



Officer Report

Application Number:	HGY/2023/3310
Application Type:	Householder planning permission
Address:	4A Wembury Mews, Hornsey, London, N6 5XJ
Proposal:	Replacement of roof covering incorporating roof lights and glass roof above courtyard; relocation of the entrance door and new windows from Wembury Mews; and internal alterations (AMENDED PLANS).
Case Officer:	Nathan Keyte
Valid Date:	12/12/2023
Applicant:	Mr B Menah
Agent:	Mrs E Sergiou

RECOMMENDATION

Approve with Conditions

1. SITE AND SURROUNDING

The subject property containing 4A Wembury Mews has multiple occupancies. The proposal relates to the lower rear ground floor of no. 166 Archway Road ('the site'). The building is locally listed and is within the conservation area of Highgate.

The site is shown to consist of a single bedroom unit with an internal floor area of approximately 35 sqm, with a large 27 sqm covered external courtyard. Access to the site is via Wembury Mews to the courtyard.

A visit was conducted to view the property from the street on 18.01.2024, with the property also viewed via the photos provided with the application and via google aerial photography.

2. PROPOSED DEVELOPMENT

The applicant is proposing to replace the existing courtyard roof with a more substantial construction, though the form and height is generally retained. Rooflights will be set into a tiled roof, with a central glass-roofed courtyard.

Internal alterations will be undertaken, to increase the habitable floor area of the unit by approximately 27 sqm (the area of the current part external courtyard) and provide an additional bedroom.

Changes to the design of the internal layout, as well as to the external façade to Wembury mews have been provided since the application was first submitted. These include providing bin storage, bike storage, and relocating gas meters.

The previous uPVC windows and door that were proposed have been amended in design to be timber and provide a façade more sympathetic to a mews development.

3. SITE HISTORY

There is no planning history recorded relating to the residential unit.

4. CONSULTATION

Highgate CAAC – no comment received.

Highgate Neighbourhood Forum – no comment received.

Highgate Society – no comment received.

Haringey Conservation Officer – objects due to harm caused by addition of windows. Lack of consistency within plans and additional details relating to materiality is also required.

[Officer comment: the applicant has since provided revised drawings which has addresses the concerns raised by the Conservation Officer. A condition relating to materials and details to be provided prior to commencement of works is recommended.]

5. LOCAL REPRESENTATIONS

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

Objections: 2

Support: 0

Objection summary

- Gas meters that are now existing are not shown to be part of the drawings.
- No Bin or Bicycle Storage is provided for the development.
- Impact on privacy and amenity of future residents, including insufficient amenity space.

Obscure glazing should be confirmed as being utilized.

- Fire safety concerns.

[Officer comment: Fire safety concerns are noted, however this would be a matter for building control should it be accepted that the existing unit is legally established. The Applicant has also responded to the points above, and have now provided bin and cycle storage, as well as storage of the gas meters. The Applicant also states with regard to the legality of the existing unit:

4A Wembury Mews (previously known as 3B Wembury Mews, it renamed by Haringey Council to 4A under the same Local Authority Reference Number – 123165004) is not a new dwelling/change of use from the period Mr Jones is referring to and has been using the refuse collection point on the other side of the block next to 166 Archway Road for over 40 years now. The application does not seek to change this and is merely dealing with changes to fenestration, roof covering and internal alterations. This is commented on further within the assessment.]

6. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are

- Design and character and appearance of the conservation area; and
- Impact on neighbouring amenity
- Other matters

Heritage, Design and Appearance of the Conservation Area Comments

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.

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. DPD Policy D9 requires development to preserve or enhance the character and appearance of the Borough's conservation areas.

The proposal presents a façade directly to Wembury Mews, a small service road which retains its historic road surface which allows an appreciation of its original character and age. The mews has been subject to gradual additions for new housing, and this is gradually altering the character of the road. The appreciation of the route as a former service road including its historic surface, and the subservience of the development to 162-196 Archway Road are important considerations for preserving and enhancing the character and appearance of this part of the Conservation Area, and the significance of the locally listed building. The changes to the rear façade are therefore visible to the public realm, and its treatment is to be considered with this in mind.

It is important that any development that impacts the relationship of the building to the Mews is of high design and well considered. This includes consideration of security, noting the windows directly adjacent to the Mews with no separation or defensible space. While this is not an uncommon element for consideration with regard to Mews development, the current design is not considered to present an acceptable orientation to the Mews.

Concerns were raised by Officers regarding the design as originally submitted. The Applicant has since provided revised drawings that address the points raised, and which:

- Provides a more detailed and façade of interest to the mews.
- Window designs have both vertical and horizontal elements, which improve interest.
- The doors and windows will be painted timber of RAL 7039, being a recessive quartz grey.
- Provides for gas meters and bin storage within the footprint of the building.

The revisions address the design concerns raised by Officers. The proposal is therefore considered to be in accordance to policies DM1, DM9, and DM12 of the Development

Management, Development Plan Document 2017, and policies SP11 and SP12 of Haringey's Local Plan Strategic Policies 2017.

Statutory Duty

In coming to the above conclusion, special attention has been given to the desirability of preserving or enhancing the character or appearance of the conservation area in accordance with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The revisions of design are considered to address the previous harm identified and as such no balance of public benefits is required.

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.

The proposal as it relates to Wembury Mews will introduce additional windows and a change in location of the front door. The building located opposed the Mews from these works has a brick façade, and there will be no additional overlooking/ impacts on privacy associated with this. The changes to the roof form will be low and not result in additional overshadowing or creation of sense of enclosure. Impacts on surrounding neighbour amenity will be acceptable.

Other Considerations

As noted earlier, there is no record of the residential unit being established at the site. While a certificate of existing lawful development has not been made to Council, the applicant has provided a signed declaration and tenancy agreements outlining the use of the flat since at least 2017.

Notwithstanding the above, the proposal would result in a change and an uplift in development, changing the existing development from a one bedroom unit to a 2 bed 3 person unit. The internal layout has since been revised to provide a greater area of living area for residents, as well as a defensible entrance from the Mews in the form of a hallway that enters on the courtyard.

Bicycle storage and bin storage has now also been provided, though it is noted that the bicycle storage is via vertical storage racks. Considering the existing situation has no bicycle or bin storage, the proposal is considered to be an improvement and, in this particular case, is considered to be acceptable noting it is a mews development.

Conclusion

The proposal is considered acceptable. All other relevant policies and considerations, 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.

7. CIL APPLICABLE

Council's CIL team have confirmed that as the application involves the change of existing covered space being turned into living space, and no additions are made to the GIA, the proposal is not liable for the Mayoral or Haringey's CIL charge.

8. RECOMMENDATION

GRANT PERMISSION subject to 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.

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.