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Site plan
37 & 39 Stanhope Gardens N6

**Directorate of
 Place &
 Sustainability**

Ranford Stewart
 Assistant Director
 Planning Service

	Drawn by	AA
	Scale	1:1250
	Date	29/08/2013

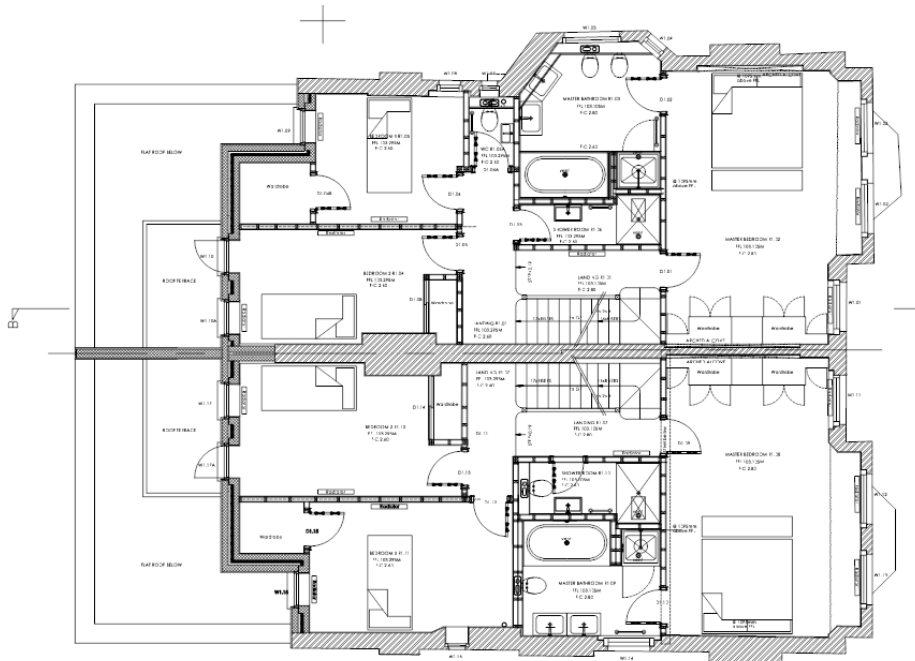
2.0 DRAWINGS & IMAGES



Proposed Front Elevation



Rear Elevation

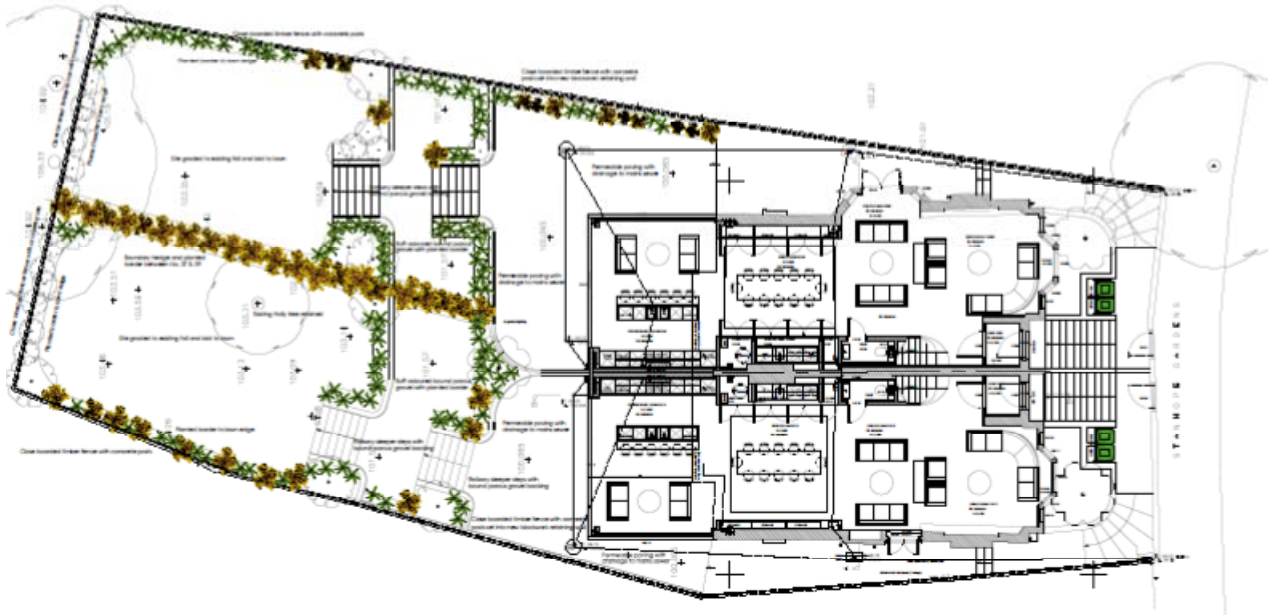


First Floor Plan

Note: The proposed balcony has been reduced to a depth of 1.7m



Proposed Side Elavation



Provisional Landscaping Plan



Existing Front Elevation

3.0 SITE AND SURROUNDINGS

- 3.1 37 & 39 Stanhope Gardens are a pair of semi-detached three storey houses, principally brick built dating from circa 1900. The accommodation of each house was formerly arranged as two separate flats arranged as a two bedroom unit at ground floor and a 4 bedroom unit over the upper floors. The immediate adjacent buildings are again semi-detached properties in either single or multiple occupancy, built at approximately the same time in varying styles.
- 3.2 Internally both of the houses have been substantially altered at some time in the past to a very great degree from their original layouts with the removal of internal walls, floors, roofs, fittings and fixtures. Additionally, various extensions have been made to the external envelope of the buildings at ground and first floor level as well as at roof level with substantial loss of original material. Modifications have also been made externally, principally in the rear gardens where an extensive landscaping scheme was executed in the past. The site is within the Highgate Conservation Area.

4.0 PROPOSAL

- 4.1 The proposal has been subject to several amendments in consultation with the Council's Planning Department, Local Residents, Cllr Lyn Weber and the Council's Conservation Officer.
