

Officer's Report

Application Number	HGY/2022/4276
Type	Full planning permission
Location	3 & 3a Curzon Road, N10 2RB
Proposal	Erection of a three-storey rear extension, single storey ground floor extension and rear dormer extension and the reconfiguration of the existing two self-contained flats to form three self-contained flats comprising 1x1-bedroom unit, 1x2-bedroom unit and 1x3-bedroom unit.
Case Officer	Neil McClellan
Valid Date	30/11/2022
Applicant	Mr Hollenbery
Agent	Mr Matt Humphreys

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposal

Erection of a three-storey rear extension, single storey ground floor extension and rear dormer extension and the reconfiguration of the existing two self-contained flats to form three self-contained flats comprising 1x1-bedroom unit, 1x2-bedroom unit and 1x3-bedroom unit.

The scheme has been amended since its first submission, setting in the proposed roof terrace to the rear of the first floor flat from the and its privacy screen from the side of the ground floor extension.

Site Description

The application site is a two-storey semi-detached property that has been in use as two flats since at least the 1990s, comprising a one-bedroom flat on the ground floor and a two-bedroom flat on the first floor. Each flat has its own front door on to Curzon Road.

Curzon Road is characterised by two and three-storey Edwardian terraced and semi-detached houses, many of which have been converted into flats.

Nos. 3 & 5 form part of a group of what would have originally been largely identical semi-detached properties, along with Nos. 7-9 & 11-13. No.1, which lies immediately to the south, comprises a substantial detached property, which is arranged as two flats and has a two-storey square projection. No.5 has a two-storey rear extension.

The site is approximately 320 metres from the Muswell Hill District Centre and approximately 500 metres from Alexandra Palace and Park.

The property is located within the Muswell Hill Conservation Area. It is not listed.

Planning and Enforcement History

There is little planning history relating to the application property other the following application for tree work:

CON/2016/0217 – Application for works to trees in a conservation area including the felling of a number of trees in the property's rear garden. No objection raised.

There is no history of any applications relating to the conversion of the property into two flats. Based on the Valuation Office Agency records the property appears to have been in use as two flats since at least 1993, when Council Tax was first introduced. Historic 'Google Street View' images show the two flat's front doors have been there since 2008. There is little doubt therefore that the property's use as two separate flats is lawful.

There are two historic decisions that relate to the neighbouring property as no.5 Curzon Road which are considered relevant to the current application.

OLD/1972/0247 – Planning permission granted for the erection of a three-storey 3 storey rear extension and for the conversion of the property to three self-contained flats. Decided 06.07.192.

OLD/1972/0248 – Planning permission granted for a rear dormer extension and alterations to the approved 2nd floor layout. Decided 21.11.1972.

REPRESENTATIONS

Three representations have been received objecting to the proposal all from the occupiers of property's the rear of the site in Coniston Road. The following issues have been raised:

- The proposed scale and form of the proposed extension would appear out of keeping with the character of properties in Curzon Road and in Coniston Road to the rear of the sit and would be harmful to the Muswell Hill Conservation Area.
- The existing extensions to the rear of the adjoining property at 5 Curzon Road should noy be seen as a precedent for similar extensions.
- The supporting planning statement does not acknowledge that both the front and rear elevations of the property are important to the character and appearance of the conservation area.
- The glass fronted living area and balcony proposed to the rear of the new second floor flat together with the proposed first floor roof terrace would cause an unacceptable level of overlooking and loss of privacy to adjoining properties to the rear of the site.
- The topography of the area means that the rear gardens of properties in Coniston Road are not currently overlooked from the rear of properties in Curzon Road.
- Loss of garden and reduction in green space.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Design, appearance & impact on the character of the conservation area;
3. Standard and quality of residential accommodation;
4. Impact on neighbouring amenity;
5. Transport considerations; and
6. Conclusion & planning balance.

Principle of development

London Plan (2021) Table 4.1 sets out housing targets for London over the coming decade, setting a 10-year housing target (2019/20 – 2028/29) for Haringey of 15,920, equating to 1,592 dwellings per annum. Policy H1 'Increasing housing supply' states that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites, especially sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a station or town centre boundary.

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).

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.

The London Plan recognises that the incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary have an important role in contributing towards the housing targets for small sites, as set out in Table 4.2. Such intensification includes residential conversions and redevelopment or extension of existing buildings where they provide well-designed additional housing to meet London's needs.

Policy DM10 'Housing Supply' of Haringey's DM Policies DPD (2017) states that whilst the Council will prioritise housing development on allocated sites, proposal for new housing on unallocated sites, 'windfall developments', where they are deemed to comply with the relevant policies of the Plan, will make a valuable contribution to Haringey's housing supply.

