

10 May 2023

The Savills logo consists of the word "savills" in a lowercase, sans-serif font, colored red, set against a solid yellow rectangular background.

Chris Brady  
E: [chris.brady@savills.com](mailto:chris.brady@savills.com)  
DL: +44 (0) 7807999972

33 Margaret Street W1G 0JD  
T: +44 (0) 20 7499 8644  
F: +44 (0) 20 7495 3773  
[savills.com](http://savills.com)

Dear Sir or Madam,

**42 Bergholt Crescent, Hackney, London, N16 5JE**  
**Planning Portal Reference: PP-12149234**

On behalf of our client, Mr Rosner ('the Applicant'), I write to submit online via the Planning Portal (reference: PP-10343594), a planning application for the refurbishment and extension of existing building at 42 Bergholt Crescent, Hackney ('the Site').

To support this application please find enclosed the following documents:

- Completed Application Form;
- Completed CIL Additional Questions Form;
- Planning Note (this letter); and
- Daylight and Sunlight Assessment, prepared by T16 Design.

The following drawings, prepared by Oaten Architects, are also submitted to support this application:

- Location Plan – drawing no. 21.1249 / 001;
- Existing Basement Floor Plans – drawing no. 21.1249 / 002;
- Existing Ground Floor Plans – drawing no. 21.1249 / 003;
- Existing First Floor Plan – drawing no. 21.1249 / 004;
- Existing Second Floor Plan – drawing no. 21.1249 / 005;
- Existing Roof Plan – drawing no. 21.1249 / 006;
- Existing Front and Rear Elevation – drawing no. 21.1249 / 007;
- Existing South West Elevation – drawing no. 21.1249 / 008;
- Existing North East Elevation – drawing no. 21.1249 / 010;
- Existing Section A-A – drawing no. 21.1249 / 0011;
- Proposed Basement Floor Plans – drawing no. 21.1249 / 012;
- Proposed Ground Floor Plans – drawing no. 21.1249 / 013;
- Proposed First Floor Plan – drawing no. 21.1249 / 014;
- Proposed Second Floor Plan – drawing no. 21.1249 / 015;
- Proposed Roof Plan – drawing no. 21.1249 / 016;
- Proposed Front and Rear Elevation – drawing no. 21.1249 / 017;
- Proposed South West Elevation – drawing no. 21.1249 / 018;
- Proposed North East Elevation – drawing no. 21.1249 / 019; and
- Proposed Section A-A – drawing no. 21.1249 / 0020.

The planning application fee of £206 (plus £64 Planning Portal fee) has been paid via the Planning Portal.

### The Site

The site is located in the London Borough of Hackney ('LBH') and consists of a three storey end of terrace dwelling adjoining similar terraced dwellings. The application site is located on the north side of Bergholt

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS.

A subsidiary of Savills plc. Registered in England No. 2605138. Registered office: 33 Margaret Street, London, W1G 0JD



Road close to its junction with Cranwich Road. The surrounding area is predominantly residential in character.

The site has a PTAL rating of 3, meaning it has 'good' overall transport connectivity. The site is approximately 290m (3 minute walk) from Stamford Hill station, which provides services along the Overground Line.

There are no trees subject to Tree Preservation Orders within or adjacent to the site.

There are no listed buildings within or adjacent to the site and the site is not within a Conservation Area.

The site falls within Flood Zone 1, where flood risk is lowest.

### Planning History

A desk-top search of LBH's public access has identified a number of planning applications relevant to the site, the details of which are below.

