

## REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

### 1. APPLICATION DETAILS

**Reference No:** HGY/2017/3650

**Ward:** Muswell Hill

**Address:** 76 Woodland Gardens N10 3UB

**Proposal:** Demolition of existing dwelling and erection of replacement 2-storey (with basement level) dwellinghouse.

**Applicant:** Mr & Mrs Evans

**Ownership:** Private

**Case Officer Contact:** Roland Sheldon

**Site Visit Date:** 15/09/2017

**Date received:** 18/12/2017

**Last amended date:** 13/03/2018

**Drawing number of plans:** 1703.A-00-001 09, 1703.A-02-001- 09, 1703.A-03-112-01 09, 1703.A-03-112-02 09, 1703.A-03-112-03 09, 1703.A-03-114-01 09, 1703.A-03-114-02 09, 1703.A-03-114-03 09, 1703.A-03-132-01 09, 1703.A-03-132-02 09, 1703.A-03-132-02 09, 1703.A-03-132-04 09, 1703.A-03-132-05 09, 1703.A-03-133-01 09, 1703.A-03-133-02 09, 1703.A-03-133-03 09, 1703.A-03-133-04 09, 1703.A-03-133-05 09, 1703.A-03-133-06 09, 1703.A-03-133-07 09, 1703.A-03-133-08 09, AMA Demolition Statement of Intent AMA\_REP\_02 Nov 2017, AMA Structural Engineering Report AMA\_REP\_01 Jul 2017, Design and Access Statement July 2017 (MacArchitect)

### REASONS FOR REFERRAL & SUMMARY OF RECOMMENDATION

- 1.1 This report concerns the above application which is the subject of an appeal against non-determination. The application was called-in by ward councillors but the applicant subsequently appealed. In order to express the Council's recommendation to the Planning Inspectorate (PINS) Members are required to form a view.
- 1.2 The appeal for non-determination was submitted on 17/05/2018 and once begun the decision-making power has been removed from the Council as the Local Planning Authority (LPA) and given to PINS. The LPA is requested to set out what decision it would have given if authority to determine the application remained with it.

- 1.3 The application has generated significant public interest and a number of third party objections. In addition, a formal request by Councillor Mark Blake and (now former) Cllr Engert was made for the application to be determined by the Planning Sub-Committee, which was agreed by the (now former) Chair of the Planning Sub-Committee.
- 1.4 Officers would also point out that a new planning application (ref: HGY/2018/1494 – ‘Demolition of existing dwelling and construction of a new family dwelling’) for the site has been validated on 10/05/2018, with the statutory public consultation period running until 15/06/2018. This scheme is in effect for the same development proposed here.
- 1.5 In summary this application is not being brought before the Members for a decision but to present the Council’s formal view with regard to the appeal for non-determination to PINS. The view of the Planning Sub-Committee will form the basis for the Council’s appeal statement. An Inspector has not been appointed for the appeal by PINS, so a deadline for submission of the statement has not yet been outlined.

#### RECOMMENDATION

- 1.5 That had the application not been appealed on grounds of non-determination, the development described in the report below and submitted plans, would have been GRANTED PLANNING PERMISSION subject to the attachment of the conditions and informatives outlined below.

Conditions (the full text of recommended conditions is contained at foot of this report)

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Material details submitted for approval
- 4) Details of front boundary treatment/ landscaping to the front and measures to screen refuse and recycling bins
- 5) Obscure glazing
- 6) Suitably qualified chartered engineer to monitor the critical elements
- 7) Removal of Permitted Development Rights for extensions, alterations and outbuildings
- 8) Construction Management and Logistics Plan

#### Informatives

- 1) Land ownership
- 2) Hours of construction
- 3) Party Wall Act
- 4) CIL liable

- 5) Thames Water
- 6) Crossover

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### **3.0 PROPOSED DEVELOPMENT AND LOCATION DETAILS**

#### **Proposed development**

- 3.1 The proposal is for demolition of the existing dwelling and the erection of a replacement two-storey dwellinghouse with basement level and accommodation with the roofspace. The proposed dwelling would have four bedrooms and a home-office located on the first and second floor and an open-plan living space at ground floor level. The development also includes a 108 sq.m basement floor which would have a gym and playroom space alongside a workshop area.
- 3.2 The new dwelling would adopt a contemporary form of design with a fair faced brick and aluminium frame windows. It would adjoin No 78 Woodland Gardens as per the current semi-detached dwelling on site.
- 3.3 The frontage would have a two-storey bay feature adjacent to the boundary with No 78 with a ground floor contemporary oriel window feature. A ground floor rectangular bay with a front projecting roof gable with glazed frontage also forms part of the frontage of the replacement house. The side (western) elevation would have a hip-end with two large projecting elements in the roof with honeycomb brickwork.

#### **Site and Surroundings**

- 3.3 The subject site contains a two-storey Edwardian semi-detached dwellinghouse located on the southern side of Woodland Gardens. Surrounding development is characterised by similar houses mainly rows of terraces built during the Edwardian period of the early 20th century (1901 - 1910). To the rear of the site is more recently constructed housing - Teresa Walk and Connaught Gardens. The application site is not located in a conservation area.
- 3.4 The brickwork on all elevations of the building have been painted white, as well as the cills and lintels. The property has timber framed windows as well as a slate roof. Like its neighbours, the house is 'double fronted' with a bay to one side. In this case, a full height projecting bay with gable feature to the left, which is infilled with 'half timbering' and render. The bay feature also has a ground floor octagonal bay window.
- 3.5 As noted the street is predominantly characterised by terraced dwellings, built during the Edwardian period of the early 20th century. No 74 to the immediate west of the site is however detached as well as the application site and No 78, as such deviating from the more predominant character of terrace housing.
- 3.6 The site is steeply sloped, with Woodland Gardens rising steeply to its west. The western boundary of the site is located adjacent to the garden of No 74, which unlike the majority of properties within the street, is located to the side of the

dwelling. The street curves northwards beyond No 74, after which point the character of the street is consistently defined by terraced properties with prominent bay windows and gabled roofs facing the street.

