a landscape perspective.

The applicant has confirmed on revised plans that 5 replacement trees will be planted within the rear garden of the site by way of compensation for the loss of the 4 Leylandi trees.

A landscaping condition shall be imposed on the development that requires these trees to be planted within the first planting season following completion of the development. Subject to implementing these approved details, the proposal would be acceptable with regards to trees and landscaping considerations.

Conclusion

The proposed extensions, alterations and loss of trees would on balance preserve the character and appearance of the Highgate Conservation Area and would be acceptable in design terms. The proposal would not have an unacceptable impact on neighbouring amenity.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

6. CIL APPLICABLE

The additional floorspace is less than 100 square metres and as such is not liable for CIL.

7. RECOMMENDATION

GRANT PERMISSION subject to conditions

Subject to 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 external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building unless otherwise shown on the approved drawings.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 7 The 4 trees as shown on approved drawing number 2315/20 (received 20.09.24) shall shall be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the completion of development. Any trees or plants, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be retained thereafter.

Reason: In order for the Local Planning Authority to ensure a satisfactory setting for the proposed development in the interests of the visual amenity of the area consistent with Policy G7 of the London Local Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

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: 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: 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.