



Officer Report

Application Number:	HGY/2026/2249
Application Type:	Full planning permission
Address:	Flat C, 73 Dukes Avenue, Hornsey, London, N10 2PY
Proposal:	Formation of rear dormer. New rear terrace with associated balustrades/privacy screens. 3 x front-facing rooflights. 1 x rear-facing rooflight to the rear roof slope. 1 x rooflight on the existing outrigger.
Case Officer:	Josh Parker
Valid Date:	10/08/2026
Applicant:	Mr Matthew Hornigold Hornigold
Agent:	Ms Sanya Chadha

RECOMMENDATION

Approve with Conditions

SITE AND SURROUNDING

The subject site comprises a three-storey mid-terraced Victorian dwelling that has been converted into flats. The application relates to the first-floor flat (Flat C), which extends into the roof space. The site is located on the northern side of Dukes Avenue within the Muswell Hill Conservation Area, although it is not within the curtilage of a listed building.

The Muswell Hill Conservation Area is a large conservation area comprising predominantly residential streets. Whilst there is a variety of architectural styles and detailing, including differing roof forms, there is an overall consistency in the scale, appearance and character of the built environment.

PROPOSED DEVELOPMENT

The applicant is proposing the following works:

Formation of rear dormer. New rear terrace with associated balustrades/privacy screens. 3 x front-facing rooflights. 1 x rear-facing rooflight to the rear roof slope. 1 x rooflight on the existing outrigger.

SITE HISTORY AND ENFORCEMENT

All existing planning applications have been considered for this application.

A 2026 pre application was completed for the addition of a dormer and terrace.

CONSULTATION

LBH conservation - The proposed alterations would be either scarcely visible or not visible at all from the public realm, thereby minimising their impact on the wider townscape. The set back of the

roof terrace have resulted in a form of development with proportions that appropriately respect the scale, design and architectural character of the host building. Accordingly, the scheme is considered acceptable and can be supported from a heritage conservation perspective.

LOCAL REPRESENTATIONS

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

Objections:5

Support:0

- The proposed terrace would overlook properties in Parham Way, Dukes Avenue, Grove Avenue and Rosebery Road;
- Noise nuisance from person enjoying the terrace;
- Inadequate parking provisions;
- Construction and scaffolding.

Officers notes: Reference has been made to a previous application relating to the neighbouring property at No. 1 Grove Avenue, where a proposed dormer extension was refused, with overlooking cited as one of the reasons for refusal.

Whilst No. 1 Grove Avenue is a neighbouring property in spatial terms, the buildings differ significantly in their form, design and relationship to adjoining properties. Consequently, each proposal must be assessed on its own merits, taking into account its specific impact on neighbouring residential amenity and its effect on the significance and character of the Muswell Hill Conservation Area.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and heritage;
2. Impact on neighbouring amenity;

Design:

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.

The subject property forms part of a well-preserved terrace of Edwardian houses that makes a positive contribution to the character and appearance of the Conservation Area. The terrace is characterised by deep, narrow rear gardens and modest front gardens. Owing to its corner relationship with Grove Avenue, elements of the rear elevations, roofscape and garden pattern are unusually visible from the public realm. As a result, any roof-level alterations must be sensitively designed to preserve the architectural integrity of the host building and the wider street scene.

Given the distinct roof forms and architectural variation along Dukes Avenue, each terrace should be assessed on its own merits. In this case, the assessment is appropriately focused on Nos. 51–79, where roof additions are generally limited and dormers typically appear as modest interventions.

In terms of dormer precedents, the most relevant example is the adjoining property at No. 71, which features a modest, articulated dormer approved under reference HGY/2019/1656. This establishes a local benchmark for acceptable roof alterations and reinforces the expectation that additions should remain subordinate, visually contained and respectful of the prevailing roofscape character.

Officers note that roof terraces are rare within this group, with the only apparent example being at No. 61. Whilst no clear planning permission has been identified for this addition, it appears to have been present for a considerable period.

The dormer has been set in from all roof edges, reducing its apparent massing and ensuring a modest appearance from public vantage points. The dark metal balustrade would be recessed by 1 metre, representing the minimum setback required to reduce visual prominence and maintain a simple, recessive form. The predominant use of a simple metal balustrade is considered a sensitive and proportionate design response, whilst the functional benefits of the larger, but also subtle, opaque screening make this a suitable materiality. The dormer tiles are to match the existing and three rooflights are to be added to the front elevation. There are no objections to the materials or rooflights.

Whilst roof terraces can, in some instances, be resisted within conservation areas due to the visual clutter and erosion of traditional roofscapes that they may introduce, the submitted drawings demonstrate that the proposed terrace would be set in from all roof edges and largely screened by the existing chimney stack. As a result, the terrace would remain discreet in wider views and would not result in harm to the character, appearance or significance of the Muswell Hill Conservation Area.

