

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2008/2350

Ward: Highgate

Date received: 10/12/2008

Last amended date: 04/03/2009

Drawing number of plans: 591/001, 002 004, 005, 008F, 009B 010B, 011B, 012B, 013B, 014A, 015A, 016A, 017A, 018A, 020A, 021A, 022A, 023, 024 & 025.

Address: Water Board Cottage, Tile Kiln Lane N6

Proposal: Retention and extension of existing property to provide 2 x three bed semi detached houses and erection of 2 x 3 bed detached houses, 4 car parking spaces with associated landscaping. (AMENDED ADDRESS & DESCRIPTION)

Existing Use: Vacant

Proposed Use: Residential

Applicant: EPS Holdings Ltd

Ownership: Private

PLANNING DESIGNATIONS

Conservation Area

Officer contact: Matthew Gunning

RECOMMENDATION

GRANT PERMISSION subject to conditions

SITE AND SURROUNDINGS

The application site is a narrow, rectangular piece of land located in Tile Kiln Lane and includes part of a steep, tree covered embankment that slopes steeply down towards Archway Road. The site is currently occupied by a vacant, two storey dwelling known as the former Water Board Cottage. The house is set in an open plot surrounded by a number of trees. Vehicular access to the site is via Tile Kiln Lane which is only single vehicle in width and is mostly used as a pedestrian footway between Winchester Road and Hornsey Lane.

To the west of the application site on the opposite side of Tile Kiln Lane is a water reservoir that has high grassed banks. To the south of the application site is a row of 4 modern terrace houses known as Bridgepoint Place. The Bridgepoint Place development is positioned behind a locally listed building known as the Pump House which has been converted to a dwelling. This development received planning permission in 2001. Vehicular access to this development is via Hornsey Lane. To the north of the application site is a row of older terraced dwellings that front onto Tile Kiln Lane at the Winchester Road end. Bollards currently prevent vehicular access from Winchester Road along Tile Kiln Lane. The application site is located within the Highgate Conservation Area and the Archway Road Restricted Conversion Area.

PLANNING HISTORY

OLD/1988/1805- Erection of dwelling house and garage in garden of existing house Refused 26/01/88.

OLD/1989/1907 - Erection of 2 storey 1 bed house REFUSED 15/08/89.

HGY/2003/0390 - Conservation Area Consent for the demolition of the Water Board Cottage –Withdrawn 19/08/03.

HGY/2003/0929 - Erection of two, three storey buildings comprising 1 x 3 bed, 3 x 2 bed and 1X1 bed residential units with 5 car-parking spaces and bicycle storage WITHDRAWN 19/08/03.

HGY/2003/1831- Retention and extension to existing house to provide two self-contained flats and the erection of two detached houses and five car parking spaces – Planning Committee resolved to grant permission on 24/02/2004 subject to the completion of a s106 agreement for highway works, however s106 agreement was never signed.

HGY/2004/2606 -Details pursuant application relating to HGY/2003/1831 - INVALID

HGY/2005/1821Demolition of existing building and replacement with 2 x 3 storey terraced blocks (with rooms at lower ground level) comprising 8 x 3 bed residential units with associated landscaping and car parking at M W B Cottage, Tile Kiln Lane – REFUSED 28/11/05 on the grounds of highway safety, density, width and bulk, impact on conservation area.

HGY/2005/1829 - Demolition of existing building and replacement with 2 x 3 storey terraced block (with rooms at lower ground level) comprising 8 x 3 bed residential units with associated landscaping and car parking REFUSED 28/11/05

HGY/2006/0597 - Conservation area consent for the demolition of existing MWB Cottage, Tile Kiln Lane, N6 REFUSED 16/05/06

HGY/2006/0596 - Demolition of existing buildings and erection of a terrace of 8 residential units with gardens and provision of 5 parking spaces REFUSED 16/05/06

HGY/2007/0529 -Demolition of existing building and erection of two new low energy, sustainable villas with total of eight new dwellings REFUSED 27/04/07

HGY/2007/0528 -Conservation Area Consent for demolition of existing house. Erection of two (low energy) buildings, three storeys in height with additional basement for eight car parking REFUSED 27/04/07 APP/Y5420/A/07 Appeal against Council's refusal of planning application /2046038

HGY/2007/0529 - Demolition of existing building and erection of two new low energy, sustainable villas with total of eight new dwellings. APPEAL DISMISSED – 02/04/08

HGY/2008/1665 - Demolition of existing house and erection of 2 low energy sustainable buildings three storeys in height with basement for eight car parking spaces and cycle parking. Each building contains 2 x 2 bedroom flats and 2 x 3 bedroom maisonettes.- Refused 30/09/2008

DETAILS OF PROPOSAL

The proposal is for the retention and the and extension of the existing Water Baord Cottage to provide 2 x three bed semi detached houses and for the erection of two 2 x 3 bed detached houses; with 4 car parking spaces with associated landscaping. The scheme has been amended from the scheme initially submitted. The amended scheme makes change to the number and position of the car parking space (from 6 to 4) and a change in the position of Dwelling A.