Reference	Description of Development	Decision
2021/3213	Demolition of the existing building (and associated structures) and construction of a replica replacement building, including the construction of a single-storey rear extension at ground floor level; the construction of a two-storey infill extension together with the construction of a rear roof extension; the installation of windows in the side elevation; excavation of a full-depth basement with associated front and rear lightwells and reconstruction works to the front elevation.	Awaiting determination.
2022/2177	Prior notification of proposed demolition of 42 Bergholt Crescent, Hackney, London, N16 5JE.	Refused 04/10/2022
2021/2110	Construction of a single-storey rear extension at ground floor level and the construction of a two-storey infill extension together with the construction of a rear roof extension, the installation of windows in the side elevation, excavation of a full-depth basement with associated front and rear lightwells and associated works.	Refused  28/09/2021
2021/0544	Alterations including erection of a single-storey rear extension at ground floor level, and a basement extension (with front and rear lightwells and associated works).	Granted - Extra Conditions  03-06-2021
2020/0409	Erection of single storey rear extension at ground; excavation of full depth basement with associated front and rear light wells and associated works.	Refused  31/03/2020
2019/3890	Demolition of existing single storey rear extension and erection of a part 6m, part 10.5m deep single storey rear extension (wraparound extension), excavation of a basement floor including a front and rear lightwell and modest external alterations.	Refused  17/12/2019
2019/2189	Proposed installation of windows in western elevation at ground, first and second floor levels.	Granted - Standard Conditions  08-08-2019
2019/1844	Erection of single-storey ground floor rear extension and excavation basement including the installation of front and rear lightwell and associated elevational alterations.	Refused  18/09/2019
2019/1633	Erection of a first floor rear extension.	Granted - Extra Conditions 01/07/2019

2019/1402	Prior Approval for a Larger Homes Extension for the erection of single storey ground floor rear extension measuring up to 6.0m deep, 2.8m eaves height and 2.8m maximum height.	Grant 21/05/2019
2019/1338	Prior Approval for a Larger Homes Extension for the erection of single storey ground floor rear extension measuring up to 6.0m deep, 3.5m eaves height and 3.5m maximum height.	Approval Not Required 17/05/2019
2018/2054	Erection of a single storey rear extension, plus excavation of the existing basement including the provision of a front lightwell and associated alterations to the front elevation.	Grant 02/08/2018
2018/2033	Proposed erection of a rear roof extension.	Grant 23-07-2018
2018/2083	Prior Approval for a Larger Homes Extension for the erection of single storey ground floor rear extension measuring up to 6.0m deep, 4.3m wide and 3.0m high.	Refused 17-07-2018

The site benefits from a number of recent planning permissions, including:

- Single storey rear extensions at ground floor level (ref: 2021/0544 & 2019/1402)
- Basement extension with front and rear lightwells (ref: 2021/0544)
- Installation of new windows along western elevation (ref: 2019/2189)
- First floor rear extension (ref: 2019/1633)
- Rear roof extension (ref: 2018/2033)

The most recent refused planning application (ref. 2021/2110) was refused on the following grounds:

- The proposed development was considered “*an incongruous and unsympathetic addition*” to the site and surroundings due to inappropriate siting, massing and design;
- The size and positioning of the proposal was considered to result in an “*increased sense of enclosure, loss of light and outlook from neighbouring dwellings*”
- The introduction of new windows was considered to result in a loss of privacy for neighbouring dwellings

As discussed in the assessment section below, the proposal presented within this application has rectified these issues and should now be considered acceptable.

## PROPOSAL

The proposed development comprises the retention of the existing building.

The proposed works relating to the new dwelling (in comparison to the existing building) comprises:

- Retention of the existing building following contention associated demolishing the existing building under application ref. 2021/3213;
- A single-storey ground floor extension (6m long by 2.8m high), as previously approved under application ref. 2021/0544;
- Removal of the two-storey first and second floor rear infill extension, previously resisted under ref. 2021/3213;
- Rear roof extension set back at the side to articulate the roof, similar to extent previously approved under application ref. 2018/2033;
- Basement extension with front and rear lightwell, as previously approved under application ref. 2021/0544;

- Installation of new windows along western elevation, as previously approved under application ref. 2019/2189;
- Amended internal layout; and
- Alterations to the proportions of the existing front windows and entrance door.

This application has amended the most recent planning application (ref. 2021/2110) to incorporate the following:

- A reduction in the height of the single-storey ground floor extension to 2.8m;
- A 0.2m set back from the party wall and roof ridgeline for the rear roof extension;
- An alternative design for the roof extension, including set back to side elevation; and
- All new side-facing windows to be made non-openable and translucent.

The total GIA of the dwelling house will be increased from 222 m<sup>2</sup> to 371 m<sup>2</sup>.