Policy H10 of the London Plan seeks to ensure schemes deliver an appropriate mix of units in relation to the nature and location of a site. Policy DM11 'Housing Mix' states that proposal for new residential development should provide a mix of housing.

The site is approximately 320 metres from the boundary of the Muswell Hill District Centre. As such the principle of extending and intensifying the residential use of the site is in line with the above policies and is therefore acceptable in principle.

Design, appearance & impact on the character 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.

Development Management 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.

The Muswell Hill Conservation Area Character Appraisal (2008) identifies nos. 3 to 13 (odd) Curzon Road, as three pairs of semi-detached houses of a similar house type to that of the large, detached property at no. 1, repeating its form of projection, gable, pattern of fenestration and the contrasting stone details, of the, but having entrance doorways within recessed porches. The appraisal identifies all the buildings in Curzon Road as positive contributors to the character of their immediate surroundings and the Muswell Hill Conservation Area as a whole.

The appraisal states that front dormers should be avoided where they are not part of the character of the existing street. It is less restrictive when it comes to proposals for new rear dormers, advising that careful consideration should be given to the effect of rear dormers and extensions in locations where there are views across rear elevations from nearby streets.

Proposed alterations

The proposal seeks to provide a ground floor rear extension, a three-storey rear extension, a rear dormer extension and a hip to gable extension.

Three-storey rear extension.

The proposed part three-storey extension, with the 2nd-floor accommodated party within pitched roof, would have an almost identical ridge and eaves height and width as the existing 3-storey extension to the rear of the attached neighbouring property at no. 5 Curzon Road. Both are gable ended, however the 2nd floor of the proposal would include a recessed balcony. It would also be significantly deeper, extending approximately 4.4 metres from the main rear elevation, compared to the 2.6 metre depth of no.5's extension. However, the additional depth is not considered out of proportion to the existing building, particularly given the context of the existing two-storey side & rear flat roofed extension to the side of the neighbouring detached houses original rear outrigger and which extends along the boundary of the application property's site.

Given the varied pattern of development within the immediate vicinity of the site, the proposed three-storey extension would not appear disproportionate or out of keeping.

Single storey ground floor extension.

The proposed single storey element of the rear extension would infill the space between the proposed three storey extension and the side boundary with no.5 Curzon Road. It replaces the existing smaller lean-to type extension located on the rear of the application property. The flat roof of the extension would include a terraced area set in from the roof edges with a translucent glazed balustrade and privacy screen.

Again, given the varied pattern of development within the immediate vicinity of the site, the proposed single storey element of the extension would not appear disproportionate or out of keeping.

Rear dormer extension.

The proposed rear dormer would sit alongside and connect into the proposed three-storey rear extension. A shallow 'crease' line is proposed between the main part of the dormer, intended to give the impression of some separation between the dormer and three storey extension. Irrespective of how effective that detail might prove, the dormer is considered modest in scale and while larger than the one on the rear of no. 5 Curzon Road, there are much larger ones on the rear roof slopes of nos. 7 & 11 and the proposal would not appear out of character with the pattern of development in the area.

Hip to gable extension.

A hip to gable extension is also proposed. It will be designed to match the one at no. 5 Curzon Road, with a cut out around the prominent front chimney stack which will be retained. It is noted that hip to gable extensions have also been carried out at nos. 7, 9 and 11, and of the six semi-detached houses in this group only two retain their original hips. This element of the proposal is therefore also considered acceptable.

Other works.

Roof lights area proposed to the front roof slope and to the sides of the front gable. These are modest size and would be conditioned to be conservation style rooflights that sit flush with the plane of the roof.

New bicycle and refuse storage is indicated within the front garden on the submitted ground floor plan. Details of these have not been provided. However, the submitted ground floor plan indicates sufficient room to comfortably fit and screen sufficient cycle parking and refuse storage within the front garden area. Further details of these elements, along with any changes proposed to the front boundary treatment will be secured by condition.

Overall, the proposed development is considered to preserve the character and appearance of the conservation area.

Standard and quality of residential accommodation

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.

The proposed would comprise of a 3-bedroom unit at ground floor, a 2-bedroom unit at first-floor level and a 1-bedroom unit at second floor. Each of the proposed self-contained flats would meet the minimum standard set in the London Plan –as set out below.

Unit 1 (Ground Floor) - 3-bedroom 5 -person. Requires 86sqm – Provides 90sqm.