CONSULTATION

London Borough of Islington
London Borough of Camden
Thames Water
London Fire Brigade
English Heritage
Transport for London
Haringey Conservation Team
Haringey Arboriculturalist
Haringey Design Team
Haringey Transportation Group
Haringey Waste Management
Haringey Building Control
Ward Councillors
Highgate CAAC
Cromwell Residents Association
Hornsey Lane Association
Highgate Society

Head Teacher of St. Aloysius' College, Hornsey Lane
1-6 (c) Tile Kiln Lane
1-4 (c) Bridgepoint Place
2, 4, 6 Winchester Road
3, 5, 7, 9, 11 Winchester Road
Ground floor flat 3 Winchester Road
Flat 1, 9 Winchester Road
7b Winchester Road
5a Winchester Road
45 Cromwell Avenue
Flat 4, 75 Anson Road
Ground Floor Flat, 3 Winchester Road
10-32 (e), 59-71 (o) Hornsey Lane
119-159 (o) Archway Road
1-6 (c) Bridge Court, Archway Road
Unit 4 The Sheldon Building, 1 Baltic Place

RESPONSES

Building Control – Checked for Fire Brigade Access – B5 of Building Regulations 2000. Distance of houses from the road exceed 45m allowed; may be acceptable if sprinklers are installed.

Conservation -Tile Kiln Lane is an old passageway that runs between Hornsey Land and Winchester Road. There are several mews houses built in 1978 at the Winchester Road end, as well as four old bollards marked 1883, and a black and white Victorian signpost for Hornsey Lane, pointing down Tile Kiln Lane, which is a local listed structure. Water Board Cottage is a detached two storey building built in stock brick, c. 1930. The house is surrounded by a number of mature trees, which also serve as a barrier for the traffic noise coming from the dual carriageway on Archway Road. On the opposite side of the lane runs a tall old wall. There are remnants of an old wall in sections of the east side of the lane as well, topped with modern railings.

Water Board Cottage is not of high architectural or historic value, however it does contribute to the Tile Kiln Lane setting as it is a small building situated on a large site that relates well to the undeveloped and open character of the Lane.

The site consists of a strip of open land situated at the top of a wooded embankment overseeing Archway Road to the north-east and to the south-west the site looks towards Tile Kiln Lane with a large, covered reservoir beyond. This open land is an important feature of the site, providing a positive contribution to the character of the conservation area. 'Turkey Oak' tree to the north-west of the site is subject to a tree preservation order.

The proposal is for the retention and extension of the existing Water Board Cottage property to provide two x 3 bed semi detached houses and the erection of two x 3 bed detached houses with 6 car parking spaces and associated landscaping.

The proposed scheme is modern in style; existing brickwork is to be retained, solar evacuated tubes are proposed to the aluminium roofs, European Oak timber

cladding and lime render on 'hemcrete' are proposed for the facing materials of the new builds. There is no objection to the design: the choice of modern design for the scheme is the most appropriate considering the context of the site.

There is no objection to the bulk, scale or massing of the proposed scheme; the design of the proposed development reflects the domestic scaling of neighbouring buildings (Bridge Point Place), the intensity of existing development (Bridge Point Place), and traditional uses within the area (residential). The proposed development would be situated on top of a steep embankment and would be visible from Archway Road, however, the scale and layout of the scheme is such that its impact upon local views would be minimal.

Thames Water – No objection with regard to sewerage infrastructure. Thames Water requests that the applicant incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Thames Water - recommend the following informative be attached to any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777.

Head Teacher of St. Aloysius' College – Object – Tile Kiln Lane is a narrow lane opposite which many of the boys who attend the school use on their route to and from school. from the original five to eight would further add to the issues raised in objection to previous schemes. To allow vehicle access along Tile Kiln Lane will create a serious health and safety risk for the school pupils who use Tile Kiln Lane as a pedestrian through route. The lane itself is an un-made up access track is never used by vehicles other than when maintenance work is being carried out by Thames Water. Tile Kiln Lane is not a through road. It would be difficult for vehicles to access the land on a one-way basis because of its width and almost impossible for vehicles to pass in the narrow parts of the lane. Providing vehicle access to and from the site would diametrically oppose a major Government initiative on safer routes to school (Every Child Matters Programme) and the safety and welfare of the pupils. We cannot support an application for planning permission that increase the vehicle access to this road and thereby puts the safety of our pupils at risk.

Highgate CAAC – The CAAC previously raised objections to similar proposals for the site and see no reason to change its views. Particularly it is concerned about access and egress from and onto Hornsey Lane which is already problematic at this site and which would result in dangerous increased traffic.