## **PLANNING POLICY CONTEXT**

For the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan for the site comprises the following:

- The Hackney Local Plan 2033 (July 2020); and
- The New London Plan 2021.

Material considerations include; Hackney Supplementary Planning Document (SPD) – Residential Extensions and Alterations (2009), The National Planning Policy Framework (2019), Planning Practice Guidance (PPG) and any supplementary planning guidance and documents.

## **ASSESSMENT**

### **Principle of Development**

The Officer's Report relating to application ref. 2021/2110 considers *"the principle of erecting residential extensions and alterations in accordance with planning policy at local, regional and national levels, subject to assessments of other material planning considerations"*.

LBH's Residential Extensions and Alterations SPD states that extensions to existing houses can generally be accommodated at the rear provided they are designed to respect the character and size of the original house. This SPD was produced in response to significant pressure on the existing housing stock in this area, due to the high demand for large family housing in the area. This forms the principal motivation for the proposed works at no. 42 Bergholt Crescent to provide larger family housing in the area.

The main issues relating to the previous application (ref. 2021/2110) related to design and amenity considerations, which will now be discussed in turn.

### **Design**

LBH's Residential Extensions and Alterations SPD states that extensions to existing houses can generally be accommodated at the rear provided they are designed to respect the character and size of the original house. The architects have sympathetically and carefully designed the proposed new dwelling to ensure that the visual appearance of the dwelling is in-keeping with the street frontage. Existing details and materials will be matched to provide a fitting and attractive family home, and should therefore be considered acceptable in design terms. The Officer's Report relating to the previous application (reference. 2021/2110) considers the following to be acceptable in design terms, and they subsequently remain unchanged:

- Single-storey, ground floor rear extension;

- Two-storey first and second floor rear infill extension;
- Basement extension with front and rear lightwell;
- New windows.

#### *Single-storey, ground floor rear extension*

The Officer's Report relating to the previous application (reference. 2021/2110) notes that "*extensions of a similar depth and width have already been approved on the site notably under application 2021/0544*". This confirms that the proposed extension has previously been considered acceptable in principle.

The design of the ground floor extension, which incorporates materials that match the existing building, remains unchanged from the previous application (reference 2021/2110). The Officer's Report relating to this application considered the materials and solid to void ratios "*acceptable for an extension of this type.*"

#### *First floor rear infill extension*

A similar first floor, infill extension was approved under application 2019/1633, but the design changes incorporated as part of application ref. 2021/2110 were viewed positively in the Officer's Report. In particular, the report considered the changes to the fenestration patterns "*to be a positive alteration that is sympathetic to the character of the dwelling.*" Overall, they concluded that "*as the proposed infill extension will be set within the existing side return it will not extend the building line at the first-floor level nor will it exceed half the width of the dwellinghouse [...] [it] is therefore considered proportionately sized in regard to the host dwelling and wider context.*" The proposed materials were also considered acceptable.

As a result, the proposals remain unchanged from the previous application (ref. 2021/2110) and should continue to be considered acceptable in design terms.

#### *Rear Roof Extension*

The Officer's Report relating to application ref. 2021/2110 raised concerns over the design of the rear roof extension, particularly in relation to its size and scale failing to reflect the existing architectural character of the dwellinghouse. It is noted that although the proposed roof extension possessed a setback from the outrigger, it did not possess "*any setback from the party walls nor would it possess any setback from the ridgeline of the roof*".

As outlined above, the design of the rear roof extension has been altered in response to these comments to ensure that it possesses a setback of 0.2 metres from the party walls and roof ridgeline. This ensures that the development is in-keeping with the architectural character of the existing dwelling and surrounding terrace, and should now be considered acceptable in design terms.

#### *Basement extension*

As the basement is fully underneath the building, the Officer's Report relating to application ref. 2021/2110 considers it acceptable in principle. Furthermore, the incorporation of a front and rear lightwell is considered to be in line with the guidance of the SPD as 50% of both the front and rear gardens will be retained.

#### *Installation of new windows*

The proposal to introduce six new windows into the side elevation were approved under a lawful development certificate (ref. 2019/2189) and should therefore continue to be considered acceptable in design terms.

