Planning Sub Committee 19<sup>th</sup> April 2021 Item No.

## **REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE**

#### 1. APPLICATION DETAILS

Reference No.: HGY/2020/2762 Ward: Alexandra

Address: Land to rear of 10-12 Bidwell Gardens N11 2AX

**Proposal:** Erection of detached dwellinghouse with associated hard and soft landscaping.

Applicant: Ms Elena, Christos and Androula Christou

Ownership: Private

Case Officer Contact: Roland Sheldon

Date received: 26/10/2020 Last amended date: 23/03/2021

1.1 This planning application has been 'called-in' by Councillor Rossetti for determination by the Planning Sub-Committee in accordance with Planning Protocol Para. 2.21. The proposal has been subject to a high level of objection and the Chair has agreed for it to be determined by the Planning Sub-Committee.

## 1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal has adequately addressed design and amenity concerns raised in previous applications in respect of developing this site for residential purposes, with the current scheme materially different to such earlier applications.
- The design, form and orientation of the building and separation distances to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers.
- The use of the topography of the site to sink part of the development below ground level and provision of space and implementation of a comprehensive soft landscaping scheme will ensure the siting of the dwelling will not be injurious to the residential and visual amenities of neighbouring occupiers.
- Officers consider the siting, scale and design of the proposed dwelling to be acceptable, resulting in a discrete feature within the streetscene and a building that does not attempt to mimic or take from the traditional suburban housing which will still inform the character and appearance of the area.
- As the Council's housing delivery has been substantially below target as expressed in the Housing Delivery Test 2020 Measurement the presumption in favour of sustainable development as set out at paragraph 11 of the National Planning Policy Framework (NPPF) is applicable here, with the unit of

accommodation here contributing to housing supply, delivery and choice, in a sustainable and accessible location.

## 2. **RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission and that the Head of Development Management or Assistant Director is authorised to issue the planning permission and impose conditions and informatives.
- 2.2 That delegated authority be granted to the Head of Development Management or the Assistant Director to make any alterations, additions or deletions to the recommended conditions as set out in this report and to further delegate this power provided this authority shall be exercised in consultation with the Chair (or in their absence the Vice-Chair) of the Planning Sub-Committee.

**Conditions** (the full text of recommended conditions is contained in section 7 of this report)

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Materials submitted for approval. Further details of design
- 4) Details of hard and soft landscaping and boundary treatments
- 5) Details of green roof
- 6) Construction Management Plan
- 7) Vehicular crossover in accordance with approved plans
- 8) Removal of permitted development rights
- 9) Development in accordance with Energy & Sustainability Statement
- 10) Waste and recycling storage
- 11) Cycle parking storage
- 12) Structural Engineer

#### Informatives

- 1) Co-operation
- 2) CIL liable
- 3) Hours of construction
- 4) Party Wall Act
- 5) Street Numbering
- 6) Crossovers
- 2.3 In the event that members choose to make a decision contrary to Officers' recommendation members will need to state their reasons.

## Presumption in Favour of Sustainable Development (PFSD)

- 2.4 In the event that members choose to make a decision contrary to the officer recommendation (which is that the proposed development accords with the development plan overall and material considerations do not indicate otherwise), it will be necessary to consider the presumption in favour of sustainable development in the NPPF. This is because the Council's delivery of housing over the last three years has been substantially below its housing target and so paragraph 11(d) of the NPPF is engaged by virtue of footnote 7 of the NPPF. Members must state their reasons including why it is considered that the presumption is not engaged.
- 2.5 In the event that the Planning Application is refused for the reasons set out in resolution (2.6) above, the Head of Development Management or Assistant Director (in consultation with the Chair of Planning Sub-Committee) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:

(i) There has not been any material change in circumstances in the relevant planning considerations, and

(ii) The further application for planning permission is submitted to and approved by the Assistant Director within a period of not more than 12 months from the date of the said refusal, and

(iii) The relevant parties shall have previously entered into the agreement contemplated in resolution (1) above to secure the obligations specified therein.