Hornsey Lane Association – The present application appears not to differ from the previous ones, and the same objection stands, especially with the prevision for cars. The provision for cars would create danger especially at the junction of

Tile Kiln Lane with Hornsey Lane; which is obscured to traffic from the west along the latter by the wall of the reservoir.

Highgate Society – The reduction of the number of car parking spaces from eight to six does little to address the major concerns about the appropriateness of the Lane for vehicular traffic of any sort, which will include construction traffic and subsequent vehicle movements connected with the servicing and maintenance of the properties. The lane remains a narrow pedestrian route, used by vehicles only in connection with maintenance of the reservoir opposite, and used by large number of pedestrians daily, particularly schoolchildren, and we are aware that this is a major concern of St. Aloysius School, on the opposite side of Hornsey Lane, many of whose pupils use the lane. We therefore consider that the appropriateness of using this narrow lane, in effect a pathway, for non-pedestrian purposes remains unresolved.

The drawings submitted with the application show that taking account of this openness has not been a feature of the new application. Indeed, there appears to have actually been an increase in the area covered by housing, of as much as 20%.

The “location plan as previously proposed” shows a number of shrubs etc proposed for landscaping. The detailed drawing 591/022 for the new proposals show what appears to us be a reduced amount of green landscaping, since the former proposed open area at the north end of the site has been reduced by moving the northernmost house into it, and the area between the middle and northern houses, previously shown as landscaped, is now proposed for car parking most of which will not be visible from the Lane but will be hidden behind the wall referred to below.

The proposed greater ground coverage by buildings (and hard standing), and the mere moving of the northernmost building a short distance to the north, has not in any way addressed the issue of the potential damage to the openness of the site. The site elevations (drawing 591/010) , showing existing, previously refused, and proposed, show that the buildings in the current application are, in two of the three cases, not only greater in footprint but taller, and therefore greater in overall area, than what has already been refused. The most cursory study of these elevations shows that the issue of retaining the openness of the site has not been addressed in any way. Indeed, the openness is further damaged by the wall proposed for the Tile Kiln lane frontage of the site.

The proposal will make a more hostile environment for pedestrians, through increasing the feeling of enclosure and being walled-in, and the wall would, we consider, be in a location highly susceptible to graffiti, which would increased this effect even more. Drawing 591/025, with its strange white bars painted across the road, further reinforces these concerns, showing that the lane will be suburbanised, and its current contribution to the green landscaping of the area, emphasised by previous refusals, including at appeal, would in our view be destroyed.

It asserts that the “siting and massing [of the existing Waterboard Cottage] is appropriate for the site and it is for this reason that we intend to refurbish... and

upgrade [it]”. However, comparison of the two buildings on the “Location plan as existing” with the “location plan as currently proposed” shows clearly that the cottage will effectively cease to exist, and that it will in fact be approximately double the ground area coverage of the existing building. This completely contradicts the statement that the siting and massing of the existing building is appropriate” and that it will be “refurbished and upgraded.” On the contrary, the siting and massing of the cottage, which the applicants concede “is appropriate for the site”, would in fact be destroyed.

The stated aim is not to copy any particular existing style “but rather provide a fresh, contemporary design appropriate for the site and the existing building.” We would at least agree with the applicants on this one point. An essential element of the character of Highgate is its variety of architecture, reflecting its historical development, and the Highgate Society encourages good and appropriate modern development rather than pastiche. However, in view of all the other reasons set out in this letter, we consider that the architectural style is a minor issue, and will make no further comment except to express our concern about what appears to be the excessively and unnecessarily tall ridged roofs of the new houses, with solar panels which will be clearly visible as a result, and which will exacerbate the walled-in feeling for pedestrians in the lane who will see not only the wall in front of the development, but the high roofs beyond it, which may well cut out all views of the trees behind.

Finally, we would point out that the lengthy and detailed tree report, as in previous applications, appears to refer in its entirety, with the exception of Tree T1, to trees which are not on the site and which are presumably in the ownership of Haringey or Transport for London. It is entirely unacceptable that the applicants should have any remit to carry out any works on these trees.

In summary, we consider that the current application, far from addressing the reasons for previous refusals, has actually exacerbated the inappropriateness of the development by increasing its density and intensity.

Transport for London - TFL offer no comment as the proposal is unlikely to have significant impact on the nearest TLRN.

Camden Council – No objection.

Islington Council – Does not wish to make any comment.

Waste Management - The proposed development consists of 4 x three bedroom houses, each house will require 1 x 240 litre refuse bin, 1 x green recycling box, 1 x organic waste caddy and 1x garden waste bag. Arrangements will therefore need to be put in place to ensure that residents from this development place all refuse and recycling at the end of the Tile Kiln Lane.

English Heritage – The application should be determined in accordance with national and local policy guidance; and on the basis of the Council’s Conservation Advice.

