

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 333
222 Upper Street
LONDON N1 1YA

PLANNING SUB-COMMITTEE A		AGENDA ITEM NO:
Date:	5th February 2015	NON-EXEMPT

Application number	P2014/4016/FUL, P2014/4018/FUL, P2014/4017/FUL & P2014/4019/FUL
Application type	Full Planning (Householder)
Ward	Junction
Listed building	No
Conservation area	Highgate Hill/Hornsey Lane Conservation Area
Development Plan Context	Highgate Hill/Hornsey Lane Conservation Area, Local Cycle Route 170914
Licensing Implications	None
Site Address	1 – 4 Netherleigh Close, London, N6 5LL
Proposal	Construction of a mansard roof extension with 2 no. rooflights to front elevation and replacement windows and doors to 1 – 4 Netherleigh Close.

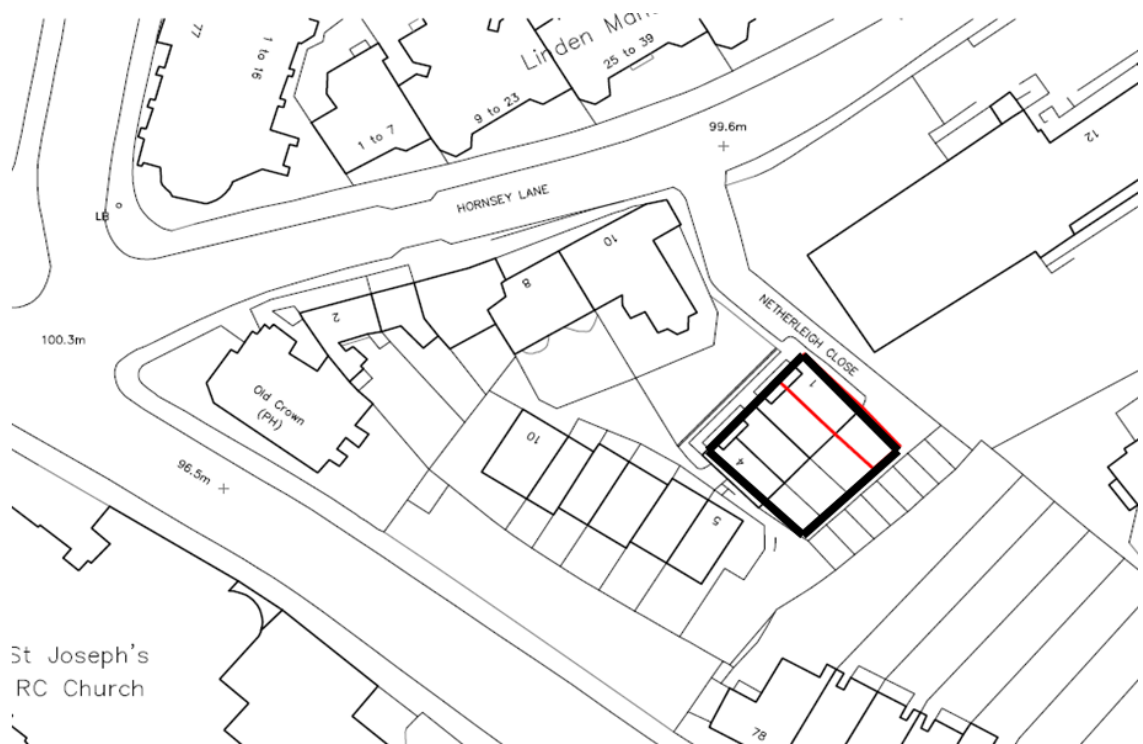
Case Officer	Krystyna Williams
Applicant	Mr David Glazer, Dr Christopher & David Farnham & Tomlin, Mr & Mrs Naomi & Peter Selby Grin & Matthew Joy.
Agent	Tasou Associates