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## 3.0 PROPOSED DEVELOPMENT AND SITE LOCATION DETAILS

## Proposed development

3.1 This is an application for the erection of a detached dwelling house with associated hard and soft landscaping.

## Site and Surroundings

3.2 The site is located within land that previously formed part of the rear garden of No. 12 Bidwell Gardens and part of the rear garden of No. 10. The land has a sloping topography, mainly sloping downwards from east to west but also north to south. There is currently dense vegetation on site with the specimen of trees of low to moderate value. The surrounding uses are residential, with the northwest, Western and Southern boundaries of the site abutting the gardens of No. 1 Wroxham Gardens and Nos. 8-14 Bidwell Gardens. The north-eastern boundary of the site fronts onto Wroxham Gardens. The site is not located within a conservation area.

### **Relevant Planning and Enforcement history**

• HGY/2012/1530: Erection of new 2 storey 3 bedroom detached dwelling with new crossover to Wroxham Gardens – Refused and dismissed on appeal.

The proposal by reason of its size, design, siting and overall mass is considered to be unduly dominant and oppressive and would have an overbearing and detrimental visual affect on the residential and visual amenities of neighbouring properties and the level of privacy currently enjoyed. In addition the dwelling would have an adverse affect on the character and appearance of the streetscene, would be out of keeping with the area and reduce an existing open and verdant space. As such the proposal is contrary to Policies UD3 General Principles, UD4 Quality Design, SPG1a Design Guidance and SPD Housing of the Haringey Unitary Development Plan.

• HGY/2014/0718: Erection of single storey 2-bed dwelling at the rear of 10 - 12 Bidwell Gardens with new crossover to Wroxham Gardens – Refused

The proposal by reason of its character and appearance would conflict with the objectives of Policies UD3 and of the Haringey Unitary Development Plan (UDP), and the adopted Supplementary Planning Guidance SPG 1a Design Guidance and the Housing Supplementary Planning Document (SPD), which require development proposals to complement the character of the surrounding area and be of a high design quality. The proposal would also conflict with the core planning principle of the National Planning Policy Framework (the Framework) relating to

high quality design, and the account that should be taken of the character of different areas.

In the absence of a full topological survey, it has not been demonstrated to satisfaction of the Local Planning Authority that the siting and design of the new dwelling would not be detrimental to the living conditions of existing residents at Nos. 12 and 14 Bidwell Gardens, through loss of outlook and privacy. The proposal would therefore conflict with the objectives of Policy UD3 of the UDP relating to residential amenity, and the guidance on privacy, overlooking, aspect and outlook within the Housing SPD and the core planning principle of the Framework which seeks to secure a good standard of amenity for all existing occupants of land and buildings.

## 4. CONSULTATION RESPONSE

## Application Consultation

4.1 The following were consulted regarding the application:

## Internal:

- LBH Transportation
- LBH Building Control
- LBH Drainage
- LBH Carbon Management
- LBH Arboricultural Officer

## External:

- Bounds Green & District Residents Association
- 4.2 The following responses were received:

Internal:

- 1) <u>LBH Transportation Team</u>: The site has a Public Transport Accessibility Level (PTAL) of 3 which is moderate. The provision of one off-street car parking space and 2 cycle parking spaces is in line with current London Plan requirements. Full details of cycle storage should be provided by condition. The access to the site would be delivered in the form of a footway crossover which is considered acceptable. A Construction Management Plan should also be conditioned.
- 2) <u>LBH Building Control</u>: No. objection to the proposal. The development will require building regulations consent should planning permission be granted.

3) <u>LBH Carbon Management</u>: The development achieves a reduction of 72.3% carbon dioxide emissions on site, which is supported in principle. Conditions requiring the development to be carried out in accordance with the Energy & Sustainability Statement and for further details of the air source heat pump, solar panels and green roof indicated are to be secured.

## 5. LOCAL REPRESENTATIONS

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

No. of individual responses: 45 Objecting: 45 Supporting: 0 Others: 0

5.2 The following local groups/societies made representations:

Muswell Hill & Fortis Green Association:

- Character and appearance of the proposal fails to complement its surroundings.