As identified above, the replacement proposals predominately replicate the existing dwelling and adjoining properties in order to protect the existing character of the terrace. The only minor amendment to the front façade is a revised front bay window and door design to facilitate level access into the dwelling. This is proposed to

enable improved access arrangements to elderly and infirm relatives who intend to live with the Applicant at the property.

Overall, the design issues relating to application ref. 2021/2110, as identified within the Officer's Report, have been rectified and the proposals should now be considered acceptable in terms of design.

## **Residential Amenity**

The Hackney Local Plan Policy LP2 states that all new development must be appropriate to their location and should be designed to ensure there are no significant adverse impacts on the amenity of occupiers and neighbours.

The Officer's Report relating to application ref. 2021/2110 considers the following to be acceptable in terms of residential amenity, and they subsequently remain unchanged:

- First floor rear infill extension; and
- Basement extension with front and rear lightwell.

### *Single-storey, ground floor rear extension*

With regards to the single-storey ground floor rear extension, concerns were raised in the Officer's Report (application ref. 2021/2110) over its "overly excessive" massing and the impact on a loss of light and outlook to 40 Bergholt Crescent. The report notes that a full-width ground floor rear extension with a height of 2.8m was agreed under the previously approved application 2021/0544. The proposed ground floor extension has therefore been reduced to match this agreed height to ensure it is not considered overbearing.

Furthermore, a Daylight and Sunlight Assessment has been prepared and submitted to support this application. It demonstrates that the proposals do not have significant adverse impacts on neighbouring properties with regard to loss of daylight / sunlight and that the proposals comply with BRE standards. Therefore, the ground floor extension should now be considered acceptable in terms of neighbouring residential amenity.

### *First floor rear infill extension*

The Officer's Report relating to the previous application (ref. 2021/2110) was "satisfied" that the rear infill extension would "be compliant with the 45-degree angle test and it would result in no significant loss of light or outlook to neighbouring dwellings." Therefore, these proposals should continue to be considered acceptable in terms of residential amenity.

### *Rear Roof Extension*

With regards to the rear roof extension, concerns were raised in the Officer's Report (application ref. 2021/2110) over its massing and the impact on a loss of light and outlook to 40 Bergholt Crescent. As mentioned previously, a Daylight and Sunlight Assessment has been prepared and submitted to support this application. It demonstrates that the proposals do not have significant adverse impacts on neighbouring properties with regard to loss of daylight / sunlight and that the proposals comply with BRE standards. Therefore, the rear roof should now be considered acceptable in terms of neighbouring residential amenity.

### *Basement extension*

As the basement is fully below ground level, the Officer's Report relating to application ref. 2021/2110 states "it is not considered the proposal will have a significant impact on adjoining residential amenity". Therefore the proposals relating to the extended basement should continue to be considered acceptable in terms of residential amenity.

### *New windows*

The Officer's Report relating to the previous application (reference. 2021/2110) raised concerns over the impact of the new windows on neighbouring privacy. It is suggested that new windows on the side elevation should be made non-openable and translucent like those approved under lawful development certificate 2019/2189. These suggestions have been incorporated into the new proposals to ensure they can be considered acceptable in terms of residential amenity.

### **Standard of Accommodation**

The Officer's Report relating to application ref. 2021/2110 also notes that the effect of the works on the standard of accommodation would be positive, with a "*usable and satisfactory*" sized garden, increased internal floor area and "*a sufficient amount of light additions*". The proposed works will continue to ensure a positive standard of accommodation.

### **Conclusion**

The proposed works have been carefully redesigned to ensure they will not harm the character or appearance of the area, nor negatively impact neighbouring residential amenity. The extension is therefore in accordance with the Development Plan and Housing SPD and should now be considered acceptable.

I trust the above and enclosed provides sufficient information to enable you to promptly validate the application and determine it in due course. Please do not hesitate to contact me if you wish to discuss any of these matters further.

Yours faithfully

A handwritten signature in black ink that reads "C. Brady". The signature is written in a cursive, slightly slanted style.

Chris Brady  
Savills Planning