

Officer's Report

Application Number	HGY/2022/3162
Type	Full planning permission
Location	Risborough Court, Muswell Hill, London, N10 3PP
Proposal	Erection of roof extension to main building forming additional floor to create 2no flats, extension and conversion of the existing lower ground floor to create 1no flat and conversion of existing garage to create 1no flat over two-storeys together with formation of lower ground floor. Erection of new stair core to the side of the existing building
Case Officer	Tania Skelli
Valid Date	08/11/2022
Applicant	Mr P Bowers
Agent	Mr Gareth Stockbridge

RECOMMENDATION

Refuse

Reasons for Refusal:

- 1) The proposed development, by reason of its lack of basement impact assessment, would result in adverse impact on the local structural stability, contrary to policy DM18A(a) of the Haringey Local Plan 2017.
- 2) The proposed development, by reason of the staircore size and location, would result in adverse impact to adjoining residents, contrary to policy DM1 and DM12 of the Haringey Local Plan 2017.

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 This is an application for a roof extension, rear extension and basement excavation to provide 4 new flats (two in roof, 1 in basement and one in garage). The proposal includes outdoor amenity space, cycle and refuse storage as well as a new external staircore.

Site and Surroundings

3.2 The application site is a part 2/ part 3 modern block of flat on the corner of Alexandra Gardens and Muswell Hill and includes vehicular access from Muswell Hill towards a rear single-storey garage. A lightwell separates between the rear elevation/ windows and the driveway to the garage. A front narrow strip of lawn surrounds the frontage and side of the building.

3.3 The site is located outside the nearest conservation area, however, views from the site and onto it would be available from the Rookfield Estate conservation area, especially due to the steep gradient of the Muswell Hill. The protected nature reserve (designated as metropolitan open land) lies 170m to the north of the site, with access off the Muswell Hill.

Relevant Planning and Enforcement history

3.4 There is no recent planning history in relation to the site.

3.5 Pre-application advice was issued in 2022 (ref. PRE/2022/0038) highlighting the main issues to consider.

4. CONSULTATION RESPONSE

4.1 The responses below were received following consultation on the application:

LBH Transportation Team: No objections, subject to conditions.

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of letters to adjoining occupiers. 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: 10

Objecting: 10

5.2 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:

- Design and mass out of keeping with surrounding area
- Too large
- Loss of daylight and sunlight (in particular to flats 4, 6 and 7)
- Overlooking to windows of existing flats
- Increased traffic due to additional flats
- Harm to wildlife (proximity to MOL)
- Harm to mental health
- No flooding impact information
- Pressure on GPs and schools
- Increase of crime opportunities under new stair core
- Fire safety reduced as access arrangements more complicated
- Communal garden space is proposed to be privatised

5.3 The following issues raised are not material planning considerations:

- Impact on property values
- Obstruction to free access (due to scaffolding) during construction
- Noise during construction
- Loss of privacy during construction

6 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Design and appearance;
3. Standard and quality of residential accommodation;
4. Inclusive access;
5. Impact on neighbouring amenity;
6. Transport considerations;
7. Trees and landscaping; and

8. Energy and sustainability.

Principle of development

6.2 London Plan (2021) Policy H2A outlines a clear presumption in favour of development proposals for small sites (below 0.25 hectares in size) and sets out a minimum target in Table 4.2 for boroughs (Haringey –10 year target is 2,600).

6.3 London Plan Policy D3 seeks to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services.

6.4 The extension of the building by additional height and re-development of outbuildings/ garage would be considered acceptable in principle, subject to the detailed design and massing.

Design and appearance

6.5 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 D4.

6.6 The proposal is to create additional living accommodation by excavating a part of the basement under the 2-storey high part of the building to provide additional accommodation (1 flat). The second unit (1-bed flat), would be created by converting the rear garage with the use of the lower level outdoor space and roof terrace as outdoor space. Two additional units are proposed as roof extensions, with balconies to provide outdoor space or none (2x 2-bed). The roof extension flats are proposed to be accessed via a new two-storey staircase tower. The existing small external stairs are proposed to be demolished. The staircore would rest on the rear upper ground floor level and terminate at first floor level of the original building to access the new flats internally.

