

REPORT FOR CONSIDERATION AT PLANNING APPLICATIONS SUB COMMITTEE

Reference No: HGY/2006/1857

Ward: Highgate

Date received: 21/09/2006

Last amended date: N/A

Drawing number of plans: S101, 102, 103, 014, 105; A001C, 002C, 003B, 004B, 005A, S006A & 007A.

Address: R/O 73 - 79 Hornsey Lane, N6

Proposal: Erection of part single / part 2 storey three bedroom dwelling house with garage, study and associated refuse storage and landscaping.

Existing Use: Vacant land

Proposed Use: Residential

Applicant: Mr & Mrs Fluckiger

Ownership: Private

PLANNING DESIGNATIONS

Road - Classified
Highgate Conservation Area

Officer contact: Elizabeth Ennin-Gyasi

RECOMMENDATION

GRANT PERMISSION subject to conditions

SITE AND SURROUNDINGS

The proposal site is located to the rear of 73 - 79 Hornsey Lane, which are blocks of flats fronting Hornsey Lane. It lies adjacent to Northwood Hall on its northern & eastern boundary and Tudor Close on its western boundary. It is currently vacant with overgrown vegetation including many matured trees. The site is accessed through a laneway under No. 75 Hornsey Lane; which is known as Wren View Flats. It lies within Highgate Conservation Area and the surrounding area is predominately residential in character.

PLANNING HISTORY

- HGY/2006/0690 - Erection of part single / part 2 storey four bedroom dwelling house with garage, study and associated refuse storage and landscaping – withdrawn 21/9/06.

DETAILS OF PROPOSAL

The proposal has been revised by moving the building 8m away from the boundary with Northwood Hall. The current scheme involves the erection of part - single / part two- storey 3bed dwelling with the provision of study & workshop space, garage space for two cars, refuse storage area and associated landscaping. Existing trees on the site would be retained.

CONSULTATION

Ward Councillors
Highgate CAAC
Highgate Society

Transportation Group
Cleaving
Building Control
Conservation Team
Tree Officer
Scientific Officer

Residents

73 – 79 Hornsey Lane
1-15 Wren View
118 – 136 Archway Road
1st & 2nd floor flats 118-136 Archway Road
12-6 Bridge Court – Archway Road
1-42 Tudor Close
7 Fitzwarren Gardens
West Wing - Northwood Hall:
LG1-16
Gr. 01 – 021
1/1 - 25
2/1 – 25
3/1 – 25
4/1 – 25
5/1 – 25
6/1 – 25
South Wing - Northwood Hall:
1/20 - 25
2/20 – 25
3/20 – 25
4/20 – 25
5/20 – 25
6/20 – 25
Northwood Hall:

LG1 - 7
LG8 – 16
0/1 – 7
0/8 – 14
015 – 21
LFEPA

RESPONSES

Flat 4 - LG – objects
0/4 Northwood Hall – objects
4/3 Northwood Hall – objects
3/3 Northwood Hall – objects
4/5 Northwood Hall – objects
4/15 Northwood Hall – objects
5/14 Northwood Hall – supports
The Highgate Society – objects
3 Wren View /75 Hornsey Lane – supports
9 Wren View /75 Hornsey Lane – comments received
8 Wren View /75 Hornsey Lane – objects
13 Wren View /75 Hornsey Lane –objects
79 Hornsey Lane – objects
77 Hornsey Lane – objects
2/11 Northwood Hall – objects
Flat 3, 73 Hornsey Lane – comments received
7 Fitzwarren Gardens – objects
Residents Tudor Close -objects

Tree Officer - 'The following comments and observations relate to the revised new development on the existing trees on site and in adjacent properties. Drawing no's A001, 002 and 004 Rev C were used for reference purposes. No Tree Survey or Arboricultural Implication study has been provided.

Tree cover

There are many trees surrounding the proposed development site. Most appear self-seeded but are now semi-mature and form a naturalised wooded belt which provides screening to the site.