## **Relevant Planning and Enforcement history**

### Planning history:

HGY/2017/2490: Demolition of existing dwelling and erection of replacement 2-storey (with basement level) dwellinghouse – Withdrawn 18/12/2017

HGY/2018/0913: Prior notification for demolition of house – Prior Approval Not Required 06/04/2018

HGY/2018/1494 - Demolition of existing dwelling and construction of a new family dwelling. – Pending consideration.

## **4. CONSULTATION RESPONSE**

### 4.1 The following were consulted regarding the application:

Internal:

LBH: Building control  
LBH: Environmental Health  
LBH: Transportation  
LBH: Design

External:

Muswell Hill & Fortis Green Residents Association

### 4.2 The following responses were received:

Internal:

- 1) LBH Building Control: - Whilst no comments were received in respect of the current application comments were made on the earlier application LPA ref. HGY/2017/2490), which is largely the same in form and appearance to the current application. In this case, the depth of excavation, footprint of the basement and scale of the development is the same as the previous proposal. The submitted Basement Impact Assessment (BIA) for this proposal is identical to the previous submitted BIA. Building Control previously commented on the BIA and noted:

'The proposal is at higher risk given the property is semi-detached and a 'type 3' basement is proposed. There is limited information regarding the soil conditions and adjacent trees. However, they noted some basic principles are included in the working practices, including:

- Methods of working/transition underpins to the front and rear of neighbouring house;
- Shoring and propping of neighbouring house and service details of how they will be dealt with the retention of garden wall and arboricultural matters;
- Site storage and working areas.

Then the scheme would be medium risk but well considered and there should be no objection to the BIA at this stage.'

## 2) LBH Transportation Team:

3 cycle parking spaces are provided at ground floor level. Full details should be provided by condition.

A Construction Logistics Plan would also be required for approval prior to the commencement of works on site.

## 5. LOCAL REPRESENTATIONS

5.1 The number of representations received from neighbours, local groups/ amenity groups etc, in response to notification and publicity of the application are as follows:

No of individual responses: 51

Objecting: 51

Supporting: 0

Others: 0

5.2 The following local groups/societies made representations:

### Woodlands Conservation Area Action Group

- The proposed design features including large vertical window above the front bay and 2 side projections which are out of keeping with the Edwardian surroundings. Planning consent has been previously granted for replacement dwellings replicating the Edwardian features within the locality.
- Woodland Gardens is currently under review to be designated as a conservation area.
- Reference to non-Edwardian development in the area in the submission is over-stated. Most are infill sites off Connaught Gardens and at the junction of Connaught Gardens and Woodland Gardens

- No precedent for demolition and replacement of existing Edwardian houses. Properties at top end of Cranley Gardens were built on site of a former garden centre.
- The photographs of post-war housing are irrelevant to Woodland Gardens street scape.

#### Muswell Hill & Fortis Green Association

- The proposal fails to comply with the requirements of policy DM1, as it does not relate positively to neighbouring structures in terms of design, massing, bulk and materials. If permitted, it would disrupt the distinctive Edwardian character of the area. A contemporary design is not appropriate for this site.

#### Muswell Hill CAAC

- Woodland Gardens is earmarked to form part of a conservation area, but this is currently on hold due to Council spending restraints. Therefore it would be appropriate for the Council to consider the application against the criteria that would be used if the property was located within a conservation area.
- Restoration would be preferable. The design and materials should make a position contribution to conservation area.

### 5.3 The following Councillor (incl. former Cllrs) made representations:

#### Gail Engert (former Ward Councillor)

- The proposed new-build house would be out of keeping with the surrounding Edwardian streetscape.
- The modernist design and proposed materials, are inappropriate and would clash and detract from the existing cohesive Edwardian street.
- The proposed increased bulk and height would be overbearing and particularly impact on the homes that face the back of it, in Teresa Walk.
- In view of review of Woodland Gardens potentially being designated as a Conservation Area, it is crucial that development does not downgrade the architectural integrity of the area.
- Concern with structural integrity of neighbouring property

#### Cllr Mark Blake

- Requested the Chair of the Planning Committee to call-in the application to be decided at Planning Committee.

#### Cllr Ogiehor (Ward Councillor)

- Objection to the proposal.

5.4 The issues raised in the representations received that are material to the determination of the application are summarised as follows:

Design and character

- Design and choice of materials out of character with surroundings;
- Design does not replicate any features of nearby Edwardian properties as claimed in the Design and Access Statement;
- Inclusion of glazing in apex of projecting gable is out of character with locality;
- If a house is to be demolished to build a new house, then the new house needs to be truly exceptional in its design; the new development fails to achieve this;
- The uncharacteristic design of the dwelling would be exacerbated due to its linkage to a semi-detached dwelling;
- There is no precedent for demolishing and replacing Edwardian houses within the street itself as the other new-build developments in the locality are infill developments;
- Demolition would create an undesirable precedent for future applications;
- If demolition is necessary, the property should be an Edwardian replica.

Construction and highways

- Flood risk;
- Infrastructure underneath the road is fragile and may result in damage from heavy plant and machinery parked upon the road;
- The gradient of the site and width of the street mean it is likely to result in obstruction of the highway;
- The structural report does not 'condemn' the existing building and therefore the presumption should be against demolition;
- The site is inappropriate for rebuild;
- There are problems with subsidence in the area and insufficient information has been provided to demonstrate whether or not the development would cause subsidence problems.