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET

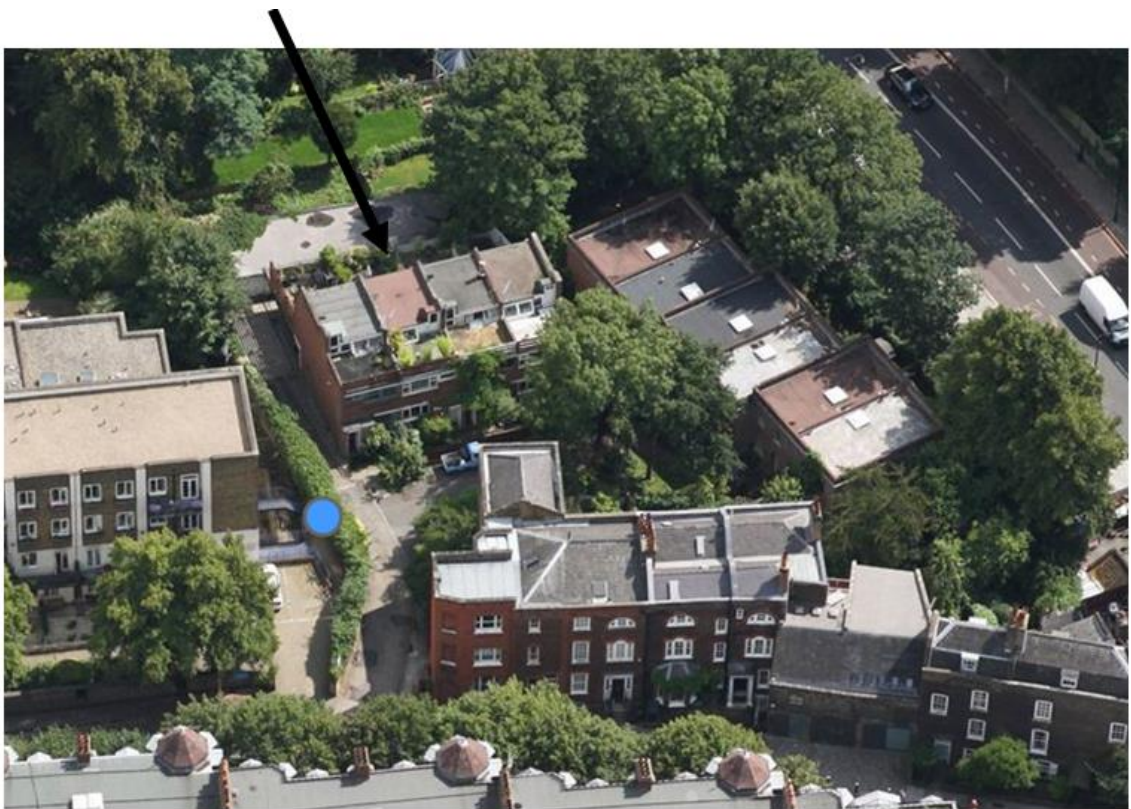


Image 1: Aerial photograph showing the front elevations of No's 1 – 4 Netherleigh Close with existing roof terrace



Image 2: Aerial photograph showing the rear elevations of No's 1 – 4 Netherleigh Close and surrounding buildings



Image 3: Front Elevation of the application site and terrace at 1 – 4 Netherleigh Close

4. SUMMARY

- 4.1 Planning permission for four individual properties is sought for the construction of a mansard roof extension with 2 no. rooflights to front elevation over each property. The proposal also comprises the replacement of existing windows and doors to the front and rear elevation with aluminium powder coated double glazed units to all four properties in the terrace.

- 4.2 This report forms the assessment of all four applications submitted as the proposals are identical.
- 4.3 The proposed roof level accommodation will include a bathroom to the front elevation facing towards the rear elevations of No's 8-10 Hornsey Road, and an additional bedroom to the rear elevation.
- 4.4 This application is being heard at Planning Committee as a result of the level of objection received from local residents to the proposed development.
- 4.5 The application site comprises a part two/part three storey end of terrace property, forming part of a small terrace of 4 residential properties. Netherleigh Close is accessed via Hornsey Lane which is situated to the north of the site. The building is not listed but is located within the Highgate Hill / Hornsey Lane Conservation Area.
- 4.6 Four separate planning applications with the same description of development have been submitted for works at No's 1, 2, 3 & 4 Netherleigh Close (ref: P2014/4016/FUL, P2014/4018/FUL, P2014/4017/FUL & P2014/4019/FUL)
- 4.7 Amended drawings were submitted on the 14th November 2014 to overcome officer concern relating to the design and appearance of the roof extensions. The proposed render was omitted and replaced with a red brick to match existing. The proposed roof covering would be zinc and new aluminium windows are considered acceptable given the properties are relatively modern (1970's). The number of rooflights to the front elevation has been reduced from three to two to provide a more proportionate appearance.
- 4.8 Consideration has been given to the effect of the proposed development on neighbouring amenities in terms of overlooking, loss of privacy, outlook, loss of light and sense of enclosure. The proposal is considered acceptable in relation to neighbour amenity and does not raise any other issues.