Unit 2 (First Floor) - 2-bedroom, 4-person. Requires 70sqm – Provides 69sqm.

Unit 3 (Second Floor) -1-bedroom, 2-person. Requires 50sqm – Provides 57sqm. 80% of the required floor area for this unit has a head height in excess of 2.3 metres.

Only the proposed 2nd floor flat would be an entirely new flat, with the existing ground and first floor flats being extended. Table 3.1 of the London Plan sets out minimum internal space standards for new dwellings. Then new dwelling proposed at second floor level would comfortably

exceed the required internal floor space standard, as would the extended ground floor flat. It is noted that the extended first floor flat falls short of the minimum standard by approximately 1sqm. As stated above the minimum internal floor spaces set out in table 3.1 apply to new dwellings rather than extended ones. However, it is worth noting that the extended first floor flat would only marginally fail to meet the relevant standard, would get closer to the standard than it currently does in its existing un-extended state, and would benefit from having approximately 9sqm of private amenity space in the form of the proposed first floor roof terrace, which it currently does not have.

All three proposed units would benefit from private amenity spaces, would be dual aspect, allowing for effective natural ventilation. A daylight & sunlight assessment has been undertaken in line with the Building Research Establishment (BRE) guidelines 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' (2022) which demonstrates that all three units would receive acceptable levels of daylight and sunlight in line with BRE guidelines.

It is considered that the proposed accommodation would provide sufficient floor area, sufficient living space, suitable outlook, natural light, adequate floor to ceiling height and is therefore in accordance with Haringey Local Plan Policies SP2 and SP11 or London Plan Policy D6.

Impact on neighbouring amenity

London Plan Policy D4 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.

Concerns have been raised by neighbours living to the rear of the site in Coniston Road regarding the impact of the proposed development on their amenities, particularly with regard to potential overlooking and loss of privacy.

It is noted that the distance from the edge of the proposed second floor rear terrace to the end of the application site's garden would be 18.2m. The distance from the 2nd floor rear window to the end of the garden would be 19.8m. The distance from the 1st floor rear window in end of the proposed extension to the end of the garden would be 18.0m; and the distance from edge of the proposed 1st floor rear terrace to end of the garden would be 18.9m. It's noted that it is approximately another 8.9 metres from the end of the site's garden to the main rear elevation of properties in Coniston Road. While the proposal would introduce additional and new forms of overlooking of properties to the rear of the site, the generous separation distances set out above are sufficient to avoid what would be considered materially harmful loss of privacy or other negative amenity impacts on properties to the rear.

The proposed 1st floor rear terrace is set in from side boundary with 5 Curzon Road by 1.0m. and would have a 1.7m high translucent glass side screen. These measures are considered sufficient to prevent any materially harmful loss of privacy to this neighbour. The proposed ground floor extension would extend 4.4metres along the boundary with no. 5 Curzon Road and would have a height of approximately 3.0metres. The relatively modest height of the proposed ground floor extension prevents the extension from appearing overbearing. The relatively wide side return between no.5's outrigger (and the proposed extension (3.5 metres) and modest depth of that

property's outrigger (2.6metres) would prevent any harmful increase in the sense of enclosure or loss of outlook to the neighbouring ground floor flat in no.5 Curzon Road.

The existing neighbouring 2-storey extension at no.1 Curzon Road would largely obscure views of the proposed extension from this property, and would mitigate much of its impact.

The submitted daylight & sunlight assessment concludes that the proposed development would meet the expectations set out in the BRE guidelines in ensuring acceptable daylight and sunlight levels to the neighbouring residents.

The proposed first and second floor terraces and balconies would allow additional overlooking into the gardens of the ground floor flats on either side of the application property. However, not to a degree that would be considered materially more harmful than the overlooking that already occurs into these gardens from neighbour properties first and second floor windows, or from the windows of the flats above those properties.

The modest size of these proposed external amenity spaces means that their use would not result in a level of additional noise above and beyond what might be expected from the normal domestic use of existing neighbouring gardens.

Given the above considerations, the proposal would not result in any materially significant harm to the amenities of the adjoining occupiers living conditions.

Transport considerations

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.

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'.

The site has a moderate public transport accessibility (PTAL) of 3. The nearest national rail and underground stations are both a 12-minute walk away. The site is well served by buses. There is no CPZ in operation so the proposal could generate overspill parking. No onsite parking is proposed and given the shallow depth of the front garden is not possible. It is noted there is virtually no off-street parking in Curzon Road.