Impact upon neighbouring amenity

- Overlooking of neighbouring properties.

5.5 The following comments were received on the amended plans:

- The development would still provide a poor standard of design that is out of keeping with its surroundings;
- Previous concerns with overlooking have not been addressed;
- The increased size in window openings at upper floor rear level will worsen problems with overlooking;
- Still concerns with impact of proposal on flood risk;



- Comprehensive redevelopment instead of refurbishment will cause more disruption for neighbours during construction.

5.6 The following issues raised are not material planning considerations:

- Impact on property values (Officer Comment: The impact of a development upon property values is not a material planning consideration)
- Impact upon community (Officer comment: The proposal does not involve the loss of or affect a community asset, or community facility, and therefore this is not considered to be a material planning consideration to this proposal).
- Disruption during the construction works (working hours can controlled under Environmental health legislation).

## **6 MATERIAL PLANNING CONSIDERATIONS**

6.1 The main issues in respect of this application are considered to be:

1. Principle of the development
2. Design and appearance;
3. Impact on the amenity of adjoining occupiers;
4. Living conditions for future occupants;
5. Basement development;
6. Parking and highway safety;
7. Impact on trees.

### **Principle of the development**

#### Demolition

6.2 The proposal has given rise to extensive representations in favour of retaining the existing building on site, or if not a replication of the existing. Concerns are also raised about the precedent caused by demolition. There is no measure of protection afforded to the demolition of a house (unless listed, a Scheduled Ancient Monument or within a Conservation Area), other than the requirement for 'prior approval' (for method of demolition and restoration of the site) before demolition can occur.

6.3 Schedule 2 Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 permits the demolition of buildings subject to a 'prior approval' procedure which involves the following:

“the developer must, before the beginning of development –in all cases, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site”.

- 6.4 In this case, the applicant has applied for prior notification for demolition under application ref: HGY/2018/0913, and the submitted details regarding method of construction were deemed by Building Control to be adequate for the purposes of the application. Prior approval was therefore not required (06/04/2018). The dwelling can therefore be demolished at any time.
- 6.5 Irrespective of the lack of statutory or policy protection against demolition, Officers would have favoured the retention of the existing building, as was outlined in pre-application advice given. It is however accepted that the existing dwelling is in a reasonably poor condition, with signs of visible subsidence or slippage of the existing structure, as well as having unsympathetic alterations. As such, the applicant has pursued a scheme for demolition and replacement with a contemporary house, which seeks to be a 'reinterpretation' of the prevailing local house type.
- 6.6 While many of the objections received raise concerns about such a design approach, Officers note that both national and local plan policy allow such an approach. National planning policy outlines that decision makers should not "attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles", but that "it is however, proper to seek to promote or reinforce local distinctiveness" (NPPF para. 60).
- 6.7 Such an approach is also reflected in policy DM1 of the adopted Development Management DPD, which requires that all new development 'achieve a high standard of design and contribute to the distinctive character of the area relate positively to neighbouring structures, new or old, to create a harmonious whole'.

#### Possible Conservation Area designation

- 6.8 A number of the third party representations received (notably, comments from 'Woodlands Conservation Area Action Group'), refer to how the area is under review to be considered designating a conservation area. It is accepted that such a request has been made, however the site is not designated a conservation area at present and the application must be dealt with on the basis of the current position. Even in Conservation Areas there is not a bar on demolition and replacement of buildings, and each building would be assessed in terms of its value and contribution to a conservation area, and the impact on the replacement on the character and appearance of the conservation area considered.

#### **Design and appearance**

- 6.9 London Plan Policy 7.4 emphasises the importance of considering local character as part of design quality, with planning decisions being informed by the surrounding historic environment and human scale. Policy 7.6 recognises the role that development can have on streetscape and requires a building to be

appropriate to context and comprise details and materials that complement, but not necessarily replicate local architecture. This policy also highlights the importance of proportion, scale, composition and orientation, as factors which should inform design quality.

- 6.10 Local Plan Policy SP11 states that all new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use and contribute to a sense of place.
- 6.11 As already referred to above, policy DM1 'Delivering High Quality Design' requires that new development achieve a high standard of design and contribute to the distinctive character of an area and relate positively to neighbouring structures, new or old, to create a harmonious whole.
- 6.12 The established character of Woodland Gardens is Edwardian with features such as porches with sloping tile roofs, traditional bay windows, timber framed sash/casement windows etc. being largely left intact/ unaltered and informing its character. This high degree of architectural consistency lessens however, along the curve in street, beyond (east of) the junction with Connaught Gardens.
- 6.13 Looking at the 'Haringey Urban Character Study' (2015), it is accepted that the houses on Woodland Gardens share similar characteristics with other housing stock in Muswell Hill. Houses in this area are defined by uniform front gardens, typically low clinker wall, densely planted front gardens, tile paved front paths, handsome intricate front doors, a variety of elaborate detail in stone and stucco etc. as well as the predominance of red brick; all of which are important to its character.
- 6.14 The site is located adjacent to a detached dwelling (No 74) to its immediate west, with a substantial side garden plot adjacent to the western elevation of the application site. The host building is semi-detached and linked to No 78. As such, this pair of semis and the detached house do deviate slightly from the more consistent Edwardian terrace arrangement, which primarily informs the character of the street.
- 6.15 It is accepted that the application site is prominent in location. The site is located at a steep and visually prominent junction in the street, beyond which the street curves sharply northwards adjacent to the side garden of No 74. This means that clear views of the front and side (western) elevations are available from the east and the west of the site.
- 6.16 As pointed out the scheme is of contemporary design, reinterpreting the current house in a modern/ twenty-first century way. The height, width and massing of the scheme (as revised) respects the building heights, form, scale and massing prevailing around the site.