Local Residents – Letters of objection have been received from the occupiers of the following properties: No’s 1 & 4 Bridgepoint Place, Hornsey Lane, 6 Tile Kiln Lane, Linden Mansions, Hornsey Lane, 45 Cromwell Avenue, and are summarised as follows:

- The development proposes a building that will be directly next to 4 Bridgepoint Place, which by reason of its height and position will block light to the rear of this property, overlook the rear garden and also affect the view from this property;
- The building proposed directly next to 4 Bridgepoint Place will create a continuous structure between one development and another;
- The development is oversized and the bulk of the development represents an overdevelopment in relation to the permission granted in 2003. In fact, the 2003 permission allowed for a small extension on the Water board Cottage;
- The Lane is currently used only for the occasional Thames Water service vehicle. The development would increase traffic in this narrow lane significantly. The lane is primarily used as a pedestrian thoroughfare;
- The development would necessitate Tile Kiln Lane being designated a Shared Space for both vehicles and pedestrians but Tile Kiln Lane is less than 3.80metres in some places and less than 4.10 metres in others. Allowing a Shared Space Usage in these circumstances is emphatically contrary to Government Guidelines for Shared Space Usage;
- Tile Kiln Lane would at some points definitely suffer from car congestion and illegally parked cars by visitors to the developers. This would pose a serious risk as emergency vehicles would not have access to the whole of Tile Kiln Lane;
- The development would require the felling of mature healthy trees and the loss of the vital ‘screen’;
- There is nowhere in surrounding streets for any overflow parking and the density of the development will almost definitely create parking issues for visitors;
- The solid brick wall fronting the development along Tile Kiln Lane will create the impression that pedestrians are walking through a canal whereas at present, they enjoy the amenity of an open semi-rural space that Tile Kiln lane provides;
- Quite possible that six on-site parking spaces will not be enough and it is almost certain that occasionally such a large development will attract more than six cars;

- The proposal raises concerns in relation to emergency vehicle access;
- The proposed development makes no concession whatever to this character and appearance of the Conservation Area either formally or materially;
- The development is simply too big for its site. It replaces a single dwelling house and would dominate the surrounding area and inevitably diminish the intimate quality of the lane;
- The erection of a brick wall for the entire length of the site would convert the lane into a lifeless corridor, hemmed in between two walls;
- The tree large buildings are too large and dwarf the size of the existing Water Board Cottage – 2003 application was for a much extension to the cottage’
- The building taken together would be overbearing;
- The removal of trees including the large spreading sycamore (719) on the bank will expose the site from Archway Road leaving virtually no green screen
- The safety concerns/ aspects of much more traffic in the lane and its junction with busy Hornsey Lane have been ignored;
- Pedestrians and cyclists would be at serious risk of accidents;
- It will be impossible for vehicles to pass in the narrow part of the lane.

RELEVANT PLANNING POLICY

National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development
 Planning Policy Statement 3: Housing
 Planning Policy Guidance 13: Transport
 Planning Policy Guidance 15: Planning and the Historic Environment
 Planning Policy Statement 22: Renewable Energy

The London Plan -2008 (Incorporating Alterations)

Policy 3A.1 Increasing London’s supply of housing
 Policy 3A.4 Housing choice
 Policy 4B.3 Maximising the potential of sites
 Policy 4B.5 Creating an inclusive environment
 Policy 4B.6 Sustainable design and construction
 Policy 4B.7 Respect local context and communities
 Policy 4C.8 Sustainable drainage
 Policy 4C.21 Design statements

Unitary Development Plan (2006)

UD2 ‘Sustainable Design and Construction’
 UD3 ‘General Principles’
 UD4 ‘Quality Design’
 UD8 ‘Planning Obligations’
 HSG1 ‘New Housing Developments’

HSG9 'Density Standards'
CSV1 'Development in Conservation Areas'
CSV5 'Alterations and Extensions in Conservation Areas'
CSV7 'Demolition in Conservation Areas'
HSG1 'New Housing Developments'
HSG10 'Dwelling Mix'
M3 'New Development Location and Accessibility'
M4 'Pedestrians and Cyclists'
M10 'Parking for Development'
UD7 'Waste Storage'
UD10 'Parking for Development'
OS17 'Tree Protection, Tree Masses and Spines'

Supplementary Planning Guidance

SPG1a 'Design Guidance and Design Statements'
SPG2 'Conservation & Archaeology'
SPG3c 'Backland Development'
'Housing' Supplementary Planning Document 2008
SPG8b 'Materials'
SPG8d 'Biodiversity, Landscaping and Trees'

ANALYSIS/ASSESSMENT OF THE APPLICATION

Backgrounds

As outlined above the application site has a long, on going, planning history, the most relevant of which was a scheme in 2003 (HGY/2003/1831) for the retention of the existing Water Board Cottage with the building being converted and extended to provide two self-contained flats and the erection of two x four bedroom detached dwelling houses to either side. This scheme was resolved to be approved by the Planning Committee subject to a Section 106 agreement being signed relating to works to Tile Kiln Lane to ensure safe pedestrian and vehicle access along the lane. The Section 106 agreement however was never signed and planning permission never formally granted.

