



Officer Report

Application Number:	HGY/2024/3483
Application Type:	Householder planning permission
Address:	1 Wellfield Avenue, Hornsey, London, N10 2EA
Proposal:	Loft conversion comprising the erection of a new dormer extension incorporating a balcony/terrace to the rear roof slope, and the installation of new and the replacement of existing rooflights on the rear, front and side roof slopes.
Case Officer:	Neil McClellan
Valid Date:	18/12/2024
Applicant:	MR & MRS A WHITE
Agent:	Mr STEVE GOLDMAN

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposal

The application proposes a loft conversion comprising the erection of a new dormer extension incorporating a balcony/terrace to the rear roof slope, and the installation of new and the replacement of existing rooflights on the rear, front and side roof slopes.

Amendments: The proposal has been amended following submission, with the balcony reduced in depth and set back into the roof with part of the roof above the eaves in front of the dormer and terrace either retained or reinstated.

Site Description

Part 2/part 3-storey end of terrace house. The property has a wide three storey rear outrigger with a large mansard roof. The space between the outrigger and the boundary with the neighbouring property at 3 Wellfield Road has been infilled with a conservatory. The property is close to the junction of Wellfield Avenue and Duke's Avenue. The ends of rear gardens of houses in Dukes Avenue abut one side of the curtilage.

The application property's rear garden backs on to residential properties in Duke Mews. The site is within the Muswell Hill Conservation Area. It is not listed or close to any listed buildings or structures.

Planning and Enforcement History

HGY/2025/0081 – Planning application submitted for a single storey rear extension. This is an amendment to the previously approved extension, granted planning permission under planning application reference number HGY/2024/0841. Decision pending.

CON/2024/3245 – Application for works to trees in a conservation area. No objection raised to the reduction of Horse Chestnut's crown, the reduction in height of Bay tree and the removal of low overhanging branches from Ash tree.

HGY/2024/0860 – Planning permission granted for the erection of an outbuilding in the rear garden to be used as a studio room.

HGY/2024/0857 – Planning permission granted for alterations to the front garden wall and enlargement of the front hardstanding to accommodate additional car parking.

HGY/2024/0841 – Planning permission granted for single storey rear extension.

CON/2007/0117 – Application for works to trees in a conservation area. No objection raised to pruning of conifers.

Examples referenced by agent:

18 Wellfield Avenue, HGY/2022/1100 – Existing balcony modified as part of this application, but its proportions were unaltered from. The balcony/terrace was originally approved under app reference HGY/2005/0938 and later retrospectively modified under application reference HGY/2006/1119.

Officer comment: It's a Similar property type and balcony similarly proportioned to that proposed at 1 Wellfield Avenue. Set further back and up from the eaves which reduces overlooking and makes for a more subordinate and respectful addition.

4 Wellfield Avenue, HGY/2024/0374 – Enlargement of existing dormer and creation of roof terrace and balcony.

Officer comment: It's a Similar property type and the balcony is similarly proportioned to that proposed at 1 Wellfield Avenue. Set up from the eaves, but not as far as the one at 18 Wellfield Road. Similar degree of overlooking as the current proposal at 1 Wellfield Avenue, but a little more subordinate and respectful due to set up from eaves.

15 Wellfield Avenue, HGY/2017/2581 – Variation of existing permission (HGY/2017/1154) converting building from care home to flats. This permission sought to introduce a Juliette balcony to the face of rear dormer.

Officer comment: Juliette balcony is less impactful on neighbouring amenities, also set well back, although includes a cut out of the roof in front of the dormer.

20 Wellfield Avenue, OLD/1986/1717 – Conversion to flats including rear dormer and balcony/roof terrace.

Officer comment: Similar proportioned balcony/terrace as proposed in current application for 1 Wellfield Ave. Old application considered under a very different development plan, an old character appraisal, and without the weight that the NPPF places on the importance of conserving heritage assets.

9 Dukes Avenue, HGY/2013/1062 – LDC for ground floor extensions.

Officer comment: This application was a certificate of lawfulness for a proposed ground floor extension. The property does have an existing roof terrace/balcony shown on the submitted existing floor plans. No planning or enforcement history relating to the balcony, and it's unclear how old it is, but it has been there since at least 2013 so immune from enforcement. Quite large and no set up from the eaves.

Land to rear of 326 Dukes Mews, HGY/2020/0943 – Erection of a 2-storey building comprising 4 flats. Includes a small balcony on rear corner adjacent to No. 1's rear garden.

Officer comment: Contemporary infill development so the preservation of the existing buildings character is not an issue. Without the screen of conifers in number 1's garden it would cause overlooking.

412 Muswell Hill Broadway, HGY/2023/1854 – Partial conversion and redevelopment of large retail building to create 7 upper floor flats. Includes three flats to the rear of site, at second floor level, each with a roof terrace/balcony facing towards the rear of 3, 5 & 7 Wellfield Avenue. This building has an existing 1st floor terrace running across the rear elevation facing the back gardens of Wellfield Avenue that serves the existing commercial use.

Officer comment: Contemporary infill development so the preservation of the existing buildings character is not an issue. The proposed new 2nd floor residential balcony/terraces are set well back from the rear of the building so little impact on privacy.

2. REPRESENTATIONS

This application has publicised by site and press notices and by letters sent to neighbouring occupiers. A total of 4 representations have been received all objecting to the proposal. The following issues have been raised:

- *Concern that along with the other applications the owners are intending to change the use of the property and/or operate a business from the property and the impact this would have on local amenity, traffic and the environment.*

Officer Comment: The applicant has made no indication that they intend any change of use to a business or mixed business/residential use. This application is therefore being considered as an extension to the existing single dwelling house. However, it is noted that the government's own advice is that planning permission is not normally required to home-work or to run a business from home, provided that the dwelling house remains a private residence first and business second.