- 6.17 The scheme has been subject to design revisions during the assessment of the application. The revised scheme is a more satisfactory response to the form, design and scale of the semi it will be attached to (No 78). The dwelling adopts a hip roof form with two side-projecting features; modern interpretations of chimney stacks. A double-height bay feature is positioned on the frontage adjacent to the bay of No 78 and the originally proposed first floor bay on the western side of the frontage has been removed, leaving a ground floor square bay projection. The projecting features on the side roof elevation have been reduced in height, to below the ridge of the main roof and the scale and pattern of fenestration on the front elevation is similar to its adjoining property.
- 6.18 The design of the roof profile and rear elevation includes a rear-projecting gable and a rear dormer form, with a single storey rear projection. In this respect, the dwelling adopts the appearance of having been subject to sizeable extensions, despite it being a new-build. The site has a shallow rear garden and as such to ensure that any future addition does not lead to excessive site coverage or affect the amenity of neighbouring occupiers, permitted development rights (specifically under Classes A, B and E) are recommended to be removed as part of any grant of planning permission.
- 6.19 Overall, Officers consider the form, design and detailing of the proposed dwelling to be an acceptable architectural response to the site, while respecting local context and character.
- 6.20 The success of the scheme will be largely dependent on the quality of external materials. In view of this and particular features of the proposal's design, further details regarding materials samples (including brick, tiles and window frames) should be required to be submitted to the LPA prior to the commencement of works on site. This could be secured by way of a condition.
- 6.21 The proposed front elevation is annotated indicating that the existing clinker/brick front wall shall be retained and extended using matching materials. Further details regarding the front boundary treatment and soft landscaping should be required to be submitted to the LPA prior to the commencement of works on site, as also secured by way of a condition
- 6.22 Overall, the proposal is of acceptable quality to meet the design policies 7.4 and 7.6 of the London Plan 2016, policy SP11 of the Haringey Local Plan 2017, policy DM1 of the Haringey DPD 2017 and the NPPF.

### **Impact on the amenities of adjoining occupiers**

- 6.23 The London Plan 2016 Policy 7.6 ` states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Saved Policy UD3 also requires development not to have a significant adverse impact

on residential amenity in terms of loss of daylight, or sunlight, privacy, overlooking, noise or nuisance. DM Policy DM1 'Delivering High Quality Design' requires appropriate protection of privacy to neighbouring properties.

- 6.24 The siting, bulk, massing and height of the replacement dwelling would not adversely affect outlook or sunlight/daylight enjoyed by the occupants of neighbouring properties or lead to overshadowing.
- 6.25 The scheme will have a single storey ground floor rear projection that would project 1.6 metres beyond the main first floor rear extent of the proposed development. This element of the building would have a height of 4 metres with a flat roof design. This would not project beyond the existing single storey rear extension to No 78 Woodland Gardens and therefore would not impact light or outlook to this property.
- 6.26 The rear windows of No 7 Teresa Walk, located to the back of the application site, are approximately 16 metres away from the first floor windows of the existing dwelling. The proposed development would bring first floor windows in closer proximity but due to their orientation away from this property, in a southeasterly direction, these would not materially worsen privacy levels over and above the current situation.
- 6.27 Following the submission of revised plans, which included some changes to the internal layout, the angled rear first floor oriel windows now serve a bathroom instead of a bedroom. The rear elevation indicates that these windows would be treated with obscure glazing. A condition requiring these windows to be both obscure glazed and non-opening, unless above 1.7 metres, would ensure these windows would not result in an unacceptable loss of privacy for the occupants of No 78 Woodland Gardens.
- 6.28 While large areas of glazing have been added to a central section to the rear elevation in the revised plans, these windows serve a large vertical void area which spans from ground through to the second floor. As such, internally the first and second floors are set in 1.65m from the glass to these windows. As such the glazing here is primarily a source of light and would not provide an opportunity for overlooking.
- 6.29 The inclusion of glazing in the front gable, albeit it would be positioned at a higher level in comparison to first floor windows, would not materially affect the privacy of neighbouring occupiers. The glazing would be located approximately 20 metres away from the front upper floor windows of adjacent properties on the other side of Woodland Gardens. Within an urban context, it is accepted that there are degrees of mutual overlooking from first floor windows and the proposal would not result in harm over-and-above that found within such a setting.

- 6.30 Concerns were raised in the representations received about noise. Noise during construction can be managed with the submission of a construction management plan, which would seek to minimise disturbance to the current residents, as could be secured by way of a planning condition.
- 6.31 The proposal would not result in an unacceptable impact upon the amenities of neighbouring occupants, and complies with policies 7.6 and DM1

### **Quality of Residential Accommodation**

- 6.32 London Plan (2016) policy 3.5 requires the design of all new housing developments to enhance the quality of local places and for the dwellings in particular to be of sufficient size and quality. Local Plan (2017) Strategic Policy SP2 and Policy DM12 of the Development Management DPD 2017 reinforce this approach. The Mayor's Housing SPG sets out the space standards for new residential developments to ensure an acceptable level of living accommodation is offered.
- 6.33 The proposed new dwelling would have a basement level occupying the full footprint which would contain a utility room, workshop, gym and playroom. The kitchen/living room areas would be located at ground floor level with 4 bedrooms and home-office within the first and loft floor levels.
- 6.34 The dwelling would have a floorspace in excess of 300 sqm and therefore would comfortably exceed the 112sqm required for a 4-bedroom 3-storey 6-person dwelling. All habitable rooms would benefit from a satisfactory standard of outlook and access to natural light.

