



Officer Report

Application Number:	HGY/2024/2106
Application Type:	Householder planning permission
Address:	85 Fortis Green, Hornsey, London, N2 9HU
Proposal:	Planning application for alterations to the building including a new sandstone finish to the front entrance steps, alterations to the rear window in the existing garage extension to form a new door opening, and the widening of the existing opening between the property's dining area and kitchen (part retrospective application).
Case Officer:	Neil McClellan
Valid Date:	29/07/2024
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Applicant:	Mr Rhodri Gilbert
Agent:	Mr Gordon Abbott

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposal

Planning application for alterations to the building including a new stone finish to the front entrance steps, alterations to the rear window in the existing garage extension to form a new door opening, and the widening of the existing opening between the property's dining area and kitchen (part retrospective application). **Description amended to remove reference to a new sandstone finish to front entrance steps.**

Site Description

85 Fortis Lane is a Grade II listed semi-detached house, one half of a pair including No. 83 (The Laurels) and part of larger group of mid-19th century semi-detached houses comprising Nos. 83 to 97 Fortis Green.

The building has 2 storeys with a basement and is constructed in yellow stock brick with a low pitched, hipped slate roof with a deep eaves soffit on all sides. The ground floor windows in the central block have attractive interlaced glazing bars set under rounded arches. The door is a half glazed 4-panel door flanked by fluted pilasters with a flat entablature above.

No. 85 has a set back side wing that was added later, but before 1894. It is unclear when this was in use as a garage by, though a driveway is visible in a 1947 photograph. The garage was converted in 1997, and several openings to the rear were altered at this time. There is a small

green plaque located on the front elevation commemorating Courtney Patmore a 19th century English poet and literary critic and former resident of the property.

The property is within the Fortis Green Conservation Area.

Planning History & Enforcement History

HGY/2024/2057 - Application for Listed Building Consent for alterations to building including a new stone finish to the front entrance steps, alterations to the rear window in the existing garage extension to form a new door opening, and the widening of the existing opening between the property's dining area and kitchen (retrospective application). Decision pending.

ENF/2024/0508 - Enforcement investigation into the carrying out of unauthorised works to a listed building. The current applications for planning permission and listed building consent have been submitted in order to address this enforcement action. Case is still ongoing, awaiting the outcome of the current applications.

CON/2007/0067 - Application for tree work in a conservation area, for the removal of a horse chestnut from the front garden. No objections raised.

CON/2006/0408 - Application for tree work in a conservation area, for the 30% reduction of horse chestnut crown and the removal of dead, diseased and broken branches. No objections raised.

REPRESENTATIONS

Neighbour

The application was publicised by a site notice displayed near the school's main entrance, by a press notice and by letters sent to adjoining occupiers.

No responses have been received following this publicity.

Internal

LBH Conservation - acceptable subject to the following conditions:

1. Further details of structural alterations.
2. Further details of stone steps.
3. Further details of doors.
4. Re-use of existing service runs.
5. External and internal finishes to match existing.
6. Scribing of partitions, fixtures and fittings.
7. Retention of historic fabric.

CONSIDERATIONS

Background

The applicants moved into 85 Fortis Green in 2017, prior to that it would appear that the basement was being used as a separate dwelling with its own council tax, electricity and water bills. However, the current owners bought the property as one complete dwelling (it was marketed as one property - 85 Fortis Green) and have used it since as one dwelling. They had no intention of using the basement as a separate flat.

The whole property has always been served by one boiler. When they moved in there was a separate electricity meter for the basement, but the property is now served by one metre and is billed as such.

Following a DTO enquiry, Haringey's Enforcement Team visited the site over concerns over the lawfulness of the use of the property, either as two flats or one house. Following the visit Enforcement were satisfied that the property had been in use as a single dwelling for a period in excess of four years and was therefore immune from enforcement and that was now its lawful use. However, during the site visit it became apparent that some works had been carried out without consent, prompting the current application.

Material Planning Considerations

The main planning consideration raised by the proposal is its impact of the proposed development on the character and appearance of the Listed building & conservation area.

