

Officer's Report

Application Number	HGY/2022/4557
Type	Full planning permission
Location	Flat 1, 15 Wellfield Avenue, London, N10 2EA
Proposal	Single storey extension, roof reconfiguration/extension and other external alterations to existing garage. Enlarged outbuilding to be used as studio/office incidental to the existing property. Installation of new fencing/gate.
Case Officer	James Mead
Valid Date	14/10/2022
Applicant	Pedro/Talitha Carvalho/Fernandez
Agent	David Cook

RECOMMENDATION

Approve with Conditions

1. SUMMARY OF RECOMMENDATION

GRANT PLANNING PERMISSION, subject to conditions.

2. CONSULTATION RESPONSES

- LBH Arboricultural Officer: No objections to the proposal, subject to conditions requiring adequate protection to trees during development.

3. REPRESENTATIONS

3.1 0 representations were received in response to notification and publicity of the application.

4. REASONS FOR GRANTING PLANNING PERMISSION

4.1 The application site comprises part of a two storey link attached property, together with a garden space and a detached garage building. The main building is in use as five flats. This property sits on the western side of Wellfield Avenue and Muswell Mews runs to the rear of the site. The garage building fronts onto Muswell Mews, which appears to be a service road lined with garages/gardens on the eastern side. Whereas, the western side of this road is primarily made up of outbuildings/extensions to commercial buildings. The site is situated directly to the east of the Muswell Hill District Town Centre, and therefore the setting is varied in character, with a mixture of commercial premises and residential flats to the west. Whereas, Wellfield Avenue comprises of mainly link attached residential properties. The site is located centrally within the Muswell Hill Conservation Area (CA).

4.2 The planning history of the site has been taken into account when coming to this decision.

- HGY/2022/1942: Single storey extension, roof reconfiguration/extension and other external alterations to existing garage. Enlarged outbuilding to be used as studio/office incidental to the existing property. Granted with conditions.
- HGY/2018/0597: Construction of detached single garage and garden wall, and provision of two uncovered parking spaces, at the rear of the site (amendment to approved parking arrangements under consent ref: HGY/2017/2581). Granted with conditions.

4.3 Planning permission was granted under: HGY/2022/1942 for a single storey extension to the rear of the garage, which would project into the rear garden. An upwards roof extension to the garage was also approved, with a new flat roof created and a pitched roof incorporated. This new application includes a similar roof extension, to that previously approved, but proposes a slightly larger single storey extension. In addition, this current scheme involves the installation of fencing to the north of the garage.

Design, Appearance & Heritage

4.4 The greater height of the enlarged garage is acknowledged, however there are some large outbuildings present along Muswell Mews. Noting this, it is not considered that the resultant building would be of such scale to appear overly bulky in this setting. The retention of some distance between the outbuilding and the properties on Wellfield Avenue would ensure that the enlarged building would not unduly dominate or visually detract from these neighbouring houses. The single storey extension would still be of modest footprint and bulk. Therefore, this enlargement would not appear excessively large. Given the variety of roof forms present in the vicinity, it is not considered that the pitched and flat roof design of the resultant garage would appear out of keeping. Brickwork, metal sheeting and zinc roofing would be the main external materials utilised. Again, there are various materials evident along Muswell Mews, and consequently it is not considered that these materials would appear incongruous. The enlarged outbuilding would be of acceptable design, with the character and appearance of the site, the surrounding area and the wider CA not adversely impacted. The historic significance and special interest of the CA would be preserved.

4.5 Fencing would be installed close to the boundary of the site with Muswell Mews and would also be erected on a similar line to the existing brick wall. The fencing would be of similar height to the existing brick wall, and therefore would not appear overly large on site. In addition, the fencing would be of comparable scale to other boundary treatments along Muswell Mews and would be sited on a similar line. As such, the fencing would not appear unduly bulky or dominant in this wider setting. It is accepted that the majority of boundary treatments along Muswell Mews are made up of brickwork, however there are some examples of fencing. Consequently, it is not considered that this type of boundary treatment would appear out of keeping or alien in the locality. The installation of fencing would be acceptable, with the character and appearance of the site, the surrounding area and the CA not unduly harmed. The historic significance and special interest of the CA would be preserved.