### Accessibility

- 6.35 The NPPF and London Plan policies 3.8 and 7.2 and Local Plan policy SP2 require all development proposals to provide satisfactory access for disabled people and those with mobility difficulties such as parents with pushchairs and young children. All residential units should be built in accordance with Lifetime Homes Standards (LTH) and Part M of the Building Regulations to ensure any new housing development is suitable for the disabled users.
- 6.36 The applicant in its Design and Access Statement has confirmed the scheme has been designed to be in general compliance with the 16 criteria standards laid out by Lifetime Homes (LTH). The effective door width of the entrance and internal doors and staircase would accord with the minimum provisions of LTH, and a level and covered approach has been provided for at the entrance. A level entry WC and access to the living space, albeit via the side entrance to the dwelling, and space is available to provide an entrance level bed-space. Although a potential through-floor lift has not been identified on the plans, the dwelling is capable of being adapted in the future to accommodate one. In short, the

applicant has demonstrated that the new residential unit has been inclusively design to LTH standards and would meet the requirements of the wider community in accordance to the above policy framework.

- 6.37 The proposed dwelling would provide a satisfactory standard of accommodation for future occupants.

### **Parking and highway safety**

- 6.38 Local Plan (2017) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DM Policy (2017) DM31 'Sustainable Transport'.
- 6.39 The site is located in an area with low public transport accessibility (PTAL) level 1b, and is not located within a controlled parking zone. One off-street parking space is proposed which may not meet parking demand arising from a 5-bed dwelling in a low PTAL area, but any additional parking required could be accommodated on street, where there is sufficient capacity. There is currently no crossover providing access to where the proposed off-street parking space would be located as shown on the submitted plans, but the site is not located on a classified road, and therefore planning permission is not required for the formation of a vehicular access into the site. An informative would be included that advises the applicant to apply to the Borough's Highways Department to undertake the works to form the vehicular cross over at their expense.
- 6.40 A total of 3 x cycle parking spaces are provided at ground floor level which is an acceptable level of provision to meet London Plan Standards. A Construction Management and Logistics Plan would also be required for approval prior to the commencement of works on site, to ensure the construction works would not result in an unacceptable impact upon the free flow of traffic, highway and pedestrian safety or upon the amenities of neighbouring occupants in the locality.
- 6.41 Subject to compliance with a condition regarding Construction Logistics Plan, the proposal is acceptable with regards to highways and transportation considerations.

### **Basement Impact Assessment**

- 6.42 Policy DM18 of the Development Management DPD states that householder extensions to existing basements, and the construction of new basements, including in existing dwellings will only be permitted where it can be demonstrated that the proposal does not adversely affect the structural stability of the building, does not increase in flood risk to the host or nearby properties and

does not cause harm to the appearance or setting of the property or the established character of the surrounding area.

- 6.43 A Basement Impact Assessment (including desk study and ground investigation) has been submitted with this application, as well as a Structural Engineering Report (prepared by AMA Consulting Engineers).
- 6.44 The site is underlain by solid deposits of London Clay Formation. The information submitted indicates that there are no detailed river entries or surface water features reported within 250m of the site and equally no Environment Agency Zone 2 or Zone 3 flood zones within 250m of the site. (Check if in critical drainage area).
- 6.45 The overall assessment of the site is that the creation of a basement will not adversely impact the site or its immediate environs, providing measures are taken to protect surrounding land and properties during construction. The report says it is unlikely that groundwater would be encountered during site works, but that any encountered groundwater could be readily dealt with by conventional pumping from a sump.
- 6.46 A 'Construction Technique and Methodology for the Lowering of the Existing Basement' is provided. The Structural Engineering Report outline that contiguous piles would be used to construct the basement. The existing party wall would be underpinned at the start of the works, to ensure that the party wall foundation is not undermined during the excavation works. A movement joint would be incorporated in the party wall design.
- 6.47 Overall, such works do not represent a significant structural stability hazard, on the grounds of using industry standard construction sequence. While it is recognised that certain aspects of the works here cannot be determined absolutely at the planning stage (i.e. works to the party walls), the information submitted to the LPA to date, do provide assurances that the works can be carried out successfully without affecting adjoining/ neighbouring properties.
- 6.48 More detailed drawings, specification and method statement would be prepared in advance of the works being carried out for the purpose of Building Control and party wall agreements. The structural integrity of the proposed basement works would need to satisfy modern day building regulations and the necessary party-wall agreements with the adjoining owner would need to be in place prior to the commencement of works on site.
- 6.49 The information provided has been assessed and is considered satisfactory. A condition should be imposed to ensure that the structural side of the basement is overseen by a suitably qualified chartered engineer.



- 6.50 In conclusion and subject to imposing the condition referred to above Officers are satisfied that the development here can be carried out without impacting land stability, ground water conditions or the amenity of adjoining/ neighbouring residents.

### **Waste and Recycling**

- 6.51 London Plan Policy 5.16 indicates the Mayor is committed to reducing waste and facilitating a step change in the way in which waste is managed. Local Plan Policy SP6 Waste and Recycling and DPD Policy DM4, requires development proposals make adequate provision for waste and recycling storage and collection.
- 6.52 The proposed ground floor plan indicates that waste and recycling storage would be provided behind the front boundary wall. Details of the design of such storage and measures to screen such bins would be secured by of a condition prior to occupation of the new dwelling.

### **Impact on Trees**

- 6.53 DM policy (2017) DM1 states the Council will expect development proposals to response to trees on and close to the site. The supporting text of Local Plan Policy SP13 recognises the importance trees can play in improving environmental conditions and improving people's quality of life, and generally seeks the protection, management and maintenance of existing trees.
- 6.54 The site is not subject to any Tree Preservation Orders (TPO) and is not located within a conservation area. There is a grouping of trees subject to a TPO to the south of the site on land adjacent to Theresa Walk, but the development is not located close enough to have any impact on these trees.
- 6.55 There are trees located on/adjacent to the southern boundary of the site that provide screening and visual amenity value between the site and properties to the south on Theresa Walk. Part of the Construction Management Plan condition could include a requirement to ensure building materials or storage do not take place in close proximity to these trees.