Bounds Green & District Residents' Association

- Site should be kept as garden land and not developed.
- Proposed development does not fit-in/ respect the street scene;
- Development would have a visually overbearing impact on residents in Bidwell Gardens;
- Overshadowing.
- 5.3 The following Councillor made representations:

Cllr Rossetti (Alexandra Ward):

- Architecture of the development out of character with its surroundings;
- Overlooking to neighbouring properties;
- Potential problems with ground movement resulting from basement development.
- 5.4 The issues raised in representations that are material to the determination of the application are set out in Appendix 1 and summarised as follows:

#### Design and character

- Design is out of keeping with the locality;

- Loss of greenery;
- Adverse impact on the character of the area;
- Development would set a precedent for similar such development;
- Over-development;
- Potential to further extend the dwelling if approved and built;

#### Highways and transportation

- Additional vehicular access will reduce highway/pedestrian safety;

#### Construction works

- Ground on which the development would be located is unsuitable for basement development;
- Potential for subsidence and drainage problems;
- Disruption to neighbours during construction;

#### Environment

- Impact of development on local wildlife;

#### <u>Amenity</u>

- Overlooking;
- Impact on outlook and privacy;
- Visual overbearing impact;
- Development should be well-screened with appropriate trees and soft landscaping.

## 6 MATERIAL PLANNING CONSIDERATIONS

- 6.1 The main planning issues raised by the proposed development are:
  - 1. Planning History
  - 2. Principle of the development
  - 3. Design and appearance
  - 4. Impact on the amenity of adjoining occupiers
  - 5. Quality of residential accommodation
  - 6. Inclusive access
  - 7. Transport considerations
  - 8. Trees, biodiversity and landscaping
  - 9. Energy and sustainability
  - 10. Waste and recycling
  - 11. Basement development

## **Planning History**

- 6.2 The site has been subject to two previous planning applications to erect a dwelling on this plot. The first of these was for the erection of a two-storey 3-bedroom dwelling which was refused on the basis of its size, design, siting and mass having an unacceptable impact on the character and appearance of the street and the amenities of neighbouring occupants (LPA reference HGY/2012/1530). As shown in Appendix 2 the two-floors to this dwelling would have sat above ground level.
- 6.3 The decision was appealed and dismissed by the Planning Inspectorate, which considered that the plot to building ratio and the front façade design was out of character with the locality. The Inspector also took the view that the dwelling would be visually overbearing when viewed from Nos 12 and 14 Bidwell Gardens, and would result in an unacceptable loss of outlook due to the topography of the site. It was also considered that the upper floor windows would overlook the rear garden of No.14 Bidwell Gardens.
- 6.4 A further planning application (LPA reference HGY/2014/0718) was submitted for a single storey 2-bedroom dwelling. This application was refused on the basis that its character and appearance would be in conflict with adopted design policy and that in the absence of a topographical survey the application failed to demonstrate the new dwelling would not be detrimental to privacy and outlook to Nos.12 and 14 Bidwell Gardens. Details of this scheme are shown in Appendix 3.
- 6.5 The current proposal is materially different to the previous schemes outlined above, with the design of the current scheme addressing the previous reasons for refusal in the following ways:
  - The current development has a reduced plot to building ratio;
  - The current design uses the sloping topography of the site to incorporate a lower ground floor level, meaning it would appear single storey when viewed immediately outside the site from Wroxham Gardens;
  - The building height, siting and scale and positioning of windows has been considered to ensure that it would not be visually overbearing in appearance as seen from neighbouring properties, or to result in an unacceptable loss of privacy.
- 6.6 The report below further expands on the design of the current scheme and how it minimises impact on neighbouring amenity. Plans and visualisations of the proposed scheme are shown in Appendix 1.

#### Principle of the development

Delivery of new housing

6.7 Government policy as set out in the NPPF 2019 requires Local Planning Authorities to significantly boost the supply of housing (para. 59). Paragraph 68 supports

approval on small sites and outlines that such sites can make an important contribution to meeting the housing requirement of an area, as they often can be built out relatively quickly.

- 6.8 London Plan (2021) Table 4.1 sets out housing targets for London over the coming decade, setting a 10-year housing target (2019/20 2028/29) for Haringey of 15,920, equating to 1,592 dwellings per annum. Policy H1 'Increasing housing supply' states that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites, especially sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a station or town centre boundary.
- 6.9 London Plan (2021) Policy H2A outlines a clear presumption in favour of development proposals for small sites (below 0.25 hectares in size) and sets out a minimum target in Table 4.2 for boroughs (Haringey –10 year target is 2,600). London Plan Policy D6 seeks to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services.
- 6.10 The proposal would introduce an additional residential dwelling that would work towards meeting adopted policy housing targets for the borough. Policy DM7 covers development on infill, backland and garden land sites. Part A of the policy outlines that there would be a presumption against the loss of garden land unless it represents comprehensive redevelopment of a number of whole land plots.
- 6.11 The development would include land from 2 plots and is considered to represent comprehensive development that complies with this part of the policy as well as having a frontage on to Wroxham Gardens. Equally the site is located in a sustainable location accessible to public transport and services; within 800m (754m) of a tube station and in a PTAL3 area. The previous appeal decision did not object to the development of the site in principle.