As noted above the subject property is a Grade II listed building and as such, there is a legal requirement for its protection. The primary legislation relating to the conservation of historic environment is the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compensation Act 1991 and the Planning and Compulsory Purchase Act 2004.

The 1990 (LBCA) Act requires local planning authorities to "have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest" (Sections 16 (2) and 66(1)), and to pay "special attention to the desirability of preserving or enhancing the character and appearance of conservation areas" (Section 72).

The National Planning Policy Framework (2024) requires local planning authorities in determining applications affecting a heritage asset to take account of the desirability of sustaining and enhancing the significance of that heritage asset.

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.

Development Management 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.

With regard to Listed and Locally Listed Buildings, Policy DM9 states that the Council will seek opportunities to secure the future of listed buildings provided they do not lead to substantial harm or total loss of their significance; retain and repair existing features and fabric, or, if missing, replace them in a sympathetic manner; do not harm the structural integrity or stability of the building or that of adjoining buildings or structures; and, extensions are restricted to less significant parts of the building, relate sensitively to the original building and do not adversely affect the internal or external appearance or character of the listed building, curtilage or its setting.

There is no adopted appraisal for the Fortis Green Conservation Area, however the larger group of listed buildings which this site forms a part of are considered by Haringey's Conservation Team to be one of its important elements. Historic England's official list entry for the site recognises it as forming part of a group comprising Nos. 83 to 97 (odd) Fortis Green.

Fortis Green illustrates the contrast between an earlier and more densely built-up eastern end with small cottages and terraced houses leading towards Muswell Hill, and the more open character further west towards East Finchley that reflects the original setting of large houses in spacious grounds. Although most of the smaller cottages have been lost or radically altered and enlarged, this evolving character can still be traced in the surviving buildings. No. 85 is one of the early-to-mid 19th century villas that form the most complete frontage, with the open aspect of the road maintained by the set-back of the buildings on the north side allowing mature trees to dominate the street scene and is considered to positively contribute to the significance of the Conservation Area.

The proposed works are located chiefly in the C19 side wing, which was subject to considerable works in 1997. As seen on site, some works in this room have been carried out which have consisted of the removal of the cementitious render and plaster, the floor, services and kitchen fittings. The exposure of the brickwork in the kitchen has exposed a couple of former openings. Immediately adjacent to the existing archway into the dining room is a former opening. The proposal has now been amended to retain the original brick wall from tile level and below which is welcomed. There is a note for the need for a structural intervention to allow an enlarged opening and along with the other structural repairs mentioned in the design and access statement this can be ensured by condition. It will likely be best to do this once the rest of the plaster/render has been removed from above the opening so the nature and condition of the brickwork can be assessed. The dining room contains a lathe and plaster ceiling with timber beading which should be retained and protected during the works. The cupboard in the dining room is modern and there is no objection to its replacement. This and the other fitted furniture within the dining room should be built to be scribed around the existing skirting and panelling, which can be ensured through condition.

The kitchen fixtures & services are modern and post-date the 1997 conversion. The replacement of these is acceptable in principle. The proposed plans include some alterations to the drainage services, into existing systems which would have a neutral impact. Given the modern services and plasterboard ceiling in the kitchen, provided the proposed servicing reuses the existing runs then this would have a neutral impact. There is an annotation for new services in the dining room, but it is unclear what this would entail, the suggested condition for service runs would ensure these do not impact on the lathe and plaster and other features in this room.

The proposed patio door is located where the rear wall has been previously altered by the 1997 alterations, when the sash window seen on site replaced a previous window and door. This area of the wall has previously been disturbed and altered most of the fabric which would be affected by this proposal would include modern infill. The appearance of the proposed doors would be similar to the existing doors and would generally fit in with the proportions of the existing openings. A condition to ensure the details of the proposed doors is recommended.

Other external alterations include works proposed to the principal entrance and the side and rear ground levels. There is no in principle objection to the replacement stone steps, the existing are modern replacements, however the submitted specification is very yellow in nature when the 1999 photo shows quite a grey stone— it is recommended that this specification is amended to better reflect the original stonework. A condition is recommended to ensure a more suitable stone is used.

