

Officer's Report

Application Number	HGY/2022/2795
Type	Full planning permission
Location	Flat B, 68, Muswell Road, London, N10 2BE
Proposal	Ground floor rear extension
Case Officer	Sabelle Adjagboni
Valid Date	18/10/2022
Applicant	Tinker and Kiis
Agent	Daniel Beardsley

RECOMMENDATION

Approve with Conditions

SUMMARY OF RECOMMENDATION

GRANT PERMISSION subject to conditions

Conditions:

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) The roof will not be used as a terrace

Informatives:

- 1) Land ownership
- 2) Hours of construction
- 3) Party Wall Act

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for a single storey rear extension.

Site and Surroundings

The application site is the ground floor flat in a two-storey mid-terrace property currently in use as three flats. This property sits on the south-eastern side of Muswell Road, and the surroundings are residential in character, made up predominantly of other residential terraces; although, it is noted that there are some semi-detached properties evident in the area.

The site situated centrally within the Muswell Hill conservation area but does not have listed building status.

Relevant Planning and Enforcement history

Records show that the site gained permission to be converted into flats in 1984 (OLD/1984/0914).

Consultation response

No responses were received following consultation on the application.

LOCAL REPRESENTATIONS

The application has been publicised by way of a site notice displayed in the vicinity of the site and 13 letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No of individual responses:

Objecting: 1

Supporting: 0

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Character of the area

The following issues raised are not material planning considerations:

Loss of a private view

Officer Comment: The objection raised by the neighbours in flat C, above the application site, discusses issues regarding privacy due to the proposed rooflights. However, the degree of and additional overlooking is not considered significant enough to warrant refusal and is not considered materially worse than the current situation with the rear windows already visible from the applicants garden.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance
2. Impact on the character and appearance of the conservation area
3. Impact on neighbouring amenity

Design and appearance

DPD Policy DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original building, including external features such as chimneys, and porches.

High quality matching or complementary materials should be used appropriately and sensitively in relation to the context. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

The proposed extension spans across the full width of the house. It has a ridge height of 3m which drops down to an eave's height of 2.5m on both boundaries. Given that the proposed extension is a single storey the addition would remain subservient and would not overwhelm the host building. As such, from a design perspective, it is not considered that extension would be of excessive size or scale.

The flat roof design with eaves on the boundaries of the extension would not be visually intrusive in appearance and would be of similar form to the existing ground floor rear projection. Therefore, this design is considered suitable. The plans indicate that matching materials are proposed, and this is appropriate. The addition of rooflights and French doors to the enlargement is considered acceptable, as these features would not have a harmful visual impact on the appearance of the extension.

As such, the proposal is in line with the above policies.

Impact on the character and appearance of the conservation area

London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account. In relation to extensions or alterations to residential buildings, including roof extensions, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires the use of high-quality matching or complementary materials, to be sensitive to context.

The proposed rear extension would be of acceptable design, with the character and appearance of the host property and the surrounding area not adversely impacted. The features that contribute to the architectural quality of this property would not be lost. The addition would not be visible from Muswell Road, nor from any other public vantage point. This lack of visibility means that there would be a neutral impact on the character and appearance of the CA. The historic significance and special interest of the CA would be preserved.

As such, the proposal is in line with the above policies.

Impact on neighbouring amenity

London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring resident.

To limit the loss of outlook and light affecting the adjacent window of the neighbours at No. 66, the scheme offers a reduction in the height of the extension by hipping the roof down to an eave's height of 2.5m, from about 0.6m away from the boundary.

The same design solution is offered on the boundary with No. 68A.

Given the modest additional projection of 3m on a single storey level, it is considered that the extension would not result in a loss of light, overshadowing or a restriction of outlook that would materially impact the neighbours. Therefore, the proposal is considered acceptable.

As such, the proposal is in line with the above policies.

Other considerations

The ground floor extension would enlarge the floor area of 68B Muswell Road. However, there is some potential for the roof of the extension to be utilised as a terrace for the flat at the first floor of the building. This would allow harmful overlooking of the neighbouring properties. Consequently, a condition for the roof to not be used as a terrace is included as part of the application.

Conclusion

The proposal is considered acceptable.

All other relevant policies and considerations, including equalities, have been considered. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

CIL APPLICABLE

The increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

RECOMMENDATION

GRANT PERMISSION subject to conditions.

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No part of any structure hereby granted planning permission shall be used as a roof terrace or balcony.

Reason: In order to restrict the use of the premises to one compatible with the surrounding area because other uses within the same Use Class or another Use Class are not necessarily considered to be acceptable consistent with Policy DM1 of The Development Management DPD 2017.

Informatives:

- INFORMATIVE: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

- INFORMATIVE: Party Wall Act

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

- INFORMATIVE: Hours of Construction Work

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday
8.00am - 1.00pm Saturday
and not at all on Sundays and Bank Holidays.