5. SITE AND SURROUNDING

- 5.1 The application site comprises a part two/part three storey terrace of four residential properties, No's 1-4 Netherleigh Close. Netherleigh Close is accessed via Hornsey Lane which is situated to the north of the site. The building is not listed but is located within the Highgate Hill / Hornsey Lane Conservation Area.
- 5.2 Situated directly to the west of 1-4 Netherleigh Close is another terrace of 6 properties, No's 5-10 Netherleigh Close. To the east of the site is Fitzwarren House, a five storey residential development. To the north of the site are No's 8 & 10 Hornsey Lane which comprise four storey residential properties, subdivided into flats. Immediately to the south of the application building is a small car parking area and garages associated with Netherleigh Close. Adjoining the garages are the rear gardens of properties located along Highgate Hill.

6. PROPOSAL (IN DETAIL)

- 6.1 Full planning permission is sought for four individual properties, which form a terrace, for the construction of a mansard roof extension with 2 no. rooflights to the front elevation at No's 1 – 4 Netherleigh Close. The proposal also comprises the replacement of existing windows and doors to the front and rear elevation with aluminium powder coated double glazed units.
- 6.2 Amended drawings were submitted on the 14th November 2014 to overcome officer concern relating to the design and appearance of the extensions. The proposed render has been omitted and replaced with a red brick to match existing. The number of rooflights to the front elevations has been reduced from three to two to provide a more proportionate appearance.
- 6.3 The mansard roof extensions will be finished in zinc and include 2 no. rooflights to each property to the front elevation and full width aluminium, double glazed windows to the rear elevations. New aluminium windows are proposed to the front elevations at ground and first floor and a timber door at ground floor.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **850695** - Construction of conservatory extension to top floor extension at No. 1 Netherleigh Close. Approved 29/07/1985.

Relevant applications at adjoining sites

- 7.2 **P2014/4018/FUL** - Construction of a mansard roof extension with 2. no rooflights to front elevation. Replacement windows and doors at 2 Netherleigh Close. Recommended for Approval.
- 7.3 **P2014/4017/FUL** - Construction of a mansard roof extension with 2. no rooflights to front elevation. Replacement windows and doors. Recommended for Approval.
- 7.4 **P2014/4019/FUL** - Construction of a mansard roof extension with 2. no rooflights to front elevation. Replacement windows and doors. Recommended for Approval.

ENFORCEMENT:

- 7.5 None.

PRE-APPLICATION ADVICE:

- 7.6 None.

8. CONSULTATION

Public Consultation

- 8.1 A total of 35 letters were sent to occupants of adjoining and nearby properties dated 14/10/2014. A site and press notice were also displayed.
- 8.2 A further round of consultation was required as the 'replacement windows and doors' had been missed from the description of development by the case officer. A total of 35 letters were sent out to adjoining and nearby properties dated 02 December 2014. A site and press notice was displayed on the 04/12/2014. The re-consultation date expired on the 25 December 2014. However, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 There have been eight objections raised to the proposals. The objections can be summarised as follows (with the relevant paragraph numbers of the evaluation listed):
- Design and appearance (See Paragraphs 10.3 – 10.11);
 - Use of white render is unacceptable (See Paragraph 10.7);
 - The extension will be visible from the street and public area and is contrary to policy (See Paragraphs 10.3 – 10.11);
 - Impact on Conservation Area (See paragraphs 10.3 – 10.11);
 - Overlooking and loss of privacy (See Paragraphs 10.14 – 10.15);
 - Loss of Light (See Paragraph 10.16-10.18);
 - Construction noise and disturbance (See Paragraphs 10.21);
 - Result in an increase in residents, overcrowding and resultant problems with parking and refuse collection (See Paragraph 10.19);
 - Loss of views of mature trees (See Paragraphs 10.20);
 - Increase in traffic in the area (See Paragraph 10.19).
 - Inaccuracies with consultation (See Paragraph 10.22)

External Consultees

- 8.4 None.

