



Officer Report

Application Number:	HGY/2023/2922
Application Type:	Householder planning permission
Address:	48 Queens Avenue, Hornsey, London, N10 3NU
Proposal:	Erection of a rear facing dormer and a garden unit, instillation of rooflights and adaption to front boundary wall serving driveway.
Case Officer:	Zara Seelig
Valid Date:	30/10/2023
Applicant:	Mr Yoni Jacobs
Agent:	Sabrina Teacher

RECOMMENDATION

Approve with Conditions

1. Site Description

The site is a two-storey semi-detached dwelling situated on the Northern side of Queens Avenue. The site is located within the Muswell Hill Conservation Area.

The application property forms part of Nos 42-48, a group which are locally listed and lie within the Muswell Hill Conservation Area. The Muswell Hill Conservation Area is a notable and well-preserved example of an Edwardian suburb of considerable consistency and quality.

Queens Avenue principally consists of large, closely spaced, two-storey symmetrical pairs of semi-detached houses, each double-fronted with a gabled end-bay and a timber balcony. The streetscene is also defined by the grade walls which follow a distinct design, combining clinker bricks with reclaimed stone, some incorporating a small red-brick relieving arch.

2. Description of Development

This is an application for rooflights and adaption to front boundary wall serving driveway. The application has been amended from that submitted.

3. Relevant Planning and Enforcement History

HGY/1996/0072 - Construction of crossover and hardstanding to front garden to facilitate off street parking provision. – Refused

HGY/2002/1381- Demolition of front boundary wall to provide access to front garden for car parking space. Provision of vehicular cross-over. – Refused and subsequently dismissed at appeal

HGY/2004/2654 - Creation of a vehicular crossover to a metropolitan road. – Refused

HGY/2005/0450 - Creation of vehicular crossover. – Approved (with conditions)

HGY/2011/0003 - Certificate of lawfulness for replacement of existing conservatory and verandah with new rear ground floor extension – withdrawn

HGY/2011/0298 - Demolition of existing conservatory/verandah and erection of single storey rear extension (Householder Application) – Approved (with conditions)

HGY/2011/0958 - Non-material amendment following a grant of planning permission HGY/2011/0298, to increase the amount of glazing to cover the full roof area – Approved (with conditions)

4. Consultation Response

The responses below were received following consultation on the application:

Internal:

LBH Conservation Officer: Objection (as on file) in relation to the rear dormer and changes to the front boundary (Note: in relation to the changes front boundary changes were secured to address concern).

External: - None

5. Local Representations

The application has been publicised by way of a site notice and 36 neighbour consultation letters.

No of individual responses: 2

Objecting: 2

Supporting: 0

Neither: 0

The following issues were raised in representations:

- fence and replacing with a wall of the same height.

Officer comment: This is not part of this planning application and therefore cannot be commented on as part of this assessment).

6. Material Planning Considerations

The main planning considerations raised by the proposed development are:

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

Design and Appearance 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.

The specific elements of the scheme are discussed below.

Rear dormer

As per the comments provided by the Conservation Officer it is noted that there are concerns about a rear dormer being added here, given the property is locally listed. This however is not a statutory designation and as such the test here is to consider its impact on the character and appearance of the conservation area (as a whole).

While it is accepted that within this group rear dormers are not present, however they are a prevalent element to dwellings within the broader conservation area as well as in the immediate area.

The dormer here in terms of its size, design and appearance would in part reflect the appearance of the current rear dormer to this property. It would be proportionate to the area of roof plane in question and would be positioned in from the margins of the roof as amended (set in from the central chimney).

As such this feature would not appear incongruous in terms of scale and design. Given the back of this property is also not openly visible from public vantage points and as reflected above, given the broader character to this area, the inclusion of such a dormer would not harm its character and appearance, as such leaving it preserved.

The proposed front rooflights are similar to other existing rooflights within the row. These will be conditioned to be of conservation style.

Garden room

There are other garden rooms in these gardens, and they are spacious enough that one of this scale would not disrupt the balance of soft landscaping to built form.

Concerns were raised about the proximity of the proposed garden room to the two trees seen in the photo provided in the design and access statement. The outbuilding was moved further from the existing trees in the rear garden and confirmation was given to show there would be no extensive foundations for the outbuilding that would impact the rooting areas of the trees.

Changes to the front boundary wall

Boundary walls are an important part of the character of this street and in the case of this property the existing boundary has been altered but the majority of the boundary remains as the distinctive clinker brick boundary wall and it still retains the attractive swag shaped parapets and wall.

As initially proposed the widening works would have altered the balance of the existing boundary, making the opening more noticeably wider than the existing, and the rest of those within the group and most importantly losing the swag shape and parapet which are an important, distinctive detail.

As per amended plans the front boundary wall opening was redesigned to allow for a more symmetrical appearance relating to the front door and the proposed metal pedestrian gate was amended to be of a more Edwardian style. The sliding electric gate as proposed initially has also been removed.

These changes were agreed with the Conservation Officer and is therefore considered acceptable in design and heritage terms.

For the reasons outlined above it is concluded that the proposed development is acceptable in design and heritage terms, leaving the character and appearance of the Conservation Area preserved.

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.

The proposed garden unit measures 2.5m to the eaves with a pitched roof measuring 3.2m at its highest point. This is not considered to have an overbearing impact on neighbouring amenity. The roof additions are not considered to cause any more of an adverse impact than the rear dormers that have been built on nearby buildings to the rear.

Overall, the proposal is not considered to adversely impact the amenities of these neighbouring properties by reason of overbearingness, loss of daylight/sunlight or loss of privacy, in compliance with London Plan Policy D6 and DPD Policy DM1.

Conclusion

The proposal is considered acceptable in terms of impact on the character and appearance of the conservation area and neighbouring amenity and compliance with relevant planning policy.

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.

7. Recommendation

The application is recommended for approval subject to the following 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.

- 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

- 5 Prior to the first occupation of the development hereby approved, the proposed windows in the flank elevation at first floor level and above shall be fitted with obscured glazing and any part of the windows that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening and fixed shut. The windows shall be permanently retained and maintained thereafter.

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: 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: 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.