Located within the adjacent property, Northwood Hall, are numerous mature trees in close proximity of the boundary. There is a mature Sycamore (T1) growing within 8m of the proposed new structure, 3m from the rear of the existing garages. This tree is of high amenity value, appearing healthy for its age and species.

Proposed layout

The revised layout drawing provided the Architects (A001 Rev C) indicates the nearest point of the new structure is to be built 8m from T1 and 6m from those on the eastern boundary.

The new structure will be outside of the recommended Root Protection Area for the trees in accordance with BS5837:2005 Trees in relation to construction.

Tree protection

No tree protection measures have been specified at time of application. A method statement must be produced by an Arboriculturist, including a tree protection plan, in accordance with BS5837:2005 Trees in relation to construction. This must include a specification for protective fencing with a site plan indicating where it will be installed.

Conclusions

In my opinion, the construction of the new development will not have a detrimental effect on the trees on the eastern boundary and the Sycamore tree (T1) in Northwood Hall.

An Arboricultural Implication study and tree protection plan must be prepared for approval to ensure safe retention of all the boundary trees.'

Transportation Group – 'The site is located in the in an area with a Medium Public Transport accessibility level located in the Miltons Restricted Conversion Area. The area has been identified by the Council's 2006 UDP policy HSG11 as an area suffering from extreme parking pressures.

However on considering the proposal, the proposed 4 bed house will not generate any significant increase in parking and traffic demand to have any significant effect on the transportation and highways network. The applicant has also proposed providing 2 off street parking spaces, which is maximum parking as required by the Council's SPG 7a. Consequently the transportation and highways authority would not object to this application.

Informative: The new development will require naming. The applicant should contact the Transportation Group at least six weeks before the development is occupied'.

Scientific Officer – condition for site investigation
Building Control – comments received re-fire access
LFEPA – comments received
Conservation Team – no objections

RELEVANT PLANNING POLICY

UD3 General Principles
UD4 Quality Design
HSG9 Density Standards
HSG1 New Housing Development
OS 17 Tree Protection, Tree Masses and Spines

CSV1 Development in Conservation Areas
SPG1a Design Guidance
SPG3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes
SPG3b Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight
SPG3c Backlands Development
SPG7a Parking Standards

ANALYSIS/ASSESSMENT OF THE APPLICATION

The scheme has been revised by moving the building 8m away from the boundary with Northwood Hall, in order to avoid any potential adverse amenity impact on the flats near to that boundary. This has resulted in reduction of the original foot print and the number of habitable rooms being proposed. The current scheme involves the erection of part - single / part two- storey 3bed dwelling with the provision of a study & workshop space, garage space for two cars, refuse storage area and associated landscaping. The main issues that need addressing on the proposal are: density, size, bulk & design, impact on residential amenity of existing residents, access & fire safety issues, car parking and waste disposal:

DENSITY

The site area given is 1400m² the scheme comprise of 1 x 3 bed and a study providing 5 habitable rooms. The density created would be 357 hrh, which is within the Council's density range of 200 - 700 hrh as set out in policy HSG9 of the adopted UDP.

SIZE, BULK & DESIGN

Policies UD3 'General Principles', UD4 Quality Design, CSV1 'Development in Conservation Areas' and SPG3c 'Backlands Development', require that new buildings are of an acceptable standard of design in terms of the special characteristic of the locality, height, scale and bulk in order to relate satisfactorily with the surrounding area. The scheme consists of one two - storey 3bed dwelling house, positioned in the middle of the site, which is away from the boundary of existing residential properties.

The dwelling which is design to be approx. 7m in height is significantly below the existing height of the properties surrounding the site. Therefore the proposed height would be subordinate to existing dwellings and the positioning of the scheme should not have significant adverse impact on adjoining or adjacent properties.