Internal Consultees

- 8.5 **Design & Conservation Team:** Approve subject to the recommended alterations to the design.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 The National Planning Practice Guidance is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

- 9.3 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 9.4 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

- **Highgate Hill/Hornsey Lane**

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:
- Design and appearance and impacts on the host building & surrounding Highgate Hill / Hornsey Lane Conservation Area;
 - Impact on amenity of neighbours.
- 10.2 The National Planning Policy Framework (NPPF) has been considered in the assessment of this application.

Design and Appearance

- 10.3 No's 1-4 Netherleigh Close is located within the Highgate Hill/Hornsey Lane conservation area. The properties make up a c1970s terrace of four part two/part three storey houses which are set back from the main road but are partially visible from the access to Netherleigh Close off Hornsey Lane. The construction of mansard roof extensions are considered to be acceptable in principle but subject to satisfactory design.
- 10.4 Section 30.9 (i) of the CADG states that new roof extensions visible from street level will only be allowed on those terraces where a significant number already

exist, with the intention of eventually completing a new and harmonious roof line on these terraces.

- 10.5 In this instance all four properties on Netherleigh Close (No's 1 – 4) seek to construct the same matching roof extension. On this basis, the proposal is deemed acceptable as the resultant roof form will be consistent and harmonious. The owner/occupiers of No's 1 – 4 Netherleigh Close will need to enter into a Unilateral Planning Obligation made under Section 106 Town and Country Planning Act 1990 relating to land at 1 – 4 Netherleigh Close to ensure all roof extensions are constructed simultaneously. This forms an informative to this report.
- 10.6 In most instances any new extensions within a conservation area would be expected to use traditional materials such as red stock brick, timber windows and doors and slate roofs. Such traditional materials reflect the surrounding properties and the character of the conservation area. However, the properties at Netherleigh Close are relatively modern (1970's), and subsequently a more contemporary design is acceptable given the host building style and context within which they are located. The design and conservation officer agrees with this approach and is satisfied with the revised scheme.
- 10.7 Amended drawings have been submitted during the assessment of the application following officer comments. The proposed white render has been omitted from the scheme following officer objection and has been replaced with red brick to match existing. The number of rooflights to the front roofslope have been reduced from three to two on each property in order to achieve a desirable appearance and align with the existing proportions of the buildings. Given the relatively modern style of the host buildings, a zinc roofing material is acceptable.
- 10.8 New aluminium windows are proposed to the front elevation at ground and first floor and a timber doors at ground floor. Replacement aluminium windows are proposed to rear ground floor. Again, given the contemporary style of the buildings the use of aluminium windows/sliding doors is acceptable. The Design and Conservation officer raises no objection to the revised drawings.
- 10.9 Views from Hornsey Lane to the north of the site would be in most part obscured by the existing buildings, and there would be only glimpses of the proposed mansard roof extensions from the public realm. The application buildings are screened entirely from Highgate Hill by existing buildings. The only public views would be from Netherleigh Close itself and from the access to Netherleigh Close off Hornsey Lane.
- 10.10 There is a diverse mix of buildings surrounding the application sites and there is no consistent style. Given the relatively modern design of the host buildings and taking into consideration the surrounding context, the proposed roof extensions at 1-4 Netherleigh Close are not seen to harm the conservation area. Subsequent to this, given the limited visibility from the streetscene and public realm, the roof extensions are seen to result in negligible harm as not to

warrant the refusal of this application. The construction of consistent roof extensions at the terrace would be acceptable in this setting.

- 10.11 The proposal, if constructed together (rather than individually), is not considered to have a harmful impact on the host buildings or terrace and surrounding streetscene, nor would it negatively impact on the character or appearance of the Highgate Hill/Hornsey Lane Conservation Area and it is therefore considered to generally comply with London Plan policies 7.4 (Local Character), CS9 of the Islington Core Strategy and Policies DM2.1 (Design) and DM2.3 (Heritage) of the Islington Development Management Policies 2013.