#### Housing delivery test

6.12 The 2020 Housing Delivery Test (HDT) results were published on 19 January 2021 and as a result the LPA is now subject to the PFSD and paragraph 11d of the NPPF is relevant. The Council's delivery of housing over the last three years is substantially below its housing target and so paragraph 11d) of the NPPF is engaged by virtue of footnote 7 of the NPPF. Nevertheless, the proposed development has been found to be in accordance with development plan policies and therefore consideration of para 11(d) is not required in this instance (but would be if the application was to be refused).

## Precedent

6.13 It is noted that concerns by third parties have expressed a precedent taking place elsewhere in the area. It is pointed out that precedent in itself cannot be a reason to withhold permission, with rather each application having to be determined on its individual merits.

## Design and appearance

- 6.14 London Plan (2021) policies emphasise the importance of high-quality and seeks to optimise site capacity through a design-led approach. Policy D3 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.
- 6.15 Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.
- 6.16 DPD policy DM7 requires proposals for infill, backland and garden land to relate appropriately and sensitively to the surrounding area, providing a site specific and creative response to the built and natural features of the area and to incorporate at least one street frontage.
- 6.17 The site is located within part of the rear gardens of Nos. 10 and 12 Bidwell Gardens. The land has a sloping topography, mainly sloping downwards from east to west but also north to south. There is currently dense vegetation on site with the specimens of trees of low to moderate value. The proposal seeks to erect a two-storey dwelling that would have an excavated lower ground floor level. The new dwelling would have the same building line as neighbouring No. 1 Wroxham Gardens, with a significant set-back from the public footway.
- 6.18 The proposal has a smaller building to plot ratio than the previously refused planning applications. It would have an L-shape footprint with a flat roof contemporary design, using a dark brick with large elements of glazing and an element of projecting brickwork on the frontage, to break up the elevation and provide visual interest. Due to the topography of the site, the dwelling would have the appearance of a single storey structure when viewed immediately outside the entrance of the site from Wroxham Gardens, with the footprint of the dwelling sufficiently set-back from the public footway to ensure it would be of low visual

prominence when viewed from the street. Officers also highlight that given the subordinate scale of the building behind the front boundary treatment it would not take from or compete with the traditional suburban housing which informs the character and appearance of the area.

- 6.19 While it is acknowledged that the gardens of Nos. 10 and 12 Bidwell Gardens would be reduced to a depth less than others, within this stretch of Bidwell Gardens it is common for garden plots close to or adjacent to junctions with other streets to be of a reduced depth or size, as is evidenced by the splayed garden layout of No. 1 Wroxham Gardens. As such, it is not considered that the reduced size of the rear gardens of Nos. 10 and 12 would be unduly harmful to the wider pattern of development or suburban character of the locality.
- 6.20 A condition requiring further details of the proposed materials, and key aspects of the design including detailed elevations and sectional drawings of the windows and doors, as well as further details of the projecting brick pattern on the front elevation, are required to be reviewed and approved by the Local Planning Authority prior to works commencing on site.
- 6.21 Landscaping will be integral to the success of this development. The submitted drawings indicate that a combination of boundary tree and hedge planting is proposed. A more detailed soft landscaping plan will be required to be submitted, as secured by way of a planning condition, in addition to details of hard landscaping within the site including boundary treatment/ means of enclosure. Subject to the submission of satisfactory materials and landscaping details, Officers consider that the proposal would be acceptable with regards to design and character considerations.

#### Impact on the amenity of adjoining occupiers

- 6.22 London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.
- 6.23 DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring residents. DPD policy DM7 requires that backland proposals safeguard privacy, amenity, and ensure no loss of security for adjoining houses and rear gardens.

