



Officer Report

Application Number:	HGY/2024/1815
Application Type:	Householder planning permission
Address:	36 Cholmeley Park, Hornsey, London, N6 5ER
Proposal:	Re-conversion from 2 self contained flats to a single residential dwelling previously approved under HGY/2023/2975 and associated works; demolition of existing single storey rear extension and replacement with new single storey rear extension; alterations to external finishes, fenestration and internal layout; new lantern rooflight and solar panels to roof; and external air source heat pump and air conditioning units in rear garden.
Case Officer:	Zara Seelig
Valid Date:	28/06/2024
Applicant:	C/O Agent
Agent:	Mr Jolyon Mitchell

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This application is for the demolition of existing single storey rear extension and replacement with new single storey rear extension, alterations to external finishes, fenestration and internal layout, new lantern, solar panels and external ac units. The plans also show the conversion back to single dwelling and associated works, which have now been referenced in an updated description of development.

Site and Surroundings

The subject site is a two storey semi detached building originally built as a single family dwelling, then used as 2 self contained flats and has recently received permission to convert back to a single family dwelling, situated on the Western side of Cholmeley Park. The property is located within the Highgate conservation area, the site is not a listed building.

Relevant Planning and Enforcement history

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

HGY/2011/0545 – Erection of single storey detached timber garden building. – Approved (with conditions)

HGY/2021/0140 - Convert property from two flats back into a use as a single dwelling with reinstatement of the original entrance arrangement, entailing the demolition of the section of the ground floor facade fronting the entrance hall comprising two entrance doors and the construction of a new entrance facade comprising a single entrance door with adjacent window to match the adjacent property. – Approved (with conditions)

HGY/2023/2975 - Amalgamation of two flats into a single dwelling. Reinstatement of the original entrance arrangement. – Approved (with conditions)

HGY/2023/2976 - Removal of a length of existing timber fence and timber gate and the planting of new boundary hedging. Re-contouring the front garden to introduce an off-street parking bay. Laying of new permeable hard-landscaped pathway. Introduction of a 2.4m wide light duty domestic crossover on the adjacent pavement. – Approved (with conditions)

CONSULTATION RESPONSE

The responses below were received following consultation on the application:

Internal:

- 1) LBH Conservation Team: Consulted, no response received.

External:

- 1) Highgate Neighbourhood Forum: Consulted, no response received.
- 2) The Highgate Society: Consulted, no response received.
- 3) Highgate Conservation Area Advisory Committee: Consulted and responded as follows:

“Highgate Conservation Area Advisory Committee objects to this application.

The air conditioning units mounted at high level on the flank wall of the property would be unsightly and would cause harm to the CA. The suggestion is that they would be hidden by the soil/RWPs which simply would not be the case. We ask Haringey to establish whether the solar array would provide enough electricity to balance the demand for the a/c. What fluid would be used? ASHPs would be much preferable to a/c and, at low level, would not be detrimental to the appearance of the Conservation Area.

HCAAC welcomes all the other proposals included in this application.”

LOCAL REPRESENTATIONS

The application has been publicised by way of a site notice displayed in the vicinity of the site and 9 neighbour notification letters. 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: 0

Objecting: 0

Supporting: 0

Commenting: 0

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

Design & character

- The proposed air con units mounted at a high level would be unsightly and adversely impact the CA

Other

- Would the solar array provide enough electricity to balance the demand for the a/c unit and what fluid would be used?
- ASHP's would be preferred to a/c units and at a lower level

The following comments in support of the application are noted:

- None

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Conversion back to single dwelling
2. Design and Impact on the character and appearance of the conservation area; and
3. Impact on Neighbouring Amenity

Conversion back to single dwelling

The proposed drawings show the approved development for the reversion back to a single dwelling and associated amendments to the front windows and doors. These works were not included in the description of development but have been added for clarity. The works were approved under 2023/2975 and remain acceptable.

Design and Impact on the character and appearance of the conservation area

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.

The proposed single storey rear extension is of a simple design, it would not be viewable from the street scene and would replace an existing rear extension of a similar size.

The location of the proposed air source heat pump unit and air conditioning unit was revised from being on the flank wall of the dwelling, to being located in the rear garden. They would result in a minimal addition to the garden area and would not be visible from the street scene.

The proposal is therefore considered acceptable in terms of design and impact on the character of the conservation area.

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. 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 single storey rear extension would replace an existing single storey rear extension of a similar size. The proposed rear extension would also be of a similar size to an existing rear extension at

attached neighbouring property no. 38 in terms of depth and height. There would be no impact on neighbouring amenity by way of overbearingness, loss of daylight/sunlight or loss of privacy as a result of this proposal.

The siting of the ASHP and AC unit have been amended from the side elevation initially proposed and would be adjacent to the shared boundary. The specification of both the air con unit and the ASHP were requested and submitted and the noise levels are to be conditioned to be limited to an acceptable level.

The first floor side window arrangement is proposed to be amended but a condition will require this side window be obscure glazed and fixed shut below a height of 1.7m above internal floor level. Likewise for the proposed second floor side window.

Conclusion

The proposal is considered acceptable and complies with relevant planning policy.

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

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

GRANT PERMISSION subject to the following condition(s):

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 design and installation of Air Source Heat Pump and Air Conditioning Unit hereby approved shall be such that, when in operation, the cumulative noise level arising from the proposed plant, measured or predicted at 1m from the facade of nearest residential

premises shall be not exceed the proposed level of 45dB. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997. Upon request by the local planning authority a noise report shall be produced by a competent person and shall be submitted to and approved by the local planning authority to demonstrate compliance with the above criteria.

Reason: The level of noise from the air source heat pump is, so far as practicable kept to a minimum so as to minimize its effect on the amenity of the surrounding properties and general area. In order to protect the amenities of nearby residential occupiers consistent with Policy D14 of the London Plan 2021 and Policies DM1 and DM23 of The Development Management DPD 2017.

- 4 No part of any structure hereby granted shall be used as a roof terrace or balcony.
Reason: In order to restrict the use of the premises to one compatible with the surrounding area because other uses within the same Use Class or another Use Class are not

- 5 Prior to the completion of the development hereby approved, the first floor and second floor side windows shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening and fixed shut. The window shall be permanently retained and maintained thereafter.

Reason: To avoid overlooking into the adjoining properties and to comply with 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: 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.