### **Conclusion**

- 6.56 The development would replace an existing family-sized dwelling. Following revision it is considered that the form, design and detailing of the proposed dwelling is an acceptable architectural response to the site, while respecting local context and character. It would provide a satisfactory standard of accommodation and would not result in an unacceptable impact upon neighbouring amenity. Subject to compliance with conditions, it would not prejudice existing road conditions or have an unacceptable impact upon highway or pedestrian safety.

6.57 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

## **7 CIL APPLICABLE**

7.1 Based on the information given on the plans, the Mayoral CIL charge will be £3,939.61 (88.7sqm x £35 x 1.269) and the Haringey CIL charge will be £25,573.98 (88.7sqm x £265 x 1.088). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

## **8.0 RECOMMENDATIONS**

Members are recommended to advise PINS that the LPA considers PERMISSION should be GRANTED subject to conditions

Applicant's drawing Nos: 1703.A-00-001 09, 1703.A-02-001- 09, 1703.A-03-112-01 09, 1703.A-03-112-02 09, 1703.A-03-112-03 09, 1703.A-03-114-01 09, 1703.A-03-114-02 09, 1703.A-03-114-03 09, 1703.A-03-132-01 09, 1703.A-03-132-02 09, 1703.A-03-132-02 09, 1703.A-03-132-04 09, 1703.A-03-132-05 09, 1703.A-03-133-01 09, 1703.A-03-133-02 09, 1703.A-03-133-03 09, 1703.A-03-133-04 09, 1703.A-03-133-05 09, 1703.A-03-133-06 09, 1703.A-03-133-07 09, 1703.A-03-133-08 09, AMA Demolition Statement of Intent AMA\_REP\_02 Nov 2017, AMA Structural Engineering Report AMA\_REP\_01 Jul 2017, Design and Access Statement July 2017 (MacArchitect)

Subject to the following conditions:

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The approved plans comprise drawing nos 1703.A-00-001 09, 1703.A-02-001- 09, 1703.A-03-112-01 09, 1703.A-03-112-02 09, 1703.A-03-112-03 09, 1703.A-03-114-01 09, 1703.A-03-114-02 09, 1703.A-03-114-03 09, 1703.A-03-132-01 09, 1703.A-03-132-02 09, 1703.A-03-132-02 09, 1703.A-03-132-04 09, 1703.A-03-132-05 09, 1703.A-03-133-01 09, 1703.A-03-133-02 09, 1703.A-03-133-03 09, 1703.A-03-133-04 09,

1703.A-03-133-05 09, 1703.A-03-133-06 09, 1703.A-03-133-07 09, 1703.A-03-133-08 09, AMA Demolition Statement of Intent AMA\_REP\_02 Nov 2017, AMA Structural Engineering Report AMA\_REP\_01 Jul 2017, Design and Access Statement July 2017 (MacArchitect). The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

3. No development shall take place until the following details of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority, including:
  - a) Sample panels of proposed brickwork to be used showing the colour, texture, bond, and pointing;
  - b) Windows and entrance doors detailing including materials, profile, reveal depth;
  - c) Roofing material, dormer cladding and flashing detail.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity consistent with Policy 7.6 of the London Plan 2016, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

4. Prior to the occupation of the development hereby permitted details of boundary treatment along the frontage of the site, measures to screen refuse and recycling bins and landscaping to the frontage of the site shall be submitted to, approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved detail.

Reason: In the interest of public safety and security and to protect the visual amenity of the locality consistent with Policies 3.5, 7.4, 7.5 and 7.6 of the London Plan 2016 and Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

5. Prior to first occupation of the development, the first floor windows in the south elevation serving the bathroom (as shown on plan no. 1703.A-03-132-03-09) shall be fitted with obscured glazing and thereafter permanently retained in that condition thereafter.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2013 and Policy DM1 of The Development Management DPD 2017.

6. The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith and retained for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no extensions or outbuildings shall be built and no new window or door openings inserted into any elevation of the buildings (other than that development expressly authorised by this planning permission) etc. shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and to prevent overdevelopment of the site by controlling proposed extensions and alterations consistent with Policy 7.4 of the London Plan 2016 and Policy DM1 of The Development Management DPD 2017.

8. No development shall take place, including any works of demolition, until a Construction Management and Logistics Plan, to include details of:
  - a) a programme of works with specific information on the timing of deliveries to the site to minimise disruption to traffic and pedestrians on Woodland Gardens,
  - b) storage of plant and materials used in constructing the development;
  - c) provision of boundary hoardings behind any visibility zones;
  - d) wheel washing facilities.

have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained during the demolition and construction period. Thereafter, the approved

construction plan shall be fully implemented and adhered to during the construction phase of the development.

Reasons: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies 6.3, 6.11 and 7.15 of the London Plan 2011, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017.

**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: 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: Community Infrastructure Levy**

The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayor's CIL charge will be £3,939.61 (88.7 x £35 x 1.269) and the Haringey CIL charge will be £25,573.98 (88.7 x £265 x 1.088.). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

**INFORMATIVE:** Any necessary works to construct the crossover will be carried out by the Highways Department at the applicant's expense once all the necessary internal site works have been completed. The applicant should telephone 020 8489 1000 to obtain a cost estimate and to arrange for the works to be carried out.