- 6.24 A 'Daylight, Sunlight and Overshadowing Study' prepared by BVP has been submitted with the application. The study has been scrutinised by officers and demonstrates that the amenity values of daylight and sunlight to neighbouring residential properties would be retained to a level that would satisfy BRE criteria in all locations. Whilst Officers acknowledge that the dwelling would be visible from neighbouring properties and gardens, the building would be set a sufficient distance away from all neighbouring properties to ensure that its siting, bulk and height would not be harmful to amenity, in terms of outlook or having an overbearing impact.
- 6.25 The scheme as revised has no windows within the upper floor south-west flank elevation aside from an obscure glazed non-opening window that would serve a staircase landing. The upper floor South-East facing bedroom window is to be recessed 0.3 metres back from the external wall, to reduce scope for views towards other gardens of Bidwell Gardens to the south-west of the site. This window would be set over 12 metres distance from the garden boundary shared with No. 10 Bidwell and in excess of 20 metres to the nearest rear habitable windows of this neighbouring property. The siting, orientation and separation distances are sufficient to ensure that the window would not result in an unacceptable loss of privacy to these neighbouring occupants.
- 6.26 The southern and western boundaries of the site will also have a generous soft landscaping treatment that will serve to screen views of the building and retain a verdant quality for the site. The development will also have boundary fencing and gating to ensure that the security of the new development itself and also neighbouring occupiers is not compromised. Further details of proposed planting scheme, species and heights etc, as well details of boundary treatments, are being secured by way of a planning condition.
- 6.27 Overall, it can be demonstrated that there will be no unacceptable harm to the living conditions of neighbouring residents.

## **Quality of Residential Accommodation**

- 6.28 London Plan Policy D6 requires housing developments to be of high quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space.
- 6.29 The proposed dwelling would have an internal floor space of 98 sq.m which comfortably exceeds the 70 sq.m minimum floor space requirements of the London Plan for a 2-bedroom 3-person 2-storey dwelling. All habitable rooms would benefit from satisfactory outlook and light with sufficient internal storage space located next to the stairs. A large rear garden area would provide a satisfactory standard and quantity of external amenity space. The proposal would therefore provide a satisfactory standard of accommodation for future occupants.

#### **Inclusive access**

- 6.30 London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used easily and with dignity by all.
- 6.31 The development would comply with Part M4(1) Building Regulation Standards in terms of access, which is acceptable for minor developments as outlined in supporting text of policy H2 of the London Plan 2021.

#### Transport considerations

- 6.32 London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.
- 6.33 Local Plan 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 DPD Policy DM31 'Sustainable Transport'.
- 6.34 Access to the site here would be from Wroxham Gardens. The site has a public transport accessibility level (PTAL) of 3 which is considered to be a moderate level. The proposed 1 off-street parking space for a new 2-bedroom dwelling would be in line with London Plan parking standards. A total of 2 cycle parking spaces are shown within the front garden area which would comply with London Plan cycle parking requirements. Full design details of the secure /covered cycle storage are to be submitted to the LPA as secured by way of a planning condition.
- 6.35 A Construction Management Plan (CMP) is recommended (by condition) prior to the commencement of works on site to demonstrate that the construction works can be undertaken to minimise impact on the highway and public transport network, to ensure highway pedestrian and cycle safety and to minimise impact on the amenities of neighbouring occupants. Subject to compliance with these conditions, the proposal is considered acceptable with regards to highways, parking and transportation considerations.

## Trees, biodiversity and landscaping

6.36 London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out

that planting of new trees, especially those with large canopies should be included within development proposals.

- 6.37 DPD Policy DM1 requires proposals to demonstrate how landscaping and planting are integrated into a development as a whole, responding to trees on and close to the site.
- 6.38 An 'Arboricultural Method Statement' by Arbtech has been submitted with the application. The statement identifies 15 trees or hedges within and around the site. Of these trees, none of those outside the site would be removed. A total of 9 trees within the site would be removed but all of the specimens are of relatively low quality with 8 being category C specimens and 1 a category U.
- 6.39 It is acknowledged that the proposal would have an impact on habitat within the existing site. The site has no formal ecological designation and all trees and shrubs could be removed without consent at any time. However, an indicative soft landscaping scheme has been submitted that shows the excavated area would be tiered, with a generous proportion of soft landscaping provided on site, including replacement trees, hedges and planting along the rear, side, as well as front boundaries of the site. In addition to this, the building would be treated with a green roof. No nearby sites of ecological interest would be materially affected. Overall, the development will provide satisfactory provision for the creation of habitats and biodiversity.