Neighbouring Amenity

- 10.12 Impact on surrounding residential amenity has been considered in the assessment of this application. The site is located on the southern side of Hornsey Lane, on Netherleigh Close. The site is landlocked with the rear of residential properties located on Hornsey Lane, Fitzwarren House and Highgate Hill. Notwithstanding this constrained site, there is sufficient separation to prevent any adverse impact on neighbouring occupiers' amenity.
- 10.13 There have been eight objections to the proposed development. The issues raised relating to design and appearance, including views of the roof extension, have been addressed above in paragraphs (10.3 - 10.11).
- 10.14 Loss of privacy and increased overlooking has been raised as a concern. The proposed mansard extensions comprise two rooflight windows to the front elevations which will serve bathrooms. The windows to the front roofslope have been reduced from three to two to address design concerns. Given the windows serve bathrooms they will subsequently be obscurely glazed. A condition will be attached to secure this. On this basis, there will be no increased overlooking to the front of the site towards the rear elevations of 8 – 10 Horney Lane.
- 10.15 The roof extensions will have full width aluminium powder coated double glazed windows to the rear elevations. The windows will be positioned directly above existing full width windows below. There are existing rear windows and existing terrace areas at to the rear elevations of 1- 4 Netherleigh Close. There would be no direct overlooking to the properties located to the rear of the site (rear elevations of properties located at Highgate Hill) as a result of the extensions, taking into account the existing site arrangement, vegetation & trees between the buildings and the distance between the application site and properties to the rear and importantly, the oblique angle between 1-4 Netherleigh Close and the properties at Highgate Hill. There is a distance of 20 metres from the rear of No. 4 Netherleigh Close to No. 78 Highgate Hill and a distance of 30 metres from the rear of No. 1 Netherleigh Close to No. 78 Highgate Hill. The proposed additional windows at the application sites would present a situation no worse than what currently exists with the existing windows and rear terraces at No. 1 – 4 Netherleigh Close.

- 10.16 The proposed mansard roof extensions to the front elevations would increase the height of the building by 2.7 metres. The rearward element of the roof extension would result in an increase of 2.1 metres. In terms of loss of light the distance between the application site (measurements taken from closest point along the terrace at 1 – 4 Netherleigh Close) and the rear of No. 10 Hornsey Lane is 13 metres and the rear of No. 8 Hornsey Lane is 23 metres. On the basis of the height increase, this is considered a more than adequate distance as not to result in any loss of light to the rear windows of these properties. In addition, 1-4 Netherleigh Close is located at a lower land level than the properties along this section of Hornsey Lane. The rear windows at Hornsey Road are located at a sufficient distance from the application site and the rear windows each meet the 25 degree rule.
- 10.17 There is a distance of over 20 metres from the rear elevation of 1 – 4 Netherleigh Close to the closest building at Highgate Hill, No. 78. There would be no impact in terms of loss of light. The 25 degree rule is met.
- 10.18 In respect to No's 5-10 Netherleigh Close, which are located to the west of the application site, these properties are already overshadowed to a degree by 1-4 Netherleigh Close due to the close proximity. No. 5 Netherleigh Close has a south facing wall with a number of windows in it, providing ample daylight to the habitable rooms. This south facing elevation forms the main elevation of No. 5 Netherleigh Close and the proposal would therefore not have an impact on the daylight serving this property. In relation to No. 6 Netherleigh Close, as a result of the orientation of the site, the rear elevation of No. 6 Netherleigh Close is already obscured to a degree by the application site during the morning hours (the application site is located to the north east of No's 5-10 Netherleigh Close). Notwithstanding this the proposed roof extensions are not considered to represent any further detrimental impact on these properties in terms of loss of light.