The existing cottage building on the site does not have high architectural or historic value and is in a poor condition. However, it is considered that the cottage building does contribute to the Tile Kiln Lane setting in that it is a small building situated on a large site and relates well to the undeveloped and open character of the Lane.

Two applications (HGY/2005/1829 and HGY/2006/0596) proposing the demolition of the existing building and its replacement with a residential terrace of 8 residential units were refused planning permission. A further planning application (HGY/2007/0529), for the demolition of the existing building and the erection of two new low energy, sustainable villas with a total of eight new dwellings, was refused planning permission on 27th April 2007. The application was subsequently appealed ((APP/Y5420/A/07/2046038) but was dismissed by the Planning Inspectorate on 2nd April 2008.

The main issues in the appeal case were whether the appeal proposal would preserve or enhance the character or appearance of Highgate Conservation Area; and the effect of the proposal on highway safety. In considering the issue of highway safety the inspector concluded that the proposal would not cause unacceptable harm for either pedestrians, cyclists or drivers. However, despite the favourable conclusion regarding highway safety, the inspector concluded that her “concerns regarding the harm caused to the character and appearance of the conservation area were so significant as to warrant, on balance, the rejection of the proposal”.

A further application (HGY/2008/1665) was submitted in August 08 and subsequently refused for the demolition of the existing building and the erection of 2 low energy sustainable buildings three storeys in height with basement for eight car parking spaces and cycle parking; each building contains 2 x 2 bedroom flats and 2 x 3 bedroom maisonettes.

In terms of the current application the main issues are considered to be: (1) design and form of the extended building and the two new stand alone properties; (2) impact on the character and appearance of the Conservation Area; (3) Amenity, Privacy & Overlooking Issues; (4) Trees / Landscaping; (5) Traffic and parking issue; and (6) Sustainable Design and Construction.

Design & Form

The proposal will involve the refurbishment and extension of the existing Water Board Cottage to provide a pair of 3 bedroom family houses with garden space at front and rear, balconies at first floor level and external terraces at roof level. The Cottage will be extended to the North-West by an equal volume. The extension as part of the 2003 permission was for a smaller extension to the Cottage to provide two self-contained flats.

Similar to the 2003 application the proposal will involve the creation of two further detached 3 bedroom houses of the same volume to the North-West and South-East of the site. The two detached properties as proposed in 2003 were however marginally large in size and would have been four bedroom dwelling houses.

Each of the units will be approximately 110 sq.m in size and will meet Lifetime Home Standards. In terms of external treatment the brickwork on the Cottage building will be left exposed while the extension and two detached buildings will be faced in pigmented lime render at ground floor level and European oak timber cladding at first floor level. The new dwellings will have aluminium seam pitched roof with solar excavated tubes on the westerly facing (Tile Kiln Lane) elevation. The highest roof pitch would be no higher than the development at Bridgepoint Place. On the rear elevations which faces Archway Road the roof lines will be cut back. The windows will be timber framed and double glazed. The drawings as submitted shows section of brick wall to be built to the frontage of the site. This wall would vary in height from approximately 1.6m up to 2m. The Council would however require more detailed drawing on the height of these walls and on the gated entrances as part of a details application.

SPG8b on 'Materials' states that any materials proposed for a building or its environment need to be sensitive to the adjoining buildings and any distinctiveness in the local character and the surrounding area. The character of area (the dwellings on the upper part of Tile Kiln Lane and the adjoining site Bridgepoint Place) is modern in context. The modern design and choice of materials in this case is considered appropriate given context of the Lane.

Overall the design, form and choice of materials for the proposed dwellings have been designed sensitively to the character of the surrounding area, in particular the modern design of neighbouring buildings on Tile Kiln Lane. The proposal is considered to be in accordance with policies 'UD4, SPG1a and SPG2.

Impact on Character & Appearance of Highgate Conservation Area

The character of application site and surrounding area is derived from a number of elements. Tile Kiln Lane is a narrow lane that connects Hornsey Lane with Winchester Road. It cuts through a significant area of open space formed by the covered reservoir to the west, the generous plot of the water board cottage and the wooded embankment fronting Archway Road on the east. This area of open space is unusual in this part of Highgate and forms a quiet, almost semi-rural enclave far removed from the heavily built up areas around Winchester Road and Hornsey Lane. The character is reinforced by the narrowness of the lane, which is further heightened by the stock brick walls along each side. The open green space around the cottage, the surrounding trees and bushes and the absolute lack of traffic provide the site with a certain sense of serenity that is rare in Haringey and in London in general.