Neighbour Amenity

4.6 The enlarged garage would sit adjacent to the boundary with 13 Wellfield Avenue (property to the south). However, the outbuilding would still be a notable distance from the main built form of No.13. Due to this separation, it is not considered that material loss of light to habitable spaces or restriction of outlook would unduly impact No.13. The enlarged garage would sit adjacent to an outbuilding of No.13. Acknowledging this relationship, and given the lower height of the enlarged garage adjacent to the south-eastern boundary, it is not considered that the amenity area of No.13 would be materially affected by: loss of light, overshadowing or overbearing impacts. It is noted that the adjacent outbuilding of No.13 does have windows present on its north-western elevation. However, this building is not in use as a dwelling, so any minor impacts on this outbuilding would not be harmful to living conditions. The ground floor nature of the garage means that undue overlooking would not affect No.13.

4.7 The garage would remain set-away from the boundary with 17 Wellfield Avenue (property to the north). This separation would ensure that the living conditions and enjoyment of the garden area of No.17 would not be materially harmed. The rooflight inserted into the northern side of the enlarged garage would not allow inappropriate views over No.17. The fencing would be erected up to the boundary with No.17. However, would not be of such scale or form to cause adverse

amenity impacts. The garage would also be a notable distance from the built form of 15 Wellfield Avenue. Due to this separation, the other flats at No.15 would not be materially impacted. The ground floor level of the enlarged garage also means that excessive overlooking back towards the flats at No.15 would not occur. The amenity, privacy and living conditions of all the neighbouring properties would be appropriately protected.

Trees

4.8 There are various trees within and adjacent to the site, which are protected due to their location within the CA. The majority of these would be a sufficient distance from the enlarged garage, so to avoid being impacted by the development. However, there is an ash tree (T1) situated directly adjacent to the south of the garage. The submitted Tree Survey & Arboricultural Impact Assessment (AIA) outlines that the root protection area (RPA) of T1 has been altered, due to the presence of existing buildings. The Arboricultural Officer has reviewed the application and has not questioned this amendment to the RPA. Therefore, there is no reason for officers to raise concerns with this. The presence of the existing garage between the tree and the proposed single storey extension means that the root system of T1 would not be unduly impacted by ground works associated with the single storey addition. Therefore, it is not considered that the long-term retention of T1 would be compromised by the single storey extension. Whilst this is noted, a condition is attached requiring adherence to the recommendations of the Tree Survey & AIA.

Transport & Highways

4.9 This scheme would result in the loss of one off-street parking space. Whilst this is acknowledged, overall the flats at No.15 would still be served by a driveway at the front and two parking spaces off Muswell Mews. In addition, the proximity of the site to the Muswell Hill District Town Centre means that the occupiers of No.15 have the option of accessing services/facilities via walking. The site also has moderate access to public transport (PTAL rating 3). Acknowledging the available parking at No.15, and given the potential to use sustainable modes of transport for travel, it is not considered that the loss of one parking space would result in unacceptable parking pressures in the area.

4.10 The garage doors and gates incorporated into the fencing could cause an obstruction to the carriageway of Muswell Mews, if they were to open outwards. Noting this, a condition is attached to this consent, which outlines that the garage doors and gates should not open outwards.

Conclusion

4.11 The proposed development is in general accordance with Policies DM1, DM9 & DM12 of the Development Management, Development Plan Document 2017, and Policies SP7, SP11 & 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.

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

Conditions:

- 1 The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 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 those as specified on the submitted planning application form.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of the Muswell Hill Conservation Area is preserved, consistent with Policies SP11 and SP12 of the Haringey Local Plan (2017) and Policies DM1, DM9 and DM12 of The Development Management DPD (2017).

- 4 The proposed development shall be carried out in accordance with the measures and recommendations outlined in the submitted Tree Survey and Arboricultural Impact Assessment (GHA Trees, dated: 4th July 2022).

Reason: In order to ensure the protection of trees on and adjacent to the site, in accordance with Policy SP13 of the Haringey Local Plan (2017) and Policy DM1 of The Development Management DPD (2017).

- 5 The enlarged outbuilding hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as: Flat 1, 15 Wellfield Avenue and shall not be used as an independent dwelling or for commercial purposes without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the amenities of the area and to comply with Policy D6 of the London Plan (2021) and Policy SP2 of the Haringey Local Plan (2017), which set out appropriate standards and requirements for all new dwellings.

- 6 The proposed gates shall not open outwards over the carriageway of Muswell Mews.

Reason: In order to ensure that an obstruction to vehicles is not created, in accordance with Policy SP7 of the Haringey Local Plan (2017).

Informatives:

- **INFORMATIVE Tree Works**
The applicant is advised to gain the permission of the owner of the adjacent ash tree (T1) before undertaking any pruning works.
- **INFORMATIVE Hours of Construction**
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**
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.

- **INFORMATIVE Proactive Statement**

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our preapplication advice service and published development plan, comprising the London Plan 2021, the Haringey Local Plan 2017 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.