The proposed scheme is modern in design with the principle objective of creating a high quality dwelling. The external wall would be high quality facing brick with roofs in natural slate and traditional painted wood for the windows. It also incorporates sustainable design elements such as large glazed openings to the west elevation, which would allow the use of solar gain to the ground floor living rooms. This combined with a high mass floor will help to reduce

energy consumption. It is considered that the proposed modern design is acceptable and in keeping with neighbourhood, due to mixed building styles of the locality. The Conservation Officer has no objections on the design, scale and bulk of the scheme. The scheme is considered to be consistent with guidelines set out in policies CSV1, UD3, UD4 SPG1a, SPG 3a & SPG3c.

Amenity space has been designed into scheme in the form landscaping area to the rear of the dwelling. New planting will include evergreen and deciduous shrubs. The proposed building and the landscaping has been sited to ensure that all existing trees on the site would be retained. The Council's Tree Officer has no objections to the proposal subject to the submission of an arboricultural implication study and tree protection plan for approval. The proposal should not undermine existing trees on the site in line with guidelines set out in policy OS17.

IMPACT ON RESIDENTIAL AMENITY OF EXISTING RESIDENTS.

The proposal which is design to be two- storey has been revised by moving the building 8m away from the boundary with Northwood Hall. It would be located in the middle of the site to avoid close proximity to the boundaries of existing properties. The dwelling is design to ensure no significant loss of sunlight & daylight and the applicant has submitted 'daylight & sunlight' study to this effect. Furthermore information received from the applicant dated 29 January 2007 states that the current scheme is fully BRE compliant in that at least 25% of annual probable sunlight hours will be available to all windows including at least 5% of annual probable sunlight hours in the winter months or proposed development will have no effect whatsoever on the sunlighting as existing.

Also the proposed dwelling is design to have a pitched roof facing north-east/south-west, in line with existing properties to the west of the site. To the north-east, a gable elevation without windows faces Northwood Hall, whilst to the south-west, gable elevations with glazing, where windows are about 30m away from properties on Archway Road, because of the steep nature of the site. All the existing trees on the site would be retained to maintain tree screening and the open nature of the site.

Therefore the proposed development is considered not to present any significant problems of overlooking, loss of daylight & sunlight or pose any adverse amenity impact in line with the requirement of UD4 & SPG3b.

ACCESS & FIRE SAFETY ISSUES

The applicant proposed to have a horizontal dry main to be located immediately adjacent to the main entrance gates to the new house and a letter from LFEPA confirms this would be acceptable solution to the problem of restricted fire appliance access.

CAR PARKING AND WASTE DISPOSAL

The scheme provides a garage for the storage of two cars and refuse storage area near to the main entrance. The applicant has also secured the use of the existing Wren View flats bin stores to enable easier access for weekly refuse collection. Transportation Group has no objection to the scheme in that the provision of two off –street parking meets guidelines set out in SPG 7a.

THE COUNCIL'S RESPONSE TO CONSULTATION COMMENTS RECEIVED

There have been 18 letters received from local residents, of which 14 were objections, 2 were supports and two comments on aspects of the scheme and not objecting in principle. Many of the objections letters were received prior to the scheme being revised. The grounds of objections included: increase parking problems, over density, over size, poor access, loss of matured trees, proximity to Northwood Hall boundary, loss of natural light, loss of privacy & overlooking, noise & dust result from construction works.

The proposal has been revised by moving it 8m away from the boundary with Northwood Hall and this has resulted in the reduction of the original footprint and the bulk of the scheme:

1. On increase parking problems:

Response:

Two off – street parking spaces are being provided and the Council Transportation Group considers that to meet policy guidelines.

2. Over-density:

Response:

The proposed density is within the Council's density range as set out in Policy HSG9.

3. Over size:

Response:

The scheme has been revised and the current proposal is considered to be appropriate in scale to the site.

4. Poor access

Response:

LFEPA has confirmed that the proposed horizontal dry main would be acceptable solution to the problem of restricted fire appliance access.

5. Loss of matured trees

Response:

The proposal would retain all the matured trees on the site. Furthermore a condition has been attached to this report to ensure no mature trees are removed and also to protect the roots of the trees on the site.