A modern development has recently been constructed at the southern end of Tile Kiln Lane. This development received planning permission in 2001. This development known as Bridgepoint Place involved the conversion of an existing historic Pump house to a 5 bedroom house and the erection of 4 three bedroom dwellings in a terrace behind the Pump house.

The existing cottage building on the site does not have high architectural or historic value and is in a poor condition. However, it is considered that the cottage building does contribute to the Tile Kiln Lane setting in that it is a small building situated on a large property and relates well to the undeveloped and open character of the Lane. Bearing in mind the precedent of the 2003 application and the comments in the last appeal decision the proposal in its current format would not adversely affect the open appearance and character of the Lane.

“Space would be maintained between and around each proposed block, there being a good deal of the frontage with retaining open appearance. In addition the back drop of trees on the embankment and the large oak, as well as the potential for future landscaping, would serve to maintain and enhance the verdant appearance of the appeal site and this part of the Conservation Area.”

The variety of external materials to be used on the elevations of the proposed buildings, the pitched roof forms, as well as the gaps maintained between these dwellings helps minimise the scale, bulk and dominance of the buildings when viewed from Tile Kiln Lane.

The rear elevation of the proposed dwellings would be partly visible from across Archway Road; more so during the winter months than in summer, given it's siting at the top of a steep embankment. However the height and scale of the proposed building forms would not be as significant as the most recently refused applications. The back drop of trees will minimise views of the proposed development from this angle and as such the proposal will not adversely detract from the character and appearance of the area. On this basis the proposed development is considered to be in accordance with policies CSV1 'Development in Conservation Areas' and CSV5 'Alterations and Extensions in Conservation Areas'.

Amenity, Privacy & Overlooking Issues

Each dwelling will have a small front and rear garden area, a balcony at first floor level and external terraces at roof level. The end detached houses will have some garden space to the side. The amenity space for each of these dwellings would be in excess of 50sq.m.

The south-west elevation of the proposed dwellings would face across Tile Kiln Lane towards a large grassed water reservoir. Towards the east the proposed development would face out over a large steep embankment which leads down to Archway Road. There would be no windows on the elevation of 'Dwelling A' facing Bridgepoint Place. There are also no windows on the flank wall of Bridgepoint Place. There is a balcony to the back of nearest property at Bridgepoint Place which is stepped in from the flank wall. Because 'Dwelling A' would not project as far back as Bridgepoint Place and given the position of this neighbouring balcony, the windows and roof terrace to the rear elevation of 'Dwelling A' would not lead to adverse overlooking or loss of privacy of this neighbouring property. Given the position of 'Dwelling A' in relation to Bridgepoint Place it would not cast a shadow or lead to a loss of light to No 4 Bridgepoint Place.

The neighbouring properties in Bridgepoint Place have courtyard amenity areas behind the high brick boundary wall which adjoins Tile Kiln Lane. 'Dwelling A' which would sit forward of No 4 Bridgepoint Place would have a projecting first floor balcony which would lead to overlooking of the courtyard area to the rear of No 4 Bridgepoint Place. However the side elevation of the balcony will partly have

a solid surround as well as a privacy screen which would minimise direct overlooking to this neighbouring property. As such the privacy and amenity of this adjoining property would not be adversely affected.

The north of the application site is a triangular shaped piece of land where a Turkey Oak is situated. Beyond this is an electricity sub-station and the side wall and garden of No 6 Winchester Road. The northern most property ('Dwelling D') would be situated more than 20 metres from this property at Winchester Road and as such no issues of overlooking / loss of privacy are likely to arise to the north.

Overall the proposed development has taken careful consideration in terms of its layout and design to ensure that the daylight, sunlight, privacy and amenity of neighbouring occupiers are not be adversely affected. As such the proposal is considered to be in accordance with policy UD3 and with sections 8.20-8.27 of the Housing SPD.

Trees / Landscaping

As mentioned above there is a Turkey Oak tree to top of the site (which is subject to a TPO). This tree is a significant and healthy tree with a wide tree canopy which overhangs Tile Kiln Lane. In the previous appeal decision an Inspector stated that this tree is a key feature of the Lane as it makes an important contribution to the character and appearance of this part of the Conservation Area. The rear perimeter of the site and the embankment onto Archway Road is lined with trees which are important to the visual amenity of the area.

The siting of dwelling D has been positioned to avoid incursion into the roof protection (10 metres) of the Turkey Oak tree. The proposal also involves the removal of braches to a number of Silver Birch trees, a Sycamore tree and an Ash trees located along the rear embankment, as well as a reduction in the south east to north west facing lateral (by 15-20%) of these trees. An Ask tree, a Silver Birch tree and an Elder tree along the rear embankment will be removed. Both of these trees are poorly formed, restricted by other trees and are of limited amenity value. The Councils Arboricultural Officer has indicated that many of the trees on the site have a limited life expectancy and would not be concerned if some were lost due to the development, so long as they were replaced with suitable native replacements. The applicant's have offered replacement and additional planting of native species.