Appendix 1 Consultation Responses from internal and external agencies

No.	Stakeholder	Question/Comment	Response
	<b>INTERNAL</b>		
1.	LBH Transportation Team:	Require Construction Logistics Plan	Condition 5 requires such a plan.
2.	Councillors (inc. former Cllrs)	The proposed new-build house would be out of keeping with the surrounding Edwardian streetscape.	This matter is addressed in paragraphs 6.12– 6.20 of the report.
		The modernist design and proposed materials, are inappropriate and would clash and detract from the existing cohesive Edwardian street	This matter is addressed in paragraphs 6.12 -6.20 of the report, and condition 3.
		The proposed increased bulk and height would be overbearing and particularly impact on the homes that face the back of it, in Teresa Walk.	This matter is addressed in paragraphs 6.23-6.26 of the report.
		In view of review of Woodland Gardens potentially being designated as a Conservation Area, it is crucial that development does not downgrade the architectural integrity of the area.	This matter is addressed at paragraph 6.8 of the report.
		Concern with structural integrity of neighbouring property	This matter is addressed in the Basement Impact Assessment section of the report (paragraphs 6.42 – 6.50) and condition 5.
3.	Woodlands Conservation Area Action Group	The proposed design features including large vertical window above the front bay and 2 side projections which are out of keeping with the Edwardian surroundings. Planning consent has been previously granted for replacement dwellings replicating the Edwardian features within the locality.	The merits of the design are addressed in paragraphs in the design and appearance section of the report in paragraphs 6.9 – 6.22.
		Woodland Gardens is currently under review to be designated as a conservation area.	This matter is addressed in paragraph 6.8 of the report.

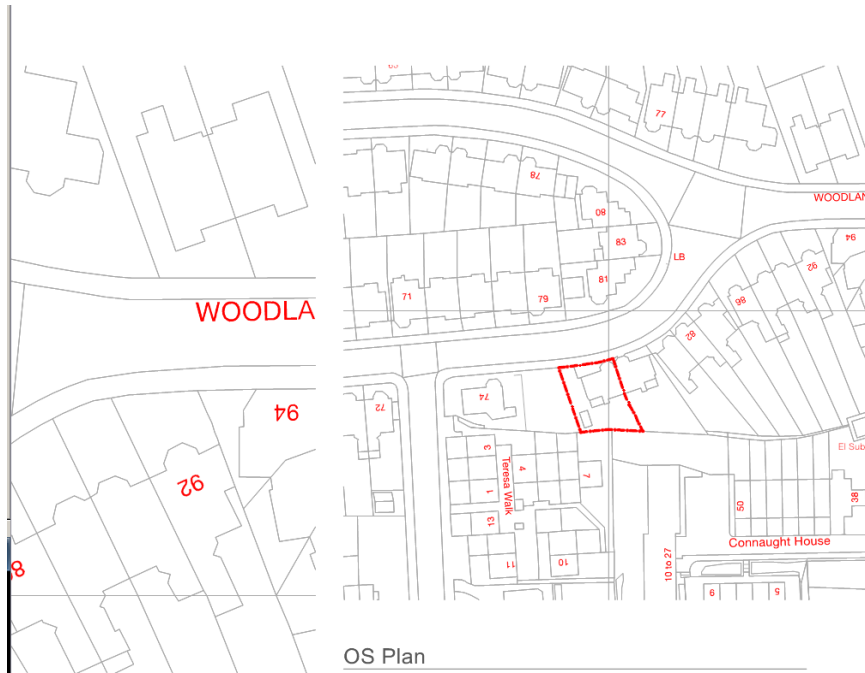
No.	Stakeholder	Question/Comment	Response
		Reference to non-Edwardian development in the area in the submission is over-stated. Most are infill sites off Connaught Gardens and at the junction of Connaught Gardens and Woodland Gardens. The photographs of post-war housing are irrelevant to Woodland Gardens street scape.	The design merits of the proposal have been considered and addressed in paragraphs 6.9 – 6.22 of the report.
		No precedent for demolition and replacement of existing Edwardian houses. Properties at top end of Cranley Gardens were built on site of a former garden centre.	Paragraphs 6.2 – 6.7 of the report explain planning permission is not required for demolition of a dwelling unless Listed, a Scheduled Ancient Monument or within a Conservation Area, and that the relevant prior notification procedure for demolition has been followed.
4.	Muswell Hill & Fortis Green Association	The proposal fails to comply with the requirements of policy DM1, as it does not relate positively to neighbouring structures in terms of design, massing, bulk and materials. If permitted, it would disrupt the distinctive Edwardian character of the area. A contemporary design is not appropriate for this site.	The design merits of the proposal have been considered and addressed in paragraphs 6.9 – 6.22 of the report.
5.	Muswell Hill CAAC	Woodland Gardens is earmarked to form part of a conservation area, but this is currently on hold due to Council spending restraints. Therefore it would be appropriate for the Council to consider the application against the criteria that would be used if the property was located within a conservation area.	Work on a conservation area appraisal to back up a consultation has not started as yet, and therefore there would be no justification in policy terms to assess the application as if it were in an Conservation Area.
6.	<b>Local Residents</b>		.
		Design and choice of materials out of character with surroundings	The design merits of the proposal have been considered and

No.	Stakeholder	Question/Comment	Response
		Design does not replicate any features of nearby Edwardian properties as claimed in the Design and Access Statement	addressed in paragraphs 6.9 – 6.22 of the report.
		Inclusion of glazing in apex of projecting gable is out of character with locality	
		If a house is to be demolished to build a new house, then the new house needs to be truly exceptional in its design; the new development fails to achieve this	
		The uncharacteristic design of the dwelling would be exacerbated due to its linkage to a semi-detached dwelling	
		There is no precedent for demolishing and replacing Edwardian houses within the street itself as the other new-build developments in the locality are infill developments	
		Demolition would create an undesirable precedent for future applications	
		If demolition is necessary, the property should be an Edwardian replica	
		Flood risk	
		Infrastructure underneath the road is fragile and may result in damage from heavy plant and machinery parked upon the road	
		The structural report does not 'condemn' the existing building and therefore the presumption should be against demolition	
		The site is inappropriate for rebuild	
		There are problems with subsidence in the area and insufficient information has been provided to demonstrate whether or not the development would cause subsidence problems	

