



Officer Report

Application Number: HGY/2024/2898
Application Type: Householder planning permission
Address: 4 Tile Kiln Studios, 1 Winchester Road, Hornsey, London, N6 5XH
Proposal: Demolition of timber decking, external steps and existing shed at the rear; and erection of new single-storey garden room with green roof & rooflight, and replacement decking and external steps at rear patio.
Case Officer: Josh Parker
Valid Date: 22/10/2024
Applicant: B. Aygören and S. Gokcek
Agent: Kiat Phua

RECOMMENDATION

Approve with Conditions

SITE AND SURROUNDING

The application site is located on Tile Kiln Lane, a narrow pedestrian passageway linking Winchester Road to the north through to Hornsey Lane to the south. The site is within Highgate Conservation Area (CA). Development along Tile Kiln Lane is on the eastern side only, with a variety of mainly modern developments. The absolute rear backs onto Archway Road and as a result the site shares the rear boundary with Transport for London (TFL).

The application building itself forms part of a small row of mews properties along the northern end of Tile Kiln Lane where this meets Winchester Road. The mews houses differ in terms of fenestration detailing and ridge heights / eaves levels but all share common features and detailing. The set of houses has a stepped appearance following the slope of the lane. The Highgate Character Appraisal mentions the Mews houses briefly, stating that these were built in 1978.

PROPOSED DEVELOPMENT

The applicant is proposing the following works to the dwelling:
Demolition of timber decking, external steps and existing shed at the rear; and erection of new single-storey garden room with green roof & rooflight, and replacement decking and external steps at rear patio.

SITE HISTORY AND ENFORCEMENT

All existing planning applications have been considered for this application.

HGY/2024/0601 - Works to trees - The works to be carried out are the felling of T3, T4, T5 (Chamaecyparis lawsoniana) trees in the Treeworks plan. No objection

It is noted there was also a 2024 pre/app

CONSULTATION

LBH conservation: No objection

LOCAL REPRESENTATIONS

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

Objections:0

Support:0

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance of Highgate CA;
2. Impact on neighbouring amenity;
3. Impact on trees.

Design and appearance of Conservation Area:

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. DPD Policy D9 requires development to preserve or enhance the character and appearance of the Borough's conservation areas.

Highgate Neighbourhood Plan (NP) Policy DH4 concerns side extensions which should respect the streetscape and not block or significantly infill the gaps between buildings, while being subordinate in scale to the original dwelling and complementing its character. Policy DH3 also requires rear extensions to be subordinate to and complement the original dwelling. Policy DH5 indicates that dormers should respect the existing roof form in terms of design, scale, materials and detail and be restricted to the rear.

The proposal would introduce a small 'garden building to the absolute rear of the property, nestled into the topography, accessed from a path leading from the host dwelling. The main concern with the design is how the permission would be perceived from Archway Road as the garden building and terrace would be visible from the busy highway/CA. Any structure in this visible location should fit within the wooded language of the Tile Kiln Lane sites that back on to the Archway Road highway.

The current situation has ad hoc decking structures that are broken up over the steep incline back towards the host dwelling. These appear to be added overtime without any permissions however appear to be in situ for over 4 years and therefore would be immune from enforcement.

Throughout the application timeline there has been some small changes to pull the building off the road boundary, omission of a door and the terrace above was pulled back further away from the road boundary to reduce clutter.

The garden room is 3.65m metres in width depth, approximately 5.2m metres in width and 2.28m metres in height, propped up on hand driven ground screws. The building would be constructed in timber and would have vertical timber cladding covered with a mono pitched green roof sloping towards the highway.

The garden shed addition would appear nestled into the topography modestly visible behind the existing fence line on the road boundary. Once the green roof is established, removing the ad hoc structures in the process, works would have a neutral impact when appreciated from Archway Road. A condition has been secured to ensure the green roof is added and maintained in perpetuity by the occupants.

Setback approximately 4.0m metres from the road boundary, behind the garden room would be a terrace constructed in timber propped up on engineered footings, that would create a large single levelled deck traversing around the existing trees directly up to the dwelling. The use of timber, mixed with green roof on the garden shed is considered as an appropriate approach given the surrounding trees and setting.

The decking/ terrace would be an obvious addition however, due to the new setback and addition/retainment of greenery the railing of the terrace would appear as a modest addition and therefore would preserve the CA.

The development would be visible from Archway Road, however would be subordinate to the host building and sympathetic on the CA and therefore is considered to be of acceptable design, form and appearance for this site.

Amenity Comments

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 garden building is separated from all habitable spaces at the bottom of the hill and would not introduce any material concerns when considering privacy.

The scale, massing and siting of the rear terrace and associated fencing does not have a material impact upon the amenity of the northern and southern neighbours who would share the boundary fence. Although the decking area is propped up the existing fencing follows a similar height and depth moving down the topography. As such, would not appear overbearing when viewed from the neighbouring properties and would not result in any significant increase in overshadowing,

overlooking, loss of outlook or a material loss of daylight or sunlight due to likeness to the existing boundary treatment.

All works proposed meet all amenity tests when considering effects on light, bulk, sense of enclosure and privacy for the reasons discussed above.

Impact on trees

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 has been identified to work the upper decking around trees T1 and T2 being a pair of Cupressus Leylandii. The building itself to the rear would work up around an attractive Acer pseudoplatanus on TFL land.

Throughout the application process the proposal was revised so that the lower decking's timber frame would be supported by hand-driven ground screws which has been secured by condition. Equally there should be no concrete foundation along the rear boundary between the garden room and trees on TfL land to protect the neighbouring trees on the highway land.

The arboricultural officer has appraised all drawings and subject to conditions, holds no objection. As such, subject to the following the hand driven pile method for the outbuilding, the impact on the local trees would be acceptable.

Conclusion

Subject to conditions the proposal is considered acceptable and would preserve the conservation area. All other relevant policies and considerations, including equalities, have been considered. 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 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

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 development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to ensure the safety and well-being of the trees on the site during constructional works that are to remain after building works are completed consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 4 The foundation details in connection with the outbuilding and terrace shown in (P-052 Rev A & P-053 Rev A) must be followed to minimise harm to tree roots of trees within adjoining sites.

There also shall be no concrete foundation along the rear boundary between the garden room and trees on TfL land.

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.

- 5 The garden room hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the residential dwelling at 4 Tile Kiln Studios, 1 Winchester Road, Hornsey, London, N6 5XH 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.

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.