6.7 Whilst the roof extension is considered acceptable in principle, the associated staircase core is considered bulky and un-proportionate in size to the existing and proposed accommodation, by taking up a large amount of space, relatively to the existing rear yard/ access way and by providing a large amount of built up structure solely for utilitarian purposes.

6.8 The conversion of the garage to residential accommodation is acceptable in principle, as it is not manifested in significant additional bulk, however, concerns over its quality of accommodation are discussed below.

6.9 New cycle and waste storage facilities are proposed, as detailed in the transport section below.

Basement excavation

6.10 The proposed basement excavation would facilitate the provision of an additional lower ground flat. It would require a minimum of 2.5m internal ceiling height and as such require more excavation for the construction of foundations and includes a new access/ alleyway and retaining wall.

6.11 In accordance with policy DM18 A(a), the applicant is expected to show works "Will not adversely affect the structural stability of the application building". The submitted section suggests that the excavation would have to cut into the slope of the site and as such put in retaining walls, all of which is considered sizeable works. Accordingly, the full impact of the basement excavation on the structural stability of the existing building and its surroundings, and in particular due to the significant gradient of the Muswell Hill, is not possible to assess and as such this part of the proposal is unacceptable.

Standard and quality of residential accommodation

6.12 London Plan Policy D6 requires housing developments to be of high quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.

6.13 The proposed accommodation is as follows:

Flat/ level	bedrooms	Size (sqm)	Minimum standard (sqm)	Minimum outdoor space provided
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1/ basement	1-bed	56	50	Yes/ Front yard
2/ garage	1-bed	59	58	Yes/ Front yard and roof terrace
3/ roof	2-bed	61	61	Yes/ balcony
4/ roof	2-bed	68	61	Yes/ balcony

Daylight and outdoor space

6.15 All units provide internal floorspace that complies with the minimum requirements of the London Plan. Outdoor space is provided for each, with the minimum 5sqm for the roof top flats. However, the front yard outdoor space provided to the garage units is not considered likely to benefit from any daylight levels at all and so is the proposed roof terrace. The basement flat is provided with communal outdoor space that would be converted to private. Whilst this is a civil matter, the provision of private amenity space on a small communal section of lawn on a corner with a busy road is not considered a high-quality outdoor space provision. Boundary treatment details for the protection of privacy have not been submitted.

Daylight, overlooking mitigation and ventilation

6.14 In addition, the proposed converted garage home includes two windows in close proximity to existing residential windows within the rear elevation of the host site. This short distance is likely to mean that windows need to be obscured and fixed shut and therefore cannot provide good quality amount of daylight and ventilation into the study and kitchen/ living space from one side of the new home, resulting in a single aspect home with daylight and ventilation via, mainly, doors.

Inclusive access

6.15 London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used easily and with dignity by all. London Plan Policy D7 requires that 10% of new housing is wheelchair accessible and that the remaining 90% is easily adaptable for residents who are wheelchair users. DPD Policy DM2 also requires new developments to be designed so that they can be used safely, easily and with dignity by all.

6.16 Whilst the pre-application submission included a lift to the new roof flats, this application does not address part M4 of the building regulations Access requirements.

Impact on neighbouring amenity

6.17 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.

6.18 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.

Daylight and sunlight

6.19 A daylight and sunlight assessment is submitted to demonstrate impact on existing residents. The assessment concludes that some loss of daylight will be perceived within 65 Muswell Hill, the property to the NW of the site. However, this impact is low and not found to affect the living and kitchen room.

6.20 Therefore, the overall daylight and sunlight levels to existing residents is acceptable, on balance, however, some additional acritical lighting may be required at no. 65 Muswell Hill and in addition an increased sense of enclosure may be experienced due to the 2-4 storey high staircore tower in close proximity to the ground floor entrance and residential accommodation at 65 Muswell Hill.