Given the absence of CPZ in the area, a car free scheme is not possible. Notwithstanding this the additional one bed flat, and the enlargement of the existing ground floor flat from one to three bedrooms is not considered likely to result in a significant increase in demand for on street parking, compared to the existing situation and given Haringey's relatively low level of car ownership.

Table 10.2 of the London Plan sets out minimum cycle parking standards for various uses. The requirement for the proposed development would be 6 spaces (2 per flat). Two cycle parking spaces are shown for the ground floor flat in the rear garden, which is an acceptable solution given they can be accessed without having to go through the flat. Two cycle spaces are shown in the

front garden to serve the upper floor flats. This would need to be increased to 4 spaces to meet the standard.

The front garden is proposed also proposed for refuse and recycling storage. The front garden is considered large enough to accommodate sufficient bins for the proposed flats and the additional cycle parking requirement set out above. A condition would be imposed to ensure a satisfactory arrangement.

Give the moderate PTAL rating, proximity to the amenities of the Muswell Hill District Town Centre, the anticipated small increase in parking demand anticipated from the proposed development, and the improved cycle parking facilities that will be provided compared to the current situation, the proposal is considered to be acceptable in terms of its transport impacts.

Conclusion & planning balance

In line with the National Planning Policy Framework, where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In this case, and as set out in the report above, the proposal is considered to preserve the character and appearance of the Muswell Hill Conservation Area. At worst, the degree of harm would be considered less than substantial and would be outweighed by the benefits that would arise from the improvements to the existing housing, the provision of a new additional dwelling and the provision of a family sized unit.

The proposed would provide a good standard of accommodation to the benefit of the Council's housing stock. It would not result in any materially significant harm to the amenities of the adjoining occupiers living conditions.

The proposal would also not give rise to any adverse transport impact or excessive demand for on-street parking.

All other relevant policies and considerations, including equalities, have been taken into account. 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 development is less than 100 square metres but is for a whole new unit and as such is liable for CIL. Based on the information given on the plans, the Mayoral CIL charge will be £2,969.30 (46.0sqm x £64.55) and the Haringey CIL charge will be £18,106.52 (46.0sqm x £393.62 (Indexation included)). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

RECOMMENDATION

GRANT PERMISSION subject to condition(s):

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 Prior to the commencement of buildings works above grade, detailed drawings, including sections, material specification, including samples where necessary, to confirm the detailed design and materials of the:

- a) Detailed elevational treatment;
- b) Detailing of roof and dormer treatment;
- c) Windows and doors (including plan, elevation and section drawings indicating jamb, head, cill, reveal and surrounds of all external windows and doors at an appropriate scale, which shall include a recess of at least 115mm;
- d) Details of balustrading;
- e) Facing Brickwork: sample panels of proposed brickwork to be used showing the colour, texture, pointing, bond, mortar, and brickwork detailing shall be provided;
- f) Front boundary treatment; and
- g) Any other external materials to be used,

Shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality in compliance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 2017. Management Development Plan Document 2017.

- 4 The proposed rooflight(s) hereby approved shall be 'Conservation style', flush with the roof plane in which they are installed and shall be maintained as such for the lifespan of the development.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and to preserve the character and appearance of the Conservation Area, consistent with Policy HC1 of the London Plan 2021, Policy SP12 of the Haringey Local Plan 2017 and Policies DM1 and DM9 of The Development Management DPD 2017.

- 5 Details of the type and location of secure and covered cycle parking facilities shall be

submitted to and approved in writing by the Local Planning Authority.

The development shall not be occupied until a minimum of 6 cycle parking spaces (2 for each flat) for users of the development, in accordance with the London Cycling Design Standards. Once agreed, the details shall be implemented as approved and retained/maintained as such thereafter.

Reason: To promote travel by sustainable modes of transport and to comply with the London Plan 2021 minimum cycle parking standards and the London Cycling Design Standards, policy T5 of the London Plan 2021, Policy SP7 of the Haringey Local Plan 2017 and to maximise the accessibility of the development.

- 6 A detailed scheme for the provision of refuse and waste storage and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development and permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Policy DM4 of The Development Management DPD 2017 and Policy D4 of the London Plan 2021.

- 8 The 1.7m high balcony screen shown along the side of the first floor shall be installed prior to the first use of the terrace area and shall there after be retained in perpetuity unless otherwise agreed in writing by the Planning Authority.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

Informatives:

- **INFORMATIVE : Community Infrastructure Levy**
The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayoral CIL charge will be £2,969.30 (46.0sqm x £64.55) and the Haringey CIL charge will be £18,106.52 (46.0sqm x £393.62 (Indexation included)). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.
- **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.