



Officer Report

Application Number:	HGY/2024/0133
Application Type:	Householder planning permission
Address:	Flat 1, 135 Muswell Avenue, Hornsey, London, N10 2EN
Proposal:	Erection of ground floor single storey side infill extension.
Case Officer:	Roland Sheldon
Valid Date:	17/01/2024
Applicant:	Johnnie Yiannakou
Agent:	Go Plans

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This application is for erection of a single-storey side infill extension.

Site and Surroundings

The subject site contains a ground floor flat within a two-storey (with rear split level lower ground floor) flat located on the southern side of Muswell Avenue, N10. The surrounding uses are residential. The site does not contain a listed building and is located within Muswell Hill Conservation Area.

Relevant Planning and Enforcement History

OLD/1986/0870: 8/5/86 Conversion into 2 self-contained flats – Approve 23/05/1986

2. REPRESENTATIONS

The application has been publicised by way of letters to neighbouring properties, a notice placed in the local press and a site notice placed outside the property. No representations have been received.

3. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design, Character & Heritage; and
2. Neighbouring Amenity

Design, Character and Heritage

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. 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 proposal seeks to erect a ground floor rear infill extension to the host building. The extension would infill the gap between the side wall of the outrigger projection and the boundary shared with neighbouring no. 137 Muswell Avenue. It would have a depth of 5.49 metres, and a height of 2.3 metres on the shared boundary, rising to 2.6 metres where it meets the side wall of the outrigger.

The extension would be externally clad in matching materials according to the submitted application form. A condition could be imposed on the development that requires the materials used to match those of the host building, if the scheme was to be recommended for approval.

Subject to compliance with such a condition, the proposed extension would be subservient in scale and not undermine the existing uniformity and character of the host building and surrounding rear terraces. Therefore, the proposal is considered preserve the character and appearance of the conservation area, and to be acceptable with regards to design and character considerations.

Impact on neighbouring amenity

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 residents.

The proposed extension would measure 2.3 metres height on the shared boundary with a very shallow pitch roof. The depth, height and massing of the extension would not result in an unacceptable loss of light, outlook or create a visually overbearing impact on the occupants of

neighbouring no. 137 Muswell Avenue. Taking the above into consideration, the proposal is acceptable with regards to amenity impact considerations.

4. CONCLUSION

The proposal would preserve the character and appearance of the conservation area and would not result in an unacceptable impact on neighbouring amenity.

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.

5. CIL APPLICABLE

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.

6. RECOMMENDATION

GRANT PLANNING PERMISSION 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.

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: 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

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 pre-application 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.