- 4.2 The applicant proposes a ground floor extension across the full rear facade of both properties. This would project approximately 4.9m from the original back wall at its deepest. (Note that the back wall of the original house is 'stepped' and therefore the measurements vary between the depth from the back wall at the centre and the depth from the back wall at the edges). This would be set into the rear garden slope and will require excavation. An extension is also proposed at first floor level and will project approximately 1.8m from the original back wall. This has been reduced and set in from the sides and the glazing reduced at the request of the Council's Conservation Officer.
- 4.3 Also proposed is a terrace (1.7m deep) on top of the ground floor extension, rear dormer windows (location amended) and roof lights to the front and rear. Boundary treatments are to reflect the scale of the existing fence. An initial landscape plan has been submitted and a more detailed plan will be required as part of the planning conditions in order for the Council to maintain control over the final scheme.

5.0 PLANNING HISTORY

5.1 Planning Application History

37 + 39 Stanhope Gardens

HGY/2013/0258 WDN 05-04-13 - Formation of front and rear dormers, and partial demolition and rebuilding of two storey rear extensions to both properties

Tree Preservation Orders CON/2013/0074 37-39 Stanhope Gardens London
Poplar Lombardy x 4 Ash x 1 - Fell to ground Cherry x 1 - Fell to ground Sycamore
x 1 - fell to ground Prunus cerasifera x 2 - fell to ground (T1-12 no T6 or T7)

37 Stanhope Gardens

OLD/1961/0931 REF 08-11-61 Single storey painting studio in rear garden.

OLD/1966/0836 REF 20-06-66 Erection of studio in rear garden.

Tree Preservation Orders CON/2011/0003 37 Stanhope Gardens London Tree
works to include felling to ground level and treatment of stump of 1 x Cherry Laurel
tree.