## Energy and Sustainability

- 6.40 Local Plan policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions of 20% from on-site renewable energy generation.
- 6.41 Policy DM21 also requires new development to consider and implement sustainable design, layout and construction techniques, with proposals required to apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements. This policy also seeks to maximise opportunities to enhance biodiversity on-site, including through appropriate landscaping, use of sustainable drainage systems, living roofs and green walls etc.
- 6.42 An 'Energ y & Sustainable Statement' prepared by eb7 was submitted with the application and reviewed by the LBH Carbon Management Officer. The development would achieve a reduction of 72.3% carbon dioxide emissions on site which is supported. The development will also incorporate 4 x photovoltaic panels at roof level and an Air Source Heat Pump (ASHP) to work towards the 'Be Green' requirements. Conditions are to be imposed requiring the development to be

carried out in accordance with the Energy & Sustainability Statement, with further details of the green roof, ASHP and solar panels to be submitted to and approved in writing by the LPA. Subject to compliance with these conditions the proposal is considered acceptable with regards to energy and sustainability considerations.

### Waste and Recycling

- 6.43 Local Plan Policy SP6 Waste and Recycling and DPD Policy DM4 require development proposals make adequate provision for waste and recycling storage and collection.
- 6.44 Waste and recycling storage is shown to be located at the front of site, although exact details of the enclosure are not provided. A condition is being imposed requiring such design details of the enclosure to be submitted and approved.

#### Basement development

- 6.45 DPD policy DM18 ('Residential Basement Development and Light Wells') requires proposals for basement development to demonstrate that they will not adversely affect the structural stability of the application site and neighbouring buildings; do not increase flood risk to nearby properties; avoid harm to the established character of the surrounding area and do not adversely impact the amenity of adjoining properties. Policy DM24 reiterates the requirement of new development to manage and reduce surface water runoff.
- 6.46 London Plan 2021 policy relates more specifically to large-scale basement development but in paragraph 3.10.6 it is recognised and outlined that small-scale basement excavations, where they are appropriately designed and constructed, can contribute to the efficient use of land, and provide extra living space. Paragraph 3.10.5 equally highlights the need to manage sensitively through the planning application process potential impact on the local environment and residential amenity.
- 6.47 Although Haringey does not have formally adopted basement development guidance, the approach taken to-date is similar to that of other councils. One such requirement referred to in Camden's guidance is that where there is "higher risk of surface water floods" then scoping and on-site investigations will be required to be undertaken.
- 6.48 As outlined above the scheme is to construct a single storey property with a one storey basement/ lower ground floor to approximately 3m depth below ground level. For the purposes of this application and the policy requirements outlined above, a number of technical documents have been submitted with the application; namely a 'Structural Methodology Statement' (SMS) prepared by Halstead Associates, a 'Drainage Strategy' (DS) prepared by GT Associates and a 'Phase 1 Preliminary Risk Assessment' (PRP) prepared by SAS Ltd. The SMS outlines

the intended structural methodology for the construction of the development, while the DS seeks to demonstrate that a reduction in surface water run-off from the site can be achieved, while the PRP looks at the potential for contamination at the site and evaluates whether any remediation may be required.

