



Officer Report

Application Number:	HGY/2024/2044
Application Type:	Full planning permission
Address:	Flat A, 24 Elms Avenue, Hornsey, London, N10 2JP
Proposal:	Installation of external stair, balcony, screening, planters and changes to fenestration.
Case Officer:	Emily Whittredge
Valid Date:	23/07/2024
Applicant:	Ms John Linares
Agent:	Mr John Linares

RECOMMENDATION

Approve with Conditions

1. Site Description and Proposal

The application relates to a lower ground and ground floor flat within a mid terrace property on the northeast side of Elms Avenue. The properties in the terrace are large in scale with varying detail across the rear elevation. The host property features existing roof terraces at first floor and roof level.

The site lies within the Muswell Hill Conservation Area and does not relate to any listed building.

The application seeks to carry out works to the rear elevation including the replacement of the existing garden access stair and landing with a balcony and new spiral staircase. The existing door and windows at ground and lower ground floor levels would be replaced in connection with the works.

The proposal has been amended prior to determination to reduce the width of the balcony platform within the same structure and move the privacy screen away from the boundary. The privacy screen has also been changed from timber to obscured glass.

2. Policies and Constraints

Muswell Hill Conservation Area
Critical Drainage Area
Family Housing Protection Zone Policy DM16

3. Relevant Planning and Enforcement History

HGY/2018/2566

Partial enclosure of existing roof balcony
24C, Elms Avenue, London, N10 2JP
Approve with Conditions 02/10/2018

HGY/2015/1625

Flat C, 24, Elms Avenue, London, N10 2JP
Replacement of four sash windows,5
Approve with Conditions 21 July 2015

OLD/1964/0182

Conversion into three self-contained flats
Approve with Conditions 11/03/1964

4. Neighbour Consultations

There were neighbours consulted on this case.

Comments Received

No comments were received in response to neighbour notification or publicity of the application.

5. Design 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 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.

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 existing terrace features a variety of rear extensions and alterations to the rear elevation, and both the host property and neighbouring No. 22 have rear garden access stairs. The proposed balcony would replace the current access stair and landing, which are sited near the boundary with No. 22, with a balcony approximately 5.5m wide and 1m deep. A new spiral access stair would be located on the far side of the balcony. The floor of the proposed balcony would be constructed of composite material with glazed balustrade, stair risers and privacy screen. The use of glazed privacy screens has been permitted elsewhere in Elms Avenue and is in keeping with the pattern of development. The replacement fenestration would be in keeping with the scale, proportions and design of the original architecture and is supported in heritage terms.

The proposal would be minor in scale and would be sympathetic to the existing scale, characteristics and proportions of the host building. The proposed materials and detailed design of the development are of high quality and appropriate and proportionate to the terrace. By reason of its location to the rear at ground floor level, the development would not be widely visible in public views and would have no material impact on the street scene.

As such, the proposal is acceptable in design terms and would preserve the character and appearance of the conservation area.

6. 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 the amenity of neighbouring residents.

The proposed balcony would replace the existing garden access stair and landing, and the platform would not be located nearer to the neighbouring property than the existing landing. An obscure glazed privacy screen would be installed to prevent direct overlooking, and the screen and balcony platform are sufficiently far from the boundary and the neighbour's bay window to prevent a loss of privacy or outlook, and would not create a sense of intrusion. While the support structure is wider than the platform and goes up to the boundary, it would have a similar height to the existing boundary fence, and would have no material impact on amenity. The use of glazing would ensure the structure appears lightweight and does not reduce light to the neighbouring site.

There are established examples of roof terraces within Elms Avenue, including two at the host property itself, and such a development is acceptable in principle. The narrow depth of the platform will prevent its use for large gatherings, and is unlikely to give rise to noise nuisance. Overall, the proposal would not adversely affect amenity to neighbouring occupiers.

7. Conclusion

The proposal is considered acceptable in respect of its appearance and impact on the site and the wider conservation area. The proposal would not 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.

8. RECOMMENDATION

Grant permission subject to condition(s):

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 Prior to the commencement of the use of the balcony hereby approved, the 1.7 metre high obscure glazed privacy screen along the south east side shall be installed, as shown on the approved plans. The screening shall be retained in perpetuity unless otherwise agreed in writing by the 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: 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: 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.