



Officer Report

Application Number:	HGY/2023/2500
Application Type:	Householder planning permission
Address:	33 Muswell Hill, Hornsey, London, N10 3PR
Proposal:	Proposed single storey infill rear extension; rooflights; replacement of existing windows with proposed timber double glazed windows to match the existing.
Case Officer:	Nathan Keyte
Valid Date:	18/12/2023
Applicant:	Mr Huseyin Mustafa
Agent:	Mr Ali Hassan

RECOMMENDATION

Approve with Conditions

1. Proposed development

This is an application for a proposed single storey infill rear extension; rooflights; replacement of existing windows with proposed timber double glazed windows to match the existing and changes to the proposed rear façade to provide a larger balcony and area of glazing. The existing rear terrace/ external access is proposed to be increased by 0.2m in depth and increase in width to match the width of the rear elevation.

No changes are to be made to the St James Side elevation main door and the adjoining window, besides refurbishment as noted on the proposed plans.

The design has been amended since lodgement, to remove the proposed side dormer, reduce the scale and design of the infill extension, and modify the glazing of the rear façade as originally lodged. The design was also amended prior to validation to remove a proposed basement element to the building.

2. Site and Surroundings

The application property is a two storey end of terrace dwelling house. The property fronts Muswell Hill to the east, and St Jame's Lane to the north west. The topography of the site slopes from front to rear. An existing external stairway/ terrace provides access to the rear garden.

The site lies in the Muswell Hill conservation area, however the site is not a listed building.

A visit was undertaken to the site 05-03-24.

3. Relevant Planning and Enforcement history

The following is the relevant recent planning history of the site:
HGY/2017/2011,

Address: 33, Muswell Hill, London, N10 3PR, London

Proposal: Demolition of current garage building and erection of 4 storey family 3 bedroom dwelling including basement,

Decision Date: 31 July 2017

Decision: Refuse

HGY/2018/3086,

Address: 33, Muswell Hill, London, N10 3PR

Proposal: Erection of 1no. two bed dwelling,

Decision Date: 17 December 2018

Decision: Refuse

HGY/2021/0603,

Address: Land to the Rear of, 33, Muswell Hill, London, N10 3PR

Proposal: Demolition of garage, erection of 2-storey ground and lower ground floor detached dwellinghouse with associated hard and soft landscaping.,

Decision Date: 30 April 2021

Decision: Approve with Conditions

HGY/2022/0006,

Address: Land to the Rear of, 33, Muswell Hill, London, N10 3PR

Proposal: Non-Material Amendments to planning reference HGY/2021/0603 for the following changes: (1) Minor extension of below ground basement wall to the front elevation; (2) Internal layout adjustment including staircase location change; (3) Alignment of the 'dogleg' in the front facade to align with the structural wall of the living room; (4) Adjustment of the Rooflights to suit the new stair and kitchen location.,

Decision Date: 14 January 2022

Decision: Approve with Conditions

HGY/2022/2122,

Address: Land to the Rear of, 33, Muswell Hill, London, N10 3PR

Proposal: Non-material amendment application following a grant of planning permission HGY/2021/0603 (later amended by application reference: HGY/2022/0006) to make small adjustments to original positions and layout of windows and the London stock brick pattern and other associated small changes.,

Decision Date: 14 September 2022

Decision: Approve with Conditions

HGY/2022/2303,

Address: 33, Muswell Hill, Hornsey, London, Haringey, N10 3PR, London

Proposal: Single storey rear wraparound extension with raised platform; two side dormers; front, rear and side roof lights; replacement of rear fenestration with white uPVC windows,

Decision Date: 2 August 2023

Decision: Not Determined

3. Consultation

Rookfield Estate CAAC: no comment received.

LBH Conservation Officer: Raised concerns regarding the proposed dormer, however if this were removed the application could be acceptable subject to conditions for exactly matching materials.

[Officer comment: the design has since been amended to remove the proposed dormer].

4. Local representations

The application has been publicised by way of 1 site notice displayed in the vicinity of the site, 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:

No of individual responses: 2

Objecting: 2

Supporting: 0

Objections material to planning:

- Request for application to be rejected to preserve character of the conservation area.

Objections non-material to planning:

- Objects to previous works undertaken.
- Concerns regarding subsidence as result of existing excavations
- Request for Council to reinstate trees on the pedestrian area.

5. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and heritage.
2. Amenity

Design 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.

Replacement windows proposed will be timber framed slimline double glazed windows matching the existing windows in design. The existing detailed door and windows facing St James Lane will be retained.

Red stock brick utilised in the development is proposed to match the existing, with other materials to match the host building also, such as timber doors utilised in the rear elevation.

Rooflights are proposed and noted by the conservation officer to be located in discreet locations, and will be acceptable. A condition is recommended to ensure these are conservation style rooflights to incorporate within the conservation area.

With regard to changes to the rear façade and infill extension, due to topography, these will be partially visible to wider views. However, the infill extension has been amended to be recessed behind the principal elevation and reduced in scale, and will be subordinate to the host building. With regard to the change in glazing to the rear façade, this has been reduced in area so as to reduce its dominance and is acceptable.

With regard to the extension of the existing rear terrace/ access, this will only be an increase in depth of 0.2m, to 1.5m, and in this particular case is considered to be acceptable considering the existing environment and the difference in topography and ground floor level.

No harm has been identified by the Conservation Officer, following the removal of the proposed dormer.

Considering the points above, the character and visual amenity of the conservation area will be protected.

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. The works to replace existing windows and the provision of rooflights will not impact upon the amenity of neighbouring properties.

No objections noted privacy or overlooking concerns with the development following consultation. With regard to the proposed changes to the rear façade, the existing external terrace/ stairway will be increased in depth by 0.2m, and increased in width. The design has been amended to provide a greater setback of the rear terrace to the adjoining property, than was originally submitted.

The change in configuration of door/ glazing will result in the space being more usable. While this has the potential to increase effects relating to overlook and privacy on the neighbouring rear garden at no. 31, considering the minor change to the depth, the extension being to the west, i.e. away from the immediate neighbour at no. 31 and preserve the setback to the boundary with no. 31, as well as noting a terrace at no. 29 Muswell Hill (though with vegetation screen presence) impacts upon privacy and overlook will not be so significant to refuse the application.

The presence of a window at ground level at no. 31 is noted, as is the presence of an existing parapet along the boundary. With regard to the proposed infill extension, this has been revised to provide a sloped roof and reduction in depth, so that the roof at boundary will be similar in height to the top of the party wall where it meets the host building. It will have a height at the boundary of approximately 3.0m-3.3m, with a depth of approximately 3.0m. No side windows are proposed. Impacts on sense of dominance, enclosure and daylight/ sunlight are considered to have been

mitigated by the revised design and are not so great as to warrant refusal, considering the existing environment.

Conclusion

The proposal is considered acceptable. 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.

6. 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.

- 3 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

- 4 The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building unless otherwise stated on the plans hereby approved.

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.

- 5 Notwithstanding the window details otherwise approved, those indicated on the approved drawings '20210703-PL09-R01' and '20210703-PL10-R02' shall be refurbished only to match the design and materials of the existing windows. with the glazing detailing retained.

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: 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.

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 their ownership.