Outlook, daylight and ventilation

6.21 The outlook from existing windows within the development site may also be negatively affected by the higher proposed retaining wall and staircore tower. The flats affected would be those with windows to the rear ground floor level and those nearest the staircore tower and converted garage, where a privacy screen is proposed to be added in close proximity to existing flats.

6.22 To conclude, the overall impact of the development on the living accommodation standards of surrounding existing residents is not acceptable.

Transport considerations

6.23 London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

6.24 Local Plan Policy SP7 'Transport' states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DPD Policy DM31 'Sustainable Transport'.

6.25 DPD Policy DM32 'Parking' states that the Council will support proposals for new development with limited or no on-site parking where there are alternative and accessible means of transport available, public transport accessibility is at least 4 as defined in the Public Transport Accessibility Index, a Controlled Parking Zone (CPZ) exists or will be provided prior to the occupation of the development, parking is provided for disabled people; and parking is designated for occupiers of developments specified as 'car capped'.

6.26 The Council's Transportation Team has been consulted and advises that the site is located in a PTAL 4 zone which indicates a good accessibility to public transport. There will be a loss of off street parking at this site, and potential new demands from the flats, however any potential uplift in on street parking is considered to be minor within this area which has no CPZ controls.

Cycle storage

6.27 Following revisions, the site plan demonstrates the provision of 5 cycle space in a secure and sheltered space to the front of the site and an additional space near the converted garage. This is short of 1 space in accordance with the London Plan standards.

Waste storage

6.28 As mentioned above, a new waste facility storage is proposed to the front of the site. The existing external refuse storage is proposed to be removed and replaced with new storage area to the front of the side, accessed similarly from Muswell Hill. This is acceptable in principle.

CLP, crossover and parking stress

6.29 On balance, the proposal would need several amendments from a transport perspective as would benefit from a parking stress survey. In addition, the crossover would be conditioned to be re-instated, at the owner's cost and a Construction Logistics Plan be conditioned upon approval.

Trees and landscaping

6.30 London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

6.31 DPD Policy DM1 requires proposals demonstrate how landscaping and planting are integrated into a development as a whole, responding to trees on and close to the site.

6.32 The proposal includes some hard and soft landscaping alterations and additions which would require additional details were the proposal considered acceptable overall. This includes boundary treatment details to the new outdoor space to the basement flat.

6.33 A green roof is proposed to the roof of the converted garage. This is welcome and would need additional details via condition.

Energy and sustainability

6.34 The London Plan sets out detailed policies in relation to energy efficiency, renewable energy, climate change and water resources. Local Plan Policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions through on-site renewable energy generation.

6.35 DPD Policy DM21 also requires new development to consider and implement sustainable design, layout and construction techniques, with proposals required to apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements.

6.36 The proposal does not include a sustainability and energy statement to support the new units.

Conclusion

6.37 The proposal is considered unacceptable for a variety of minor reasons such as overlooking, low quality of accommodation, sense of enclosure and low cycle storage provision. However, it is primary deficient for reasons of design and impact on structural stability.

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

7. CIL APPLICABLE

Were the proposal acceptable, it would be liable to Haringey and Mayoral CIL as it proposes 4 new homes and exceeds 100sqm in new residential floorspace.

8. RECOMMENDATION

REFUSE PERMISSION

Refusal Reasons:

Due to the application not being supported by a Basement Impact Assessment (BIA), it has not been demonstrated that the proposed development would have an acceptability impact in terms of its structural integrity, design and potential impact on properties, to the detriment of the living conditions of adjoining occupiers and contrary to policy DM18 of the Haringey Local Plan 2017.

The proposed development, by reason of the height, scale and massing of the stair core, would have an overbearing appearance and result in an increased sense of enclosure to adjoining residents resulting in an adverse impact on their residential amenity, contrary to policy DM1 and DM12 of the Haringey Local Plan 2017.