While it is noted that the Inspector stated in the appeal decision that "the deciduous nature of the existing trees along the embankment and the extent of the gaps between them are factors which lead me to the view that even with enhanced planting the trees would not serve as an effective year round screen for the appeal proposal year round" and concluded that "the appeal proposal would neither preserve nor enhance the character or appearance of the Highgate Conservation Area" Officer would point our that the Inspector also stated that the "the potential for future landscaping, would serve to maintain and enhance the verdant appearance of the appeal site and this part of the conservation area". The current application does not involve the creation of a basement floor and the

same level of exaction associated with the previous applications, and as such the potential loss of trees (other than those stated) would not be likely and opportunities for future planning along the rear embankment would still be possible. As such the proposal would not be considered to be contrary to policy OS17 'Tree Protection, Tree Masses and Spines'.

Traffic & Parking Issues

Tile Kiln Lane is relatively narrow being approximately 4 metres in width as is mainly used by pedestrians as a footway between Winchester Road and Hornsey Lane. Due to the narrow width of the lane it would not be possible for vehicles to pass each other on the Lane and only one vehicle at a time could enter and exit the property. A number of objectors to the application have been made based on the point that vehicles entering and exiting the proposed dwellings would be forced to back out of the lane towards Hornsey Lane and as such would be detrimental to traffic safety. In addition a number of objections relate to public safety of pupils attending the nearby St Aloysius College as well as other members of the public.

Under the previous application, HGY/2007/0529, the Council raised serious concerns about highway and pedestrian safety and as such formed a reason for refusal of the scheme at this time. In the subsequent appeal decision the Inspector addressed this issue in the appeal decision but gave it little weight; stating "I am not persuaded that the increased traffic movements...beyond those previously accepted would be so significant in terms of the impact on highway safety as should warrant the withholding of planning permission on this ground alone".

As noted by the Council's Transportation Officer, that while there is a concern with the narrow width of Tile Kiln Lane, which is less than the 4.1 metres required for two cars to pass, and bearing in mind that a dedicated footway for pedestrians or indeed accommodate cyclists traversing along it cannot be provided, the applicant has minimised the potential conflict of vehicles with pedestrians/cyclists by proposing additional bollards at the northern end of Dwelling C.

This however will be moved further south to a point some 1 metre north of the northern periphery of Dwelling B (existing house). For the remaining part of Tile Kiln Lane, the Council will be asking the applicant to enter into S.278 agreement under the Highways Act 1980, to make this carriageway a shared surface; so as to encourage vehicles entering and leaving this road to pay specific regard to pedestrians and cyclists. Furthermore, concerning the passage of vehicles along this narrow road, the remaining stretch is only some 72metres long and the traffic generated by this development would not be considered to be significant.

The Council's Transportation team will require the applicant's to erect a priority signage facing exiting vehicles, which would indicate that 'priority is given to vehicles in the opposite direction' (to be sited next to Dwelling A), southbound towards Hornsey Lane, in the form of a roundel Ref.No 615, as contained in the 'Traffic Signs and General Directions 2002 Manual'. This would ensure that vehicles entering the site from Hornsey Lane would have priority over the

opposing traffic at all times. It is envisaged that this arrangement, when in place, would minimise disruption to traffic on Hornsey Lane from vehicles accessing the site from Hornsey Lane and curtail vehicular conflict along the site access. It is noted that the circulatory area at the western end of the car parking area and the section of Tile Kiln Lane immediately after the new bollard and north of the site access offer a pocket for exiting vehicles to wait or reverse into once a vehicle entering Tile Kiln Lane from Hornsey Lane, is sighted.

The number of car parking space initially proposed has been reduced from 6 to 4 space. Consequently, the Council's Transportation Team would not object to this application subject to the conditions that the applicant: enter into S.278 agreement under the Highways Act 1980, to make the residual southern segment of Tile Kiln Lane a shared pedestrian/ cyclist/vehicle surface, upgrade this section of road to support the weight of refuse or other similar vehicles, the erection of additional bollards at the southern end of Dwelling C, at about 1metre north of the northern periphery of 'Dwelling B- existing house' and the relocation of the lighting column at its southern end, the cost of which is estimated to be £47,000 (forty-seven thousand pounds). As such the proposal is considered to be in accordance with M10 'Parking for development'.

Sustainable Design and Construction

The application states that the proposed development has been designed to maximise use of passive thermal design and minimise heat loss. The scheme will re-use the existing house on site. Each of the proposed dwellings would have solar evacuated tubes on the roof elevation facing Tile Kiln Lane. The dwelling would benefit from good passive solar gain; have double glazed window, have high levels of insulation, use energy saving light fittings, use water saving toilet cisterns and aerated spray tap fittings. The proposed development is considered consistent with policy UD2 'Sustainable Design and Construction'.