39 Stanhope Gardens

OLD/1987/1805 GTD 30-11-87 -Conversion of ground floor into five self-contained
flats each of 4 habitable rooms and self-containing of resulting upper maisonette 2
x 37.

5.2 Planning Enforcement History

Property was subject to a temporary stop notice (28 days)

6. **RELEVANT PLANNING POLICY**

6.1 National Planning Policy Framework, March 2012

Chapter 7 Requiring good design;
Chapter 12 Conserving and enhancing the historic environment

6.2 London Plan, July 2011

Policy 7.4 Local character;
Policy 7.5 Public realm;
Policy 7.6 Architecture;
Policy 7.8 Heritage assets and archaeology;

6.3 Local Plan, March 2013

Policy SP0 Presumption in favour of sustainable development;
Policy SP11 Design;
Policy SP12 Conservation;

6.4 Unitary Development Plan (post Local Plan Adoption, March 2013)

Policy UD3 General principles;
Policy CSV5 Alterations and Extensions in Conservation Areas:

6.5 Supplementary Planning Guidance / Documents

SPG1a Design Guidance;
 SPG 2 Conservation & Archaeology;
 SPD Housing;
 Draft Conservation Area No. 1 Highgate Conservation Area Character Appraisal,
 November 2012

7.0 CONSULTATION

Internal	External
Ward Councillors Transportation Waste Management Design & Conservation	<u>Amenity Groups</u> Highgate CAAC Highgate Society <u>Local Residents</u> Selected properties within Stanhope Gardens, Coolhurst Road and Shepherds Hill.

8.0 RESPONSES

8.1 Haringey Urban Design & Conservation

No objection to amended plans The original application has been amended in consultation with the Conservation Officer. No objections from the Conservation Officer

8.2 Local Residents

Approximately 27 objections to the original application were received including from Cllr Lyn Weber, Haringey's Conservation Officer and the Highgate CAAC.

8.2.1 Approximately 17 objections to the amended application were received, including Cllr Lyn Weber and the Highgate CAAC. The Conservation Officer has no objections to the amended plans. The relevant planning objections to the amended application are summarised below:

1. Severe overlooking of neighbouring gardens from the first floor terrace.
2. Reduction in light to both adjoining houses from terraces and from 3 metre high fences.
3. Out of character with every other house in Stanhope Gdns and Claremont Rd. There is no house of this volume or area in the vicinity.
4. Proposal would establish a precedent and the whole character of the area would quickly change.
5. Extension is close to the boundary of neighbouring properties
6. The proposed extension is out of character and out of line with all the other local buildings.
7. Negative effect of the proposed development on the character and appearance of the Highgate Conservation Area, and the effect on the living conditions of the adjoining occupiers in terms of loss of light, adverse impacts on residential amenity, in terms of loss of daylight, privacy, overlooking, aspect and the avoidance of light and noise pollution.
8. Proposal does not respect the design and elegant proportions of the host building. The design bears no relationship to the character of the Edwardian

building or of the surrounding houses and local character of the Conservation area.

9. Boundary wall too high and long.
10. The parapet design and railings are out of keeping with the host dwelling and neighbouring properties.
11. The protrusion of living space so deep into the gardens, with full glazing on flank and rear walls will lead to increased noise pollution and light pollution.
12. Large part of the garden will be lost to large extension patios and terraces.
13. The proposed development, due to the extent of excavation has and will pose further significant risk to nearby trees, ground conditions and hydrogeology resulting in harm to local character and residential amenity contrary to policies OS17 and ENV1.

8.7.1 A detailed Council's response to the concerns raised by local residents is set out in Appendix 1.

9.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

Background

9.1 This application is a resubmission following the withdrawal of a previous application (HGY/2013/0258) following concerns raised by Officers. This second application has been subject to several changes in consultation with Officers.