- *This application should be considered in conjunction with the other recent applications submitted on this site (see history above).*

Officer Comment: While each application must be dealt with on its individual merits, consideration can and should be given to the cumulative impact of other recent, and so far, unimplemented proposals. If the cumulative impact was considered excessive the LPA could impose conditions preventing restricting how many of the permissions could be implemented. However, in this particular case, given the large size of the existing property and its garden, the combined proposed and approved extensions and out building are not considered excessive, and the cumulative impacts acceptable.

- *The proposal will impact on neighbours' light and privacy. Particular concern about the impact on privacy impact of the proposed new rooflights in the side elevation of the house facing the rear gardens of property's in Dukes Avenue and of the roof terrace.*

Officer Comment: These matters are dealt with in the report below.

- *Concerns about the noise and disruption that will be caused by implanting multiple permissions.*

Officer Comment: Noise and other forms of pollution arising from construction is controlled under Control of Pollution Act 1974 which, among other things, restricts construction work audible at a site's boundary to certain hours. An informative will be attached to nay grant of permission advising the application of these restrictions.

3. CONSULTATION

LBH Conservation Officer: The dormer size and set in from the eaves in the amended proposal is much improved. It is assumed that the proposed dormer is zinc, with matching aluminium doors. It would be preferable if there was no overhang on the dormer however it would not be considered to cause harm to the significance of the conservation area. A matching materials condition is recommended.

4. MATERIAL CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design, appearance and heritage.
2. Impact on neighbouring amenity.

Design and appearance

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.

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. It 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.

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.

The host building has an existing original three storey rear outrigger taking up approximately two thirds of the property's width, with the upper (second) floor located in a mansard roof. This mansard has a small, existing dormer window site on its rear face. The current application proposes converting the remainder of the property's roof space to habitable use with the erection of a dormer extension on the main rear roof slope and the insertion of a number of rooflights to the front and side elevations.

The proposed dormer would be set on the main roof slope, between the flank of the existing outrigger and mansard and the property's boundary with the adjoining semi-detached house. It would be set in from the sides and set up from the eaves and back into the roof. It would be well set down from the main roof's ridgeline. The proposed roof terrace has been reduced in depth and now has an area of just 3 sqm. It is set back into the roof with the part of the roof above the eaves in front of the dormer and terrace either retained or reinstated.

The amended proposal is now more in line with the recently approved similar schemes referenced in the application. The proposed dormer and roof terrace are considered to be modest in scale, suitably subordinate and respectful of the existing house's character and appearance.

Given the modest scale of the amended proposal and given the number of existing roof extensions within the terrace, the proposed rear dormer, and its balcony/terrace would not look out of place.

Three new roof lights are proposed to the front roof slope, one new and one replacement roof light to the side roof slope, and one new and one replacement rooflight to the rear elevation. While there are a number of rooflights proposed, given their modest size, the extent of the existing roof and their siting, they would not appear excessive in number or size or to create an unacceptable degree of visual clutter. Many of the other properties in this stretch of Wellfield Avenue properties have similar numbers of rooflights on their front roof slopes. A condition will be attached advising that the rooflights should be conservation style, flush with the roof.

The proposal, as amended is considered to be of an appropriate scale and design, that will protect local visual amenity of the area and preserve the character and appearance of the conservation area.

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 amenity of neighbouring resident.

Given the proposed dormer's modest size and it being well set back into the existing roof slope, it would not result in a material loss of sunlight or daylight or have an overbearing appearance in relation to neighbouring properties.

It is noted that in established urban/sub-urban areas such as this, there is already a significant degree of over overlooking of properties by their neighbours from existing first and second floor windows. Given its modest size and siting, the proposed dormer and terrace would not give any materially harmful increase in overlooking or loss of privacy to neighbouring properties.

Concern has been raised about the proposed insertion of an addition rooflight in the side roofslope facing towards the rear of properties in Dukes Avenue. Given the distance of the window from the rear elevation of these properties, and the windows angled outlook, it is not considered to result in any additional harmful overlooking. It is noted that this rooflight, and the replacement of the existing roof light on this roof slope, would both serve bathrooms and are therefore likely to be obscurely glazed.

Given the small size of the proposed balcony/roof terrace area, it would not be able to accommodate enough people at one time for it to cause any harmful degree of noise and disturbance provided it is used appropriately. Any external domestic amenity space has the potential to generate nuisance if use in an antisocial manner. The Environmental Protection Act 1990 provides protection against such nuisance.

Given the above, the proposal is considered acceptable in amenity terms.

Conclusion

The proposal is considered acceptable in terms of design and neighbouring amenity and complies with relevant planning policies.

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. COMMUNITY INFRASTRUCTURE LEVY

The increase in internal floor area would not exceed 100 sqm. and therefore, the proposal is not liable for the Mayoral or Haringey's CIL charge.

6. RECOMMENDATION

GRANT PERMISSION subject to the following 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 indicated otherwise on the approved plans.

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 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 the proposed development, to safeguard the visual amenity of neighbouring properties and to preserve the character and appearance of the Conservation Area, consistent with Policy HC1 of the London Plan 2021, Policy SP12 of the Haringey Local Plan 2017 and Policies DM1 and DM9 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: 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.

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.