The parapet extension, to be constructed in matching yellow brick, would provide a coherent elevation treatment, while the flat-roofed dormer finished in hung tiles responds appropriately to the existing roof materials.

Concerns have been raised regarding the addition of a further bedroom and the associated impact on the site. However, the proposed dormer extension would provide only a modest increase in accommodation, and there is no objection in principle to the creation of an additional bedroom within the roofspace. The proposal is not considered to result in a harmful intensification of the residential use of the property.

Officers also acknowledge that, whilst limited, some weight should be afforded to the improvement in residential amenity through the provision of outdoor space and enhanced ventilation for the occupiers of the flat.

Overall, the proposed additions would appear as modest roof-level interventions within the prevailing townscape and are considered to preserve the character and appearance of the Conservation Area.

Amenity Comments

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.

A privacy screen along the shared boundary would appropriately minimise perceptions of overlooking between adjoining occupiers and address potential amenity concerns. A condition requiring the privacy screen to be installed prior to first use of the roof terrace and retained thereafter would ensure the ongoing protection of neighbouring amenity has been secured.

The balustrade set in approximately 1 metre from all roof edges, reduces opportunities for direct downward views towards neighbouring properties. Furthermore, the application property occupies an elevated position relative to the dwellings to the rear, and the set-back balustrade further limits direct views into neighbouring private amenity areas.

Whilst the terrace would afford wider outlooks across the surrounding area, including towards properties on Parham Way, Dukes Avenue, Grove Avenue and Rosebery Road, these views would largely be over and beyond the existing residential gardens and roofs rather than directly into habitable room windows or private garden spaces. Such visibility is not uncommon within a terraced urban environment and is considered typical of the prevailing residential context. On balance, the proposal would not result in unacceptable overlooking or a material loss of privacy sufficient to warrant refusal of the permission.

Objections have been raised regarding potential noise arising from the use of the roof terrace. However, the terrace would function as a private residential amenity space, akin to a garden, and its use would be incidental to the occupation of the dwellinghouse. It is reasonable to expect a degree of activity and associated noise from the normal enjoyment of residential amenity spaces, and the proposal is not considered likely to generate noise levels materially greater than those associated with a conventional garden.

Concerns have been raised regarding disturbance arising from construction activities. However, the proposal relates to a modest-scale domestic extension, the construction of which would be limited in duration and extent. Construction Management Plans are typically secured for larger developments where significant construction activities have the potential to result in adverse impacts on the surrounding area. However, given the limited scale and nature of the proposed works, it is not considered necessary or reasonable to require a Construction Management Plan in this instance.

Furthermore, hours of construction are controlled through separate environmental protection legislation and are not considered necessary to regulate by planning condition in this case. Having regard to the scale of the development and the tests for planning conditions, no additional controls

relating to construction management or working hours are considered justified. An informative noting the permitted hours of work have been attached to the bottom of the permission for reference.

Concerns have been raised regarding the potential for scaffolding to remain in place following completion of the works. However, scaffolding is and construction in general are temporary and is not ordinarily controlled through the planning process nor to warrant refusal. In addition, the scale of the proposed development is modest and there is no reasonable justification to impose a planning condition requiring the removal of temporary construction equipment. Any matters relating to the safety or occupation of scaffolding are subject to separate legislation and controls outside the planning material.

As such, the proposal is considered to satisfy the relevant residential amenity tests. Having regard to the design of the terrace, the set-back balustrade, the relationship with neighbouring properties and the nature of the proposed use, the development would not result in unacceptable overlooking, loss of privacy, noise disturbance or any other material harm to the amenities of neighbouring occupiers. Accordingly, the proposal is considered to comply with the amenity objectives of the development plan and does not give rise to any sustainable reason for refusal.

Conclusion

Subject to conditions the proposal is considered acceptable and would preserve conservation area and neighbouring amenities. 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

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.

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 below, other than where those details are altered pursuant to the conditions of this planning permission.

Approved drawings list:

Location plan, 73cDA - P-01, 73cDA - P-101, 73cDA - P-102, 73cDA - P-103, 73cDA - P-104, 73cDA - P-105, 73cDA - P-106, 73cDA - P-107, 73cDA - P-108, 73cDA - P-109, 73cDA - P-110, 73cDA - P-200, 73cDA - P-201, 73cDA - P-202, 73cDA - P-301

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

- 3 The opaque glazed privacy screen shown on drawing 73cDA - P-201 shall be installed prior to the first use of the roof terrace and shall thereafter be retained and maintained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy and residential amenity of neighbouring occupiers and to prevent overlooking arising from the use of the roof terrace, in accordance with London Plan Policy D6 and Policy DM1 of the Haringey 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: 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.