9.2 The following amendments have been made to the scheme:

1. Removal of front dormer window and replacement with rooflights.
2. Lowering of rear dormer window plus insertion of rooflights.
3. Reduction in width of first floor rear extension.
4. Reduction in amount of glazing to rear elevation.
5. Alteration of rear first floor roof terraces to remove overlooking potential.
6. The balcony has been revised again - set back to 1.7m to reduce overlooking.
7. Initial landscape plans have now been submitted. Tree planting scheme to replace trees will be agreed by Haringey's arboriculturalist. Permeable surfaces specified to address drainage. (More detailed plans to be submitted (via condition) to allow council to maintain control over the final landscaping scheme.)
8. Tree protection plan to be submitted (this would be a planning condition). Drawings amended to include existing fence in order to clarify site context.

Design & Form

9.3 London Plan policies 7.4 and 7.6 requires planning decisions to have regard to local character and for development to comprise details and materials that complement, but not necessarily replicate the local architectural character. Policy SP11 of the Local Plan requires development to create places and buildings that are of high quality, attractive and sustainable.

- 9.4 The applicant proposes a ground floor extension across the full rear facade of both properties. This would project approximately 4.9m from the original back wall at its deepest. (Note that the back wall of the original house is 'stepped' and therefore the measurements vary between the depth from the back wall at the centre and the depth from the back wall at the edges). This would be set into the rear garden slop and will require excavation. An extension is also proposed at first floor level and will project approximately 1.8m from the original back wall. This has been set in from the sides and the glazing reduced at the request of the Conservation Officer.
- 9.5 Also proposed is a terrace on top of the ground floor extension, rear dormer windows, rooflights to the front and rear and a garden wall. Boundary treatments are to reflect the scale of the existing fence. The bulk, size and depth of this rear extension are considered to be acceptable.

Impact on the Conservation Area/ Streetscene

- 9.6 The London Plan 2011 Policy 7.8 '*Heritage Assets and Archaeology*' states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Similarly Local Plan Policy SP12 seeks to ensure the conservation of heritage assets, their setting, and the wider historic environment. Policy CSV5 also requires that alterations or extensions to buildings in Conservation Areas:
- preserve or enhance the character of the Conservation Area; and
 - retain or reinstate characteristic features such as doors, windows or materials of buildings.
- 9.7 The impact of the proposal is largely contained to the rear of the property with only rooflights proposed at the front (the dormer windows originally proposed have been removed at the request of the Conservation Officer). Therefore, the development has little impact on the street scene of the Conservation Area. The rear of both properties has been substantially altered by previous occupants creating a haphazard rear facade and eliminating the unity between the two. Whilst the proposal is contemporary in character, seeking to compliment, rather than emulate the architecture of the original house, the proposal does reinstate a sense of uniformity and symmetry between the two properties.
- 9.8 Whilst the proposed ground floor extension is full width (allowed under permitted development rights), this reduces at first floor level, maintaining an element of the original first floor wall. The proposed rear glazing has also been reduced and is now acceptable. Given the repositioning of the rear dormers (set down from the ridge and up from the eaves), the lack of visibility from the street and that there are no objections from the Conservation Officer, the proposal, on balance preserves the character of the Conservation Area.

Impact on residential amenity

- 9.9 The London Plan 2011 Policy 7.6 *Architecture* states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Local

plan policy also expects new development to maintain the level of privacy enjoyed by adjoining properties and not to create problems of overlooking.

- 9.10 The greatest concern regarding amenity relates to the depth of the rear, ground floor extension. Due to the upward slope of the rear garden, excavation is required to accommodate the extension and thus, the proposal would be constructed, in part, lower than the existing ground floor level. Taking a fence line of 2m (permitted development) above the original ground level as a reference, the extension would be largely hidden from view. Given that the property is semi detached and not attached to the neighbouring properties, the proposal could not be said to have a significant detrimental impact.
- 9.11 The first floor extension, set in from the sides of the property is also acceptable given that shadows cast at a 45 degree angle would not interrupt the light to any of the primary windows of the neighbouring residential properties to a significant extent. The proposed terrace has also been reduced and is outside of a 45 degree line projection from the rear corner of the adjacent properties at 35 and 41, Stanhope Gardens. Therefore, on balance, taking into account the separation between the properties, the proposal is acceptable and in compliance with policy UD3 General Principles.