- 6.49 The site is not within an area at risk from flooding as defined by the Environmental Agency. The site is within a Critical Drainage Area (CDA) as defined in Policy DM26, which requires that all proposals for new development within a CDA to incorporate measures to reduce the overall level of flood risk.
- 6.50 The site is underlain by London Clay Formation, an unproductive strata with low permeability that has negligible significance for water flow. As outlined in the reports submitted there are no obvious water courses on site or adjacent to the site. From the information provided it can be derived that no continuous groundwater table will exist below the site and so the proposed basement/ excavation works here are not expected to have an impact on hydrogeological conditions. Specifically, the geotechnical site investigation found no groundwater within the depth of the expected excavation for the basement/ lower ground floor.
- 6.51 Measures to reduce run-off generated on site are outlined in the drainage strategy, in specific the use of a green roof, porous permeable surfaces as well as opportunities for small scale bespoke SuDS elements (such as planters and filtration beds). Final details of a green roof, the use of porous permeable surfaces as well as a landscaping scheme for the site are to be secured by way of planning conditions.
- 6.52 The structural methodology for forming the new basement outlines that it is expected to be formed by way of using contiguous piling. The use of contiguous piling is to retain the soil and any surcharge loads during construction and forming of the basement. Using contiguous piling and following industry best standard practices the excavation works here are not viewed to represent a risk in terms of structural stability, ground slip or movement in connection with neighbouring buildings and sites, the nearest structure being the garage to No.8 Bidwell Gardens. The indicative method for the construction of the basement and associated excavation to the site has been reviewed by the Council's Building Control service, which raises no objection.
- 6.53 The level of information provided at the planning application stage is considered acceptable, however as a matter of course it is pointed out that more detailed onsite investigations will take place to feed into the detailed foundation design and the construction phase of the development. A condition is being imposed to ensure that the structural side of the basement/ excavation works are overseen by a suitably qualified chartered engineer. A construction management plan (CMP) is also required to be submitted to the LPA prior to the commencement of works on site; providing further information on the programme of works.

- 6.54 Lastly it is highlighted that other legislation, Party Wall Act and Building Regulations etc., also provide further safeguards to identify and control the nature and magnitude of the effect on neighbouring properties. The necessary party-wall agreements with adjoining owners would need to be in place prior to commencement of works on site. The Party Wall Act 1996 exists separately from the planning system, to reconcile differences that adjoining development might cause.
- 6.55 Subject to the conditions outlined above, the proposal is considered acceptable with regards to the basement/ excavation works proposed.

## Conclusion

- 6.56 The proposed development would provide a single dwellinghouse that would make a modest contribution to identified housing delivery targets within the borough, that would make a satisfactory design response to its location and context and would not result in an unacceptable impact on the amenities of neighbouring occupants.
- 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
- 7.0 CIL
- 7.1 Based on the information given on the plans, the Mayoral CIL charge will be £5,933.9 (98sqm x £60.55) and the Haringey CIL charge will be £36,184.54 (98sqm x £369.23). This will be collected by Haringey after/should the scheme is/be commenced 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 RICS CIL Index. An informative will be attached advising the applicant of this charge.

#### 8.0 **RECOMMENDATION**

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s)

- **9.0** 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 approved plans comprise drawing nos: Daylight, sunlight and Overshadowing Study by BVP ref. 11758 October 2020, Structural Methodology Statement by Halstead Associates October 2020 ref 18141, Drainage Strategy by Patrick Parsons ref. A20193 September 2020, Aboricultural Method Statement Rev A by Arbtech 7 January 2021, Arbtech Tree Survey 5 January 2021, Design & Access Statement by gt associates October 2020 Rev C, EX-100, EX-101, EX-102, EX-103, EX-104, PL-100 Rev. D, PL-150 Rev. C, PL-200, PL-201 Rev. A, PL-202 Rev. C, PL-203 Rev. A, Energy & Sustainability Statement by eb7 dated 8th March 2021. 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. Before any above ground development commences the following details in relation to the building hereby approved shall be submitted to and approved in writing by the local planning authority:

i) plan, elevation and section drawings indicating jamb, head, cill, reveal and surrounds of external windows and doors at a scale of 1:10;
ii) details of brickwork including projecting brick work detail, as well as door and window frame detail.

The development shall be carried out in accordance with the approved details.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development, assess the suitability of the details submitted and to ensure a satisfactory standard of design in the interests of visual amenity, consistent with policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 4. Notwithstanding the approved plans, prior to the commencement of all works on site, details of all hard and soft landscaping and boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:
  - details of materials and scaled elevations of boundary treatments

- location, type and materials to be used for hard landscaping and specifications for the permeable paving

- the locations, species, heights and densities of trees and other planting.

The development thereafter shall be implemented in accordance with such approved details within the first planting season following completion of the built development.