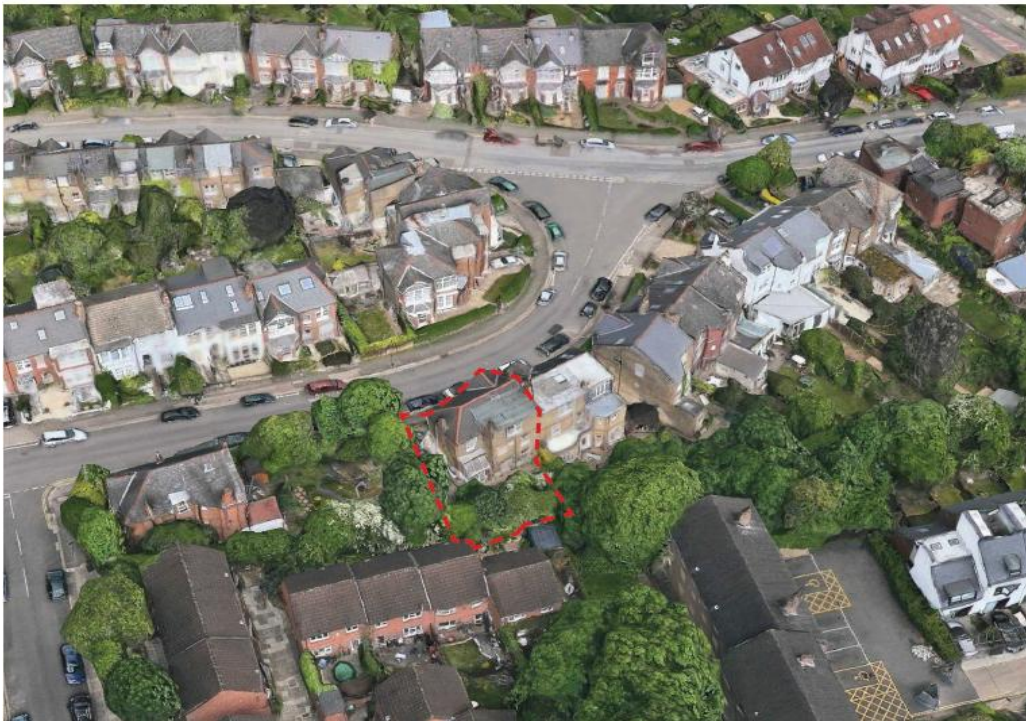


No.	Stakeholder	Question/Comment	Response
		The gradient of the site and width of the street mean it is likely to result in obstruction of the highway	A Construction Method Statement condition included at condition 5.
		Overlooking of neighbouring properties	Addressed at paragraphs 6.26 – 6.29 of the report, and condition 7.

**Appendix 2 Plans and Images**



OS Plan  
**Site Location Plan**



**Aerial view of the site**



**Site photo – frontage of current dwelling on site**



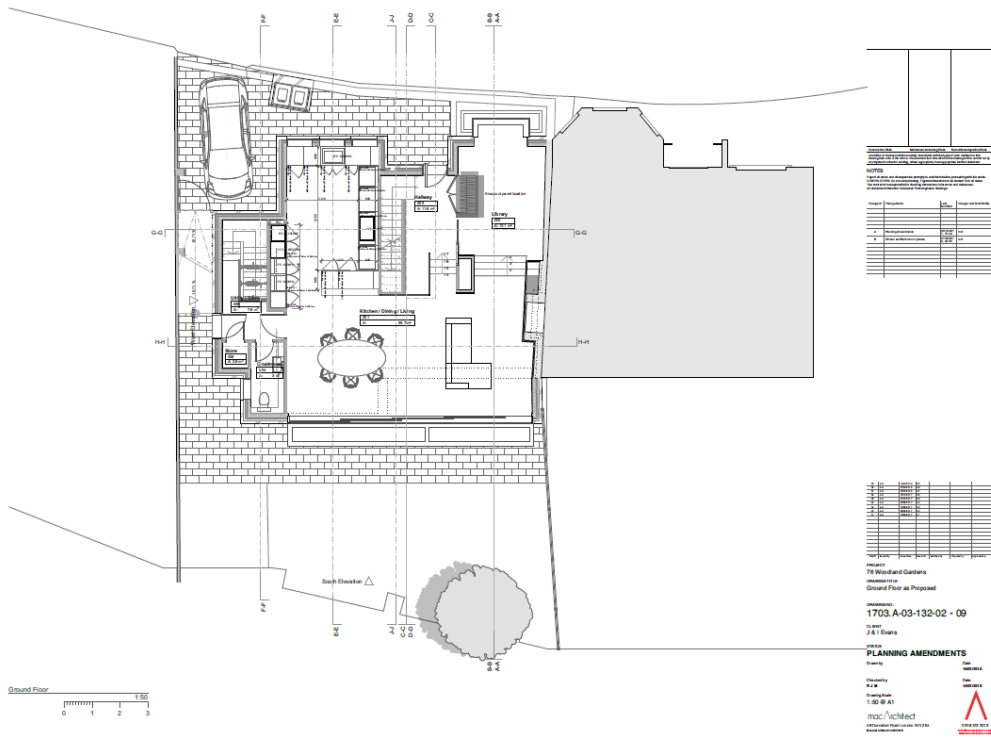
**Site photo – rear of the site, (photo taken from neighbouring no. 78 Woodland gardens)**



**Visual of the frontage of the dwelling**



**Visual of the proposed dwelling**



Site layout/ Ground floor