Others matters raised by objectors

- 10.19 A further issue raised in objection letters relates to increases in traffic, increases in parking requirements at the site, overcrowding due to an increase in residents and impacts on refuse collection. The proposal does not seek to increase the number of units at the site. The applications are to construct an additional bedroom and bathroom at the four residential properties. The proposal does not seek to introduce additional vehicles and/or parking spaces at the site. There will be no impact on refuse collection as a result of the proposed development as no additional units are proposed.
- 10.20 Concern has been expressed in relation to the loss of views of mature trees. This is not a material consideration in the assessment of a planning application and no weight can be given to this objection.
- 10.21 Objection has also been raised insofar as the development would result in noise and disturbance during the construction phase. The demolition and construction periods are generally responsible for the most disruptive impacts affecting residential amenity and this issue has been raised by an objector.

The council has powers under the Control of Pollution Act to restrict the hours of noisy working. Any subsequent work outside of these hours can result in prosecution and a fine of up to £5,000. The council can also specify other standards or conditions with which the builder or owner must comply. The council allows building works that generate noise to be carried out between the hours of: 8am - 6pm on Monday to Friday, 8am - 1pm on Saturday and no audible building works to be carried out on Sunday or public holidays. A condition is recommended to control working hours during the construction phase.

- 10.22 There has been one objection stating that there have been inaccuracies with the public consultation undertaken. The objection states that No's 5-10 Netherleigh Close were not consulted on all four applications. Only No. 4 Netherleigh Close adjoins No's 5-10 Netherleigh Close, and all adjoining neighbours were consulted, the correct consultation has been undertaken to meet the statutory requirements.
- 10.23 Overall, the creation of roof extensions to No's 1-4 Netherleigh Close is not considered to have any material adverse impact in terms of any undue sense of enclosure, loss of light and outlook, privacy or increased incidences of overlooking in relation to adjoining properties. The proposed development is thereby considered to comply with policy DM2.1 (Design) of the Development Management Plan 2013.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 In accordance with the above assessment, it is considered that the proposed development is generally consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions the reasons and details as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director Planning and Development/Head of Service – Development Management or in their absence or relevant Team Manager:

1. There shall be no commencement on any of the individual sites until a building contract for the development of all four sites together has been approved by the Council

All payments are due on practical completion of the development and are to be index-linked from the date of committee. Index linking is calculated in accordance with the Retail Price Index. Further obligations necessary to address other issues may arise following consultation processes undertaken by the allocated S106 officer.

That, should the **Section 106** Deed of Planning Obligation not be completed within 6 weeks from the date of the decision of the application, the Service Director Planning and Development / Head of Service – Development Management may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation the proposed development is not acceptable in planning terms. ALTERNATIVELY should this application be refused and appealed to the Secretary of State, Service Director Planning and Development / Head of Service – Development Management be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

That the grant of planning permission be subject to conditions to secure the following:

List of Conditions: 1-4 Netherleigh Close

1	Commencement
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	Approved plans list
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:

	<p>OS.01; Dwg No's: EX.01; EX.02; EX.03; PP.01 Rev A; PP.02 Rev A; PP.03 Rev A; EX. Image; PP. Image Rev A; Design and Access Statement prepared by Tasou Associated.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Facing Brickwork
	<p>MATERIALS TO MATCH (COMPLIANCE): The facing brickwork of the roof extension hereby approved shall match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
4	Materials
	<p>MATERIALS (COMPLIANCE): The development shall be constructed in accordance with the schedule of materials noted on the plans. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	Obscurely glazed rooflights to front elevation
	<p>CONDITION: The 2 no. rooflights to the front elevation shown on the plan No.PP.02 Rev A hereby approved, shall be obscurely glazed shall be provided as such prior to the first occupation of the development.</p> <p>All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
6	Hours of Construction
	<p>No building work shall be carried out at the site outside the following hours:</p> <ul style="list-style-type: none"> • 8am - 6pm, Monday to Friday; • 8am - 1pm, Saturday; and • no audible building works to be carried out on Sunday or public holidays <p>REASON: To safeguard surrounding residential amenity.</p>

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	Section 106
	SECTION 106 AGREEMENT: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2011 - Spatial Development Strategy for Greater London

1 Context and strategy
Policy 1.1 Delivering the strategic vision and objectives for London

7 London's living places and spaces
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.4 Local character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.3 Heritage

5. Designations

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- **Highgate Hill/Hornsey Lane Conservation Area**

6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan**
- **Conservation Area Design Guidelines (2002)**
 - **Urban Design Guide (2006)**