



Officer Report

Application Number:	HGY/2024/1332
Application Type:	Householder planning permission
Address:	60 Muswell Hill Road, Hornsey, London, N10 3JR
Proposal:	Demolition of an existing single storey basement flat roof rear extension with roof terrace and spiral staircase, replacement with full width single storey rear extension and roof terrace and spiral staircase, replacement of existing rear full-length door window at ground floor.
Case Officer:	Roland Sheldon
Valid Date:	21/05/2024
Applicant:	Mr and Mrs Adam Apter
Agent:	Mr Richard Ewen

RECOMMENDATION

Approve with Conditions

1. SITE DESCRIPTION

The application site contains a two-storey (with roof accommodation and rear lower ground floor level) end-of-terrace dwellinghouse located on the eastern side of Muswell Hill Road, N10. The surrounding uses are residential. The site is not located within a conservation area and does not contain a listed building.

2. THE PROPOSAL

Demolition of an existing single storey basement flat roof rear extension with roof terrace and spiral staircase, replacement with full width single storey rear extension and roof terrace and spiral staircase, replacement of existing rear full-length door window at ground floor.

3. Relevant Planning and Enforcement History

HGY/1995/0809: Formation of vehicular crossover to a classified road – Approved 19/09/1995

4. CONSULTATION RESPONSES

Internal & External Consultees

There were no statutory or non-statutory consultees for this planning application. No comments were received during the consultation period.

Neighbour Consultation

The number of representations received from neighbours in response to notification and publicity of the application were as follows:

No of individual responses 0

Objecting

Support

Neither

5. PLANNING CONSIDERATIONS

Design, character and appearance

Policy SP11 of the Strategic Plan and Policy DM1 of the Development Management DPD both aim to enhance the built environment through high quality design that respects local context and positive aspects of the area. Policy DM1 sets out that development should relate positively to its locality in terms of building height, form, scale, massing, building lines and architectural details and styles.

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 and 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.

The host building has an existing historic lower-ground floor single storey rear extension beyond its original two-storey rear projection of 3.85 metres depth, with French doors located above at ground floor level facilitating use of the roof as a roof terrace, with a set of spiral steps down set 2.75 metres off the boundary shared with neighbouring no. 58 Muswell Hill Road.

A review of aerial imagery confirms that the extension and terrace are historic features that have been in situ for well in excess of 4 years, and therefore are features that are immune from enforcement action.

The proposal seeks to demolish the existing extension and spiral staircase and replace it with a full-width single storey rear extension of the same projection, with a roof terrace in the same location/coverage. The extension would be externally clad in London stock brick to match the existing dwelling. The spiral staircase would be wrought iron.

The bulk, scale, massing and design of the proposed extension and associated roof terrace features would respect the scale, form and character of the host building and wider locality, taking into consideration the existing rear extension/terraces features.

The replacement of the ground floor rear windows adjacent to no. 62 Muswell Hill Road boundary would not result in an unacceptable impact on the character and appearance of the dwelling. The proposal is therefore acceptable with regards to design and character considerations.

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.

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 the amenity of neighbouring residents.

The proposed rear extension would not project beyond the extent of the existing rear extension it would replace and would not exceed its height. As such, it would not result in any further loss of light or outlook on the occupants of neighbouring property no. 58 Muswell Hill Road. This linked property also has a rear extension on the shared boundary that projects beyond the extent of the existing/proposed extension of the host building.

The proposed roof terrace would occupy the same footprint as the existing feature. As existing, there appears to be a boundary fence with climbing planting on the shared boundary, and linked property no. 58.

The roof extension would not afford any additional overlooking of the neighbouring property no. 62 over and above that afforded by the existing roof terrace. A 1.7 metre height fence with climbing plants is proposed on the shared boundary with no. 58, to prevent any overlooking between the 2 properties. A condition will be imposed that requires this to be installed prior to first use of the extension and maintained as such.

The extension would not result in an unacceptable impact on outlook, light or sense of enclosure to be encountered by the occupants of no. 62 Muswell Hill Road, given the separation distance and orientation of the rear face of no. 62, and it benefitting from a single storey rear extension.

Two windows are proposed in the flank wall of the proposed extension facing the side boundary shared with no. 62. These are indicated to be obscure glazed in the lower panel of the sash units.

Subject to compliance with conditions, the proposal would be acceptable with regards to amenity impact considerations.

6. CONCLUSION

The proposed development is in accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 and of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

The proposal is considered acceptable in respect of its character, appearance and impact on the site and would result in material harm to the residential amenity of neighbours. All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

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, 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.

- 4 The 1.7 metre height boundary fence with climbing planting on the roof of the proposed extension as shown on the plans hereby approved, shall be installed prior to first use of the roof terrace, and shall be maintained as such for the lifespan of the development unless otherwise agreed in writing by the local planning authority.

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: 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.