Garden/Trees

- 9.12 The applicant proposes terraced landscaping to the rear garden. Several trees have already been removed with permission granted (CON/2013/0074) for the removal of the following in consultation with the Councils Arboriculturalist.
- Poplar Lombardy x 4- Ash x 1 - Fell to ground - Cherry x 1 - Fell to ground- Sycamore x 1 - fell to ground - Prunus cerasifera x 2 - fell to ground (T1-12 no T6 or T7)
- 9.13 The Arboriculturalist has requested that a tree be planted of a suitable species in relation to size of area (when tree reaches maturity) for every tree removed. This includes some additional trees removed without permission. Any further works to trees other than those stated require consultation with the Councils Arboriculturalist. The proposed landscaping of the rear garden will not have a significantly adverse impact on the Conservation Area or the amenity of neighbouring properties and is considered acceptable.
- 9.14 Objections received state the development will pose further significant risk to, ground conditions and hydrogeology resulting in harm to local character and residential amenity. The proposal is required to meet the standards of current building regulations and there is no evidence to support this claim.

10.0 HUMAN RIGHTS

- 10.1 All applications are considered against a background of the Human Rights Act 1998 and in accordance with Article 22(1) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 where there is a requirement to give reasons for the grant of planning permission. Reasons for refusal are always given and are set out on the decision notice. Unless any report

specifically indicates otherwise all decisions of this Committee will accord with the requirements of the above Act and Order.

11.0 EQUALITIES

- 11.1 In determining this planning application the Council is required to have regard to its obligations under equalities legislation including the obligations under section 71 of the Race Relations Act 1976. In carrying out the Council's functions due regard must be had, firstly to the need to eliminate unlawful discrimination, and secondly to the need to promote equality of opportunity and good relations between persons of different equalities groups. Members must have regard to these obligations in taking a decision on this application.

12.0 CONCLUSION

- 12.1 The amended scheme is considered acceptable and to be sympathetic to the design of the original property and the character and appearance of this part of the conservation area and will not adversely impact the residential and visual amenities of neighbouring occupiers; in accordance with The London plan policies 7.4 Local character and Policy 7.6 Architecture, Local Plan (2013), The Local Plan (2013) policies SP11 Design and SP12 Conservation and Unitary Development Plan (2006) policies UD3 General Principles and CSV5 Alterations and Extensions in Conservation Areas. As such this application is recommended for APPROVAL.

13.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s) PREE-111 Rev 009, PR1FP-103 Rev 019, PRGFP-102 Rev 017, PRNE-113 Rev 006, PR2FP-104 Rev 017, PRSE-112 Rev 005, PR3FP – 105 Rev 014, PRWE-114 Rev 009

Subject to the following condition(s)

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 accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to avoid doubt and in the interests of good planning.

3. 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.

4. Details of a scheme depicting those areas to be treated by means of hard and soft landscaping to the rear of the two dwellings shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the details of the size, species and location of replacement trees.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

5. Notwithstanding the provisions of Class A of Part 2 of the Town & Country Planning General Permitted Development Order 1995 details of the boundary treatment to separate the gardens of two dwellings and the adjoining gardens (35 and 41 Stanhope Gardens) shall be submitted to and approved in writing by the Local Planning Authority, prior to the completion of the extensions hereby approved and thereafter implemented in accordance with such approved details.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality

6. Notwithstanding the approved plans in specific the roof terrace approved, the rest of the roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, terrace, roof garden or similar amenity or sitting out area without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

INFORMATIVE: In dealing with this application, Haringey Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 to work with the applicant in a positive and proactive manner. As with all applicants, we have made available detailed advice in the form of our statutory policies, and all other Council guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