The regrading of the external floor levels around the kitchen is welcomed. There was discussion on site that the ground levels have been raised at some point and this is causing water ingress and damp within the building. The lowering of the levels externally will help reduce water ingress and reduce damp internally and should contribute to the longevity of the building.

Overall, subject to the removal of the stone specification and the other conditions suggested by the LBH Conservation, the proposed works would have a neutral impact on the significance of the listed building, and the Fortis Green Conservation Area.

Conclusion

In line with the above policies, the proposal is considered to preserve the special significance of the listed building and the character and appearance of the conservation area.

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

The increase in internal floor area would not exceed 100 sqm. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

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.

- 3 No works for demolition to the internal wall opening between the kitchen and dining room or for the insertion of the patio doors, and no works for structural alterations or interventions shall be carried out on the site until details of the proposed structural interventions and repair works, including drawings which demonstrate the location extent and type of intervention proposed have been submitted to and agreed in writing by the Local Planning Authority, and the work shall then be carried out in accordance with those details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in accordance with Haringey Local Plan

2017 policy DM9, Policy HC1 of the London Plan 2021 and the provisions of the National Planning Policy Framework.

- 4 Notwithstanding the details contained within the approved plans no works to the stone steps to the principle entrance of the building shall be carried out on the site until specification details of the stone to be used for the new steps has been submitted to and agreed in writing by the Local Planning Authority, and the work shall then be carried out in accordance with those details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in accordance with Haringey Local Plan 2017 policy DM9, Policy HC1 of the London Plan 2021 and the provisions of the National Planning Policy Framework.

- 5 No works for the alteration, removal or insertion of windows and doors shall be carried out on the site until details of the proposed door including details of materials and finish and details at a scale of 1:10 or 1:20 of the proposed including the cills, reveals, jambs, lintels and glazing bars, have been submitted to and agreed in writing by the Local Planning Authority, and the work shall then be carried out in accordance with those details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in accordance with Haringey Local Plan 2017 policy DM9, Policy HC1 of the London Plan 2021 and the provisions of the National Planning Policy Framework.

- 6 Except for surface mounted services within the proposed kitchen, all new servicing shall reuse existing service runs except where specified on the plans hereby approved unless details of the proposed services and service runs have first been submitted to and agreed in writing by the Local Planning Authority, and the work shall then be carried out in accordance with those details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in accordance with Haringey Local Plan 2017 policy DM9, Policy HC1 of the London Plan 2021 and the provisions of the National Planning Policy Framework.

- 7 All new external and internal finishes and works of making good shall match the existing original work adjacent in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved or as required by any condition(s) attached to this consent to the written satisfaction of the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in accordance with Haringey Local Plan 2017 policy DM9, Policy HC1 of the London Plan 2021 and the provisions of the National Planning Policy Framework.

- 8 All new partitions, fixtures and fitted furniture shall be scribed around existing timber panelling, skirting, cornices, beading and dado rails.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in accordance with Haringey Local Plan 2017 policy DM9, Policy HC1 of the London Plan 2021 and the provisions of the National Planning Policy Framework.

- 9 Notwithstanding the consent hereby granted, none of the lime plaster/lath and plaster finishes, fireplaces or historic floorboards shall be cut, removed or otherwise altered without prior written consent of the Local Planning Authority except where specified the approved drawings or as required by any condition(s) attached to this consent.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in accordance with Haringey Local Plan 2017 policy DM9, Policy HC1 of the London Plan 2021 and the provisions of the National Planning Policy Framework.

Informatives:

INFORMATIVE: External Door

This consent does not extend to the replacement of the external door into the C19 rear service wing.

INFORMATIVE: Lime Plaster

A non-hydraulic lime plaster is recommended for the internal walls to the kitchen. Given the existing dampness in the wall the applicant is advised to avoid adding insulation internally whilst the cementitious render is still on the exterior.

INFORMATIVE: Drawing Scales

It is recommended that the structural alteration details include structural plans at a scale of 1:100 and elevations at a scale of 1:25.

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.