SUMMARY AND CONCLUSION

While the proposed scheme will involve an increase in the size, bulk and form relative to the size of the existing cottage building and will involve the erection of two additional stand alone buildings, the bulk scale and massing of the proposed dwellings are of a domestic scale and create a frontage with sufficient gaps between buildings to provide views of the back drop of trees, and as such achieves an acceptable relationship with Tile Kiln Lane. In addition the design of the proposed dwellings are of a modern idiom and will add to the modern architectural styles found along Tile Kiln Lane. The external facing materials are also considered acceptable as they refer to the materials of the surrounding area and in particular use as high degree timber, which will blend and compliment the green, wooded character of the area. The proposed replacement building will preserve the character and appearance of the Conservation Area and will have no detrimental impact on the protected tree on site. The proposal will not give rise to a significant degree of overlooking or loss of privacy to neighbouring occupiers or adversely affect local residential amenities. As such the proposal is considered to be in accordance with policies UD3 'General Principles', UD4 'Quality Design', G10 'Conservation', CSV1 'Development in Conservation Areas', OS17 'Tree

Protection, Tree Masses and Spines' and M10 'Parking for Development' of the adopted Haringey Unitary Development Plan and Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology' and the Council's 'Housing' SPD. Given the above this application is recommended for APPROVAL.

RECOMMENDATION

GRANT PERMISSION

Registered No. HGY/2008/2350

Applicant's drawing No.(s) 591/001, 002 004, 005, 008F, 009B 010B, 011B, 012B, 013B, 014A, 015A, 016A, 017A, 018A, 020A, 021A, 022A, 023, 024 & 025.

Subject to the following condition(s)

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 development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

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

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in connection with the development hereby permitted, including detail of the front boundary treatment, have been submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.

4. The details of all levels on the site in relation to the surrounding area be submitted and approved by the Local Planning Authority.

Reason: In order to ensure that any works in conjunction with the permission hereby granted respects the height of adjacent properties through suitable levels on the site.

5. Notwithstanding the details of landscaping referred to in the application, a scheme of hard and soft landscaping including details of existing trees to be retained and the species, size and siting of the replacement trees shall be

submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted, is commenced.

Reason: In order for the Local Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area.

6. Before development commences full details of boundary treatment to the sites boundaries, including the site's frontage, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to occupation of the new dwelling.

Reason: To ensure a satisfactory appearance to the development and to safeguard the character, amenity value and safety of Tile Kiln Lane.

7. No site works or works on this development shall be commenced before temporary protective fencing has been erected around existing protected tree on site in accordance with details to be submitted agreed in writing by the Local Planning Authority. This fencing shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature.

8. No part of the development hereby permitted shall be brought into use until the highways works to be secured by way of a Section 278 under the Highways Act 1980, which will involve; making the residual southern segment of Tile Kiln Lane a shared pedestrian/ cyclist/vehicle surface; upgrading this section of road to support the weight of refuse or other similar vehicles; the erection of additional bollards and the relocation of the lighting column, have been completed.

Reason: To minimise the conflict of vehicles with pedestrians/cyclists and vehicular conflict and eventually ensure highway safety at this location.

9. The parking spaces shown on drawing No 591/008F shall be provided prior to first occupation of any part of the residential accommodation hereby permitted and shall be kept available for use for the approved purposes at all times.

Reason: To ensure that parking is provided in accordance with the Council's standards.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any part of Class A, D & E of Part 1 of that Order shall be carried out on site.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality.

11. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

INFORMATIVE: The new development will require naming / numbering. The applicant should contact the Transportation Group at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

INFORMATIVE: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777.

REASONS FOR APPROVAL

While the proposed scheme will involve an increase in the size, bulk and form relative to the size of the existing cottage building and will involve the erection of two additional stand alone buildings, the bulk scale and massing of the proposed dwellings are of a domestic scale and create a frontage with sufficient gaps between buildings to provide views of the back drop of trees, and as such achieves an acceptable relationship with Tile Kiln Lane. In addition the design of the proposed dwellings are of a modern idiom and will add to the modern architectural styles found along Tile Kiln Lane. The external facing materials are also considered acceptable as they refer to the materials of the surrounding area and in particular use as a high degree timber, which will blend and compliment the green, wooded character of the area. The proposed replacement building will preserve the character and appearance of the Conservation Area and will have no detrimental impact on the protected tree on site. The proposal will not give rise to a significant degree of overlooking or loss of privacy to neighbouring occupiers or adversely affect local residential amenities. As such the proposal is considered to be in accordance with Policies UD3 'General Principles', UD4 'Quality Design', G10 'Conservation', CSV1 'Development in Conservation Areas', OS17 'Tree Protection, Tree Masses and Spines' and M10 'Parking for Development' of the adopted Haringey Unitary Development Plan and Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology' and the Council's 'Housing' SPD.