Appendix 1 – Consultation response

No.	Stakeholder	Comments	Response
1	Transportation	Raise no objections	Noted
2.	Conservation Officer	Raised no objection raised to the amended proposal. Changes to this application including removal of front dormers and reduction in width of first floor extension were at the request of the planning/conservation officers	Noted
3.	Residents/ Local Councillor	Light blocked to a habitable room kitchen and living room. (Ground floor number 35).	The proposal would not cause such as detrimental impact to warrant a refusal. This is not an uncommon set up between properties and would not contravene BRE Daylight / Sunlight standards.
4.	Residents/ Local Councillor	There is another wall dividing the two house's patios in front of the ground floor extensions. This wall provides privacy between the respective patios and runs beyond the proposed approx 3.5 to 5 meter new extensions, at the height of the extension into the garden.	The proposed wall is set well within the site and cannot be said to have a significant detrimental impact on the amenity of the neighbouring properties which are also detached from No 37-39.
5.	Residents/ Local Councillor	First floor parapet wall on top of the proposed approx 5 meter extension appears to be half a meter high on top of which are railings – this is bulky and changes the character of building. Also forms a first floor balcony.	Parapets are not an uncommon feature of such builds. The overall height is acceptable and there are no concerns regarding character from the Council's Conservation Officer. The use of a parapet does not permit use of the entire roof as a balcony. The applicant has applied for a small balcony which would be enclosed by railings. This is acceptable.

No.	Stakeholder	Comments	Response
6.	Residents/ Local Councillor	There appear to be no boundary fence drawings. Nor consideration of any fencing impact on the surrounding gardens.	Fences 2m in height from the existing ground level can be constructed under 'permitted development rights' and do not require planning permission.
7.	Residents/ Local Councillor	There are serious concerns over the impact on amenity space, and the enclosed space.	The proposed first floor extension and balcony have been amended in order to reduce any impact on the amenity of the neighbouring properties. The proposal is now considered acceptable in terms of amenity, especially given that the neighbouring properties are detached from 37-39 Stanhope.
8.	Residents/ Local Councillor	The volume of hardscape (rear garden area) is significant in what was a pleasant leafy green corridor.	An initial landscaping plan has been submitted showing soft landscaping and permeable paving. A detailed plan will be required and agreed with the Council via a condition. The rear gardens are large and the proposed paving is acceptable.
9.	Residents/ Local Councillor / Highgate CAAC	The development imparts a different character to the conservation area. Bulk and Scale of development are out of keeping with the conservation Area. Trees in the garden have been removed, trees along the boundary have had roots disturbed and or soil piled on them.	There is no objection from the Council's Conservation Officer as rear extensions are common and acceptable in conservation areas, many of which are allowed without planning permission. Most of the trees have been removed with permission and replacements will be provided for all the trees removed including one to the neighbouring property. A tree protection plan will be required as a condition of a planning permission in order to protect the remaining trees as is standard. The properties would still have large rear gardens as is characteristic of the area.
10.	Residents/ Local Councillor	Overall floor area contradicts policy – edge to edge – as it swallows up the whole of the building plus the extension at first floor on top of ground floor extension. Not subservient to building.	Full width rear extensions at ground floor level are now allowed under 'permitted development rights'. Therefore, we cannot refuse an extension based on the fact it is full width at ground floor level. The first floor extension has been reduced at the request of the Council in consultation with the Conservation

No.	Stakeholder	Comments	Response
			Officer. The proposal reinstates the symmetry between the two structures which was lost due to various unsympathetic alterations.
11.	Residents/ Local Councillor	With the removal of several mature trees and digging into the hillside there are hydrological and drainage concerns. (information supplied)	The majority of trees were removed with the consent of the Councils Arboriculturalist. Replacement trees are to be provided for each tree removed. An initial landscaping plan has been provided detailing soft landscaping and permeable hard landscaping. Given the modest size of the development there are no significant concerns regarding drainage and there is no evidence to the contrary.