6. Proximity to Northwood Hall boundary,

Response:

The scheme has been revised by moving the building 8m away from the boundary with Northwood Hall. The scheme is now considered not to create significant harmful effects on properties to that boundary. Moreover existing tree screening would remain.

7. Loss of natural light, loss of privacy & overlooking,

Response:

The positioning of the dwelling in the middle of the site and its design is not considered to pose any problems of loss of privacy or loss of sunlight & daylight. Information received from the applicant dated 29 January 2007 states that the current scheme is fully BRE compliant in that at least 25% of annual probable sunlight hours will be available to all windows including at least 5% of annual probable sunlight hours in the winter months or proposed development will have no effect whatsoever on the sunlighting as existing.

8. Noise as result from construction works.

Response:

A condition has been attached to this report to ensure construction is undertaken within reasonable hours.

SUMMARY AND CONCLUSION

The proposed density of the scheme, which is 357 hrh is within the Council's density range between 200hrh to 700hrh as set out in policy HSG9 'Density Standards'. The scale, design and position of the proposed buildings on the site means that, the scheme would not undermine the Conservation Area, nor would the surrounding occupiers suffer loss of amenity as a result of additional overlooking or loss of sunlight or daylight in line with policies CSV1 'Development in Conservation Areas', UD3 'General Principles', UD4 'Quality Design', SPG3c 'Backlands Development' and SPG3b 'Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight'.

The scheme would provide off-street parking and retain all existing trees on the site conforming to guidelines set out in policy OS 17 'Tree Protection, Tree Masses and Spines' and SPG7a 'Parking Standards'. Therefore the scheme is considered to be acceptable and approval is recommended.

RECOMMENDATION

GRANT PERMISSION

Registered No. HGY/2006/1857

Applicant's drawing No.(s) S101, 102, 103, 014, 105; A001C, 002C, 003B, 004B, 005A, 006C & 007A

Subject to the following conditions:

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.
Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.
2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.
Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.
3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in connection with the development hereby permitted have been submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.
Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.
4. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.
Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.
5. Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning General Permitted Development Order 1995, no enlargement, improvement or other alteration of any of the dwellings hereby approved in the form of development falling within Classes A to H shall be carried out without the submission of a particular planning application to the Local Planning Authority for its determination.
Reason: To avoid overdevelopment of the site.
6. The existing trees on the site shall not be lopped, felled or otherwise affected in any way (including raising and lowering soil levels under the crown spread of the trees) and no excavation shall be cut under the crown spread of the trees without the prior written permission of the Local Planning Authority.

Reason: In order to safeguard the trees in the interest of visual amenity of the area.

7. Notwithstanding the tree survey report submitted, an arboricultural implication study and tree protection plan must be prepared and submitted for approval by the Local Planning Authority.
Reason: In order for the Local Authority to assess the acceptability of any tree protection plan to safeguard the existing trees on the site.
8. That a detailed scheme for the provision of refuse and waste storage within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. Such a scheme as approved shall be implemented and permanently retained thereafter to the satisfaction of the Local Planning Authority.
Reason: In order to protect the amenities of the locality.
9. A site history and soil contamination report shall be prepared; submitted to the Local Planning Authority and approved before any works may commence on site.
Reason: In order to protect the health of future occupants of the site.

INFORMATIVE: The new development will require naming/numbering. The applicant should contact the Transportation Group at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

REASONS FOR APPROVAL

The proposed density of the scheme, which is 357 hrh is within the Council's density range of between 200hrh to 700hrh as set out in policy HSG9 'Density Standards'. The scale, design and position of the proposed buildings on the site means that, the scheme would not undermine the Conservation Area, nor would the surrounding occupiers suffer loss of amenity as a result of additional overlooking or loss of sunlight or daylight in line with policies CSV1 'Development in Conservation Areas'.UD3 General Principles,UD4 Quality Design, SPG3c Backlands Development and SPG3b Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight.

The scheme would provide off-street parking and retain all existing trees on the site conforming to guidelines set out in policy OS 17 'Tree Protection, Tree Masses and Spines' and SPG7a 'Parking Standards'. Therefore approval is recommended.