

Officer's Report

Application Number	HGY/2022/4495
Type	Householder planning permission
Location	145 Muswell Avenue, Hornsey, London, N10 2EN
Proposal	Proposed loft conversion with rear dormer extension and front rooflights and the erection of a single-storey rear and side infill extension, replacing the existing single storey rear extension.
Case Officer	Ben Coffie
Valid Date	21/12/2022
Applicant	MS ALEXANDRA KRAMER PAULA DA SILVA
Agent	Mr Maciej Maslanka

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAIL

Proposed development

The application proposes a dormer roof extension and a side infill extension. The proposed side infill extension would measure 1.7m in width and 5.5m in depth, it would have a maximum height of 3.07m however would measure 2.25m along the boundary due to its sloping roof.

The proposed dormer will measure 3.5m in depth, 2.0m in height and 5.0m in width.

Site and Surroundings

The application property is a two storey terrace dwelling house. The property fronts Muswell Avenue to the west, set back from it behind a paved front garden.

The site does lie in the Muswell Hill conservation area, however the site is not listed.

Relevant Planning and Enforcement history

N/A

REPRESENTATIONS

One representation has been received in response to notification and publicity of the application raising the following concerns considered material to the determination of the application:

1. Loss of outlook caused by the proposed side extension
2. Loss of light and light
3. Noise disturbance from construction work
4. Sense of enclosure
5. The proposed development would be dominant and intrusive
6. Privacy concerns- the objector has requested for a trellis to be put up should planning permission be granted.

Other concerns raised which are not planning matters are listed below:

1. Party wall agreement should be complied with
2. Air reduction due to the proposed side extension
3. Retention of existing fence, pipes and drains
4. Cover from service charge payment which includes building insurance should the development cause damages

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

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

Design and impact on the character and appearance of the conservation area

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.

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, in order to be sensitive to context.

Dormer and three rooflights

The proposed dormer would take up the rear roof space however would be set back from the eaves, roof ridge and side parapet, the dormer would therefore sit proportionately within the rear roof slope and will not constitute an intrusive development to the detriment of the character and appearance of the host dwelling and the conservation area.

Three rooflights are proposed to the front roof slope which are considered acceptable in size and would not create a visual clutter. Therefore, the proposed rooflights are not considered to have an incongruous appearance within the streetscene nor would they have a detrimental impact against the character and appearance of the host dwelling or the conservation area.

Side infill extension

The scale, height and bulk of the proposed side extension is considered acceptable and would be integrated appropriately within the rear context. The extension would not have any impact on the streetscene due to its location at the rear of the terrace. Therefore, there are no concerns with regards to any potential harm to the character and appearance of the host dwelling and the conservation area.

As such proposed development as a whole is in general accordance with Policies DM1, DM9 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 and SP12 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

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.

Due to the location of the proposed dormer and rooflights above the roof slope, it is not envisaged that there would any adverse impact against the amenity of neighbouring dwellings.

Side infill extensions to the side of rear outriggers in terrace dwellings could potentially result in significant impacts to neighbouring sites where their heights and depth are not moderately designed.

The proposed side extension would create a flank wall approximately 5.5 metres deep along the boundary with the adjoining adjoining ground floor flat, 143B Muswell Avenue. In this case concerns have been expressed by the occupier of that property regarding potential loss of light and outlook and increased sense of enclosure. However, the proposed side infill extension due to its sloping roof would reduce the height of the extension to 2.25m along the shared boundary and this is considered to mitigate the impacts mentioned above. It is also noted that this adjoining property is on a slightly higher level to the application property, further mitigating the proposed extensions impact. It is noted that Haringey's approach to deep infill extensions such as the one proposed in this application, is to require them to be set down along the side boundary to achieve an eaves height of around 2.3 metres. as in most cases this is not considered to be materially more harmful than a 2-metre high boundary fence or wall that could be erected under permitted development. This is informal guidance but one that has been followed now for a number of years. This proposal complies with this approach.

Lastly, whilst privacy concerns have been stated in the objection, the proposed side extension does not incorporate the installation of side windows which would face the neighbouring site. Moreover, the proposed rooflights would only allow light into the extension and due to their location at roof level would not create an opportunity for overlooking.

Consequently, due to the above considerations it is not anticipated that the proposed side extension would have an adverse impact in terms of loss of daylight/sunlight, loss of outlook and an increased sense of enclosure against the occupier of no. 143b Muswell Avenue.

Concerns have been raised about the potential for light pollution at night from the two roof lights proposed in the roof of the infill extension. However, given their position, number and size it is not envisaged that they would create an undue level of light pollution above and beyond what can be expected in a typical urban/suburban residential environment.

Concerns have also been raised about the potential noise and other nuisance that might result from the construction of the extensions. These concerns are noted, however planning legislation has little control over issues of potential disturbance and nuisance to neighbours resulting from the implementation of a planning permission. Separate Environmental Health Legislation restricts times during which audible construction should take place and grants the Council powers to intervene if noise or other pollutants exceed acceptable limits. Should permission be granted, the Council would attach a standard informative advising the applicant of their responsibilities under the Control of Pollution Act 1974.

Given the above considerations, the proposed development would not inflict any adverse impact on the amenity currently enjoyed by neighbouring properties and is in compliance with policy D6 of the London Plan and policy DM1 of the DPD.

Conclusion

The proposal is considered acceptable to the host property and would not harm the character and appearance of the host dwelling and area nor would it cause any impacts against the amenity of neighbouring sites.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

RECOMMENDATION

Approve with 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 The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

Informatives:

- **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.
- **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: 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.