Any new trees that die, are removed or become severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity consistent with Policy D4 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

5. Prior to the commencement of development, details of the living roof must be submitted to and approved in writing by the Local Planning Authority. The roof must be planted with native flowering species that provide amenity and biodiversity value at different times of year. Plants must be grown and sourced from the UK and all soils and compost used must be peat-free, to reduce the impact on climate change. The submission shall include:

i) A roof plan identifying what area of the roof will be planted;

ii) A section demonstrating substrate levels of no less than 120mm for extensive living roofs;

ii) A plan showing details of the diversity of substrate depths and types across the roof to provide contours of substrate, such as substrate mounds in areas with the greatest structural support to provide a variation in habitat;

iv) Details of the location of log piles / flat stones for invertebrates;

v) Details on the range of native species of (wild)flowers and herbs planted to benefit native wildlife. The living roof will not rely on one species of plant life such as Sedum (which are not native);

vi) Relationship with photovoltaic array; and

vii) Irrigation, management and maintenance arrangements.

The approved living roof shall be installed before the dwelling is first occupied and shall be managed thereafter for the lifetime of the development in accordance with the approved management arrangements.

Reason: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity and supports the water retention on site during rainfall. In accordance with Policies G1, G5, G6, SI1 and SI2 of the London Plan (2021) and Policies SP4, SP5, SP11 and SP13 of the Haringey Local Plan (2017).

- 6. No development shall take place until a Construction Management Plan, to include details of:
  - a) parking and management of vehicles of site personnel, operatives and visitors
  - b) loading and unloading of plant and materials
  - c) storage of plant and materials
  - d) programme of works (including measures for traffic management)
  - e) provision of boundary hoarding behind any visibility zones
  - f) 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.

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 Policy T4 of the London Plan 2021, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017.

7. The building hereby permitted shall not be occupied until the drop kerb has been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site in accordance with the approved plans and retained in that form thereafter for the lifetime of the development.

Reason: In order to ensure that the proposed development does not prejudice the free flow of vehicular and pedestrian traffic or the conditions of general safety of the highway and consistent with Policy T4 of the London Plan 2021

8. 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 building (other than that development expressly authorised by this planning permission), unless otherwise agreed in writing by the Local Planning Authority.

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

9. The development hereby approved shall be constructed in accordance with the Energy & Sustainability Statement by eb7 (dated 6 March 2021) delivering a 72.3% improvement on carbon emissions over 2013 Building Regulations Part L, with SAP10 emission factors, high fabric efficiencies (min. 3.2% reduction), air source heat pump (ASHP) and 1.32kWp solar photovoltaic (PV) energy generation.

(a) Prior to above ground construction, details of the proposed heating systems and solar PV shall be submitted to the Local Planning Authority. This must include:

- Specification and efficiency of the proposed ASHP (Coefficient of Performance, Seasonal Coefficient of Performance, and the Seasonal Performance Factor), with plans showing the location of the ASHP and pipework;

- Confirmation of solar energy to be generated on the roof, with details including: a roof plan; the number, angle, orientation, type, and efficiency level of the PVs; their peak output (kWp) and the final carbon reduction at the Be Green stage of the energy hierarchy.

(b) Prior to the occupation of development, evidence that the ASHP and solar PV comply with other relevant issues as outlined in the Microgeneration Certification Scheme Heat Pump Product Certification Requirements shall be submitted to and approved by the Local Planning Authority.

The final agreed energy strategy shall be installed and operation prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be operated and maintained as such thereafter. The solar PV array shall be also installed with monitoring equipment prior to completion and shall be maintained and cleaned at least annually thereafter.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2 and Local Plan Policy SP4 and DM22.

10. Prior to first occupation of the development hereby approved, a detailed scheme for the provision of refuse and waste storage and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented prior to fist occupation and permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Policy DM4 of The Development Management DPD 2017 and Policy SI7 of the London Plan 2021.

11. Prior to first occupation of the development hereby approved, details of the type and location of secure and covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until a minimum of 2 cycle parking spaces for users of the development, have been installed in accordance with the approved details. Such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with Policies T2 and T5 of the London Plan 2021 and Policy SP7 of the Haringey Local Plan 2017.

12. No development shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed to supervise the construction works throughout their duration and their appointment confirmed in writing to the Local Planning Authority. In the event that the appointed engineer ceases to perform that role for whatever reason before the construction works are completed those works will cease until a replacement chartered engineer of the afore-described qualification has been appointed to supervise their completion and their appointment confirmed in writing to the Local Planning Authority. At no time shall any construction work take place unless an engineer is at that time currently appointed and their appointment has been notified to this Authority in accordance with this condition.

Reason: The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring residential properties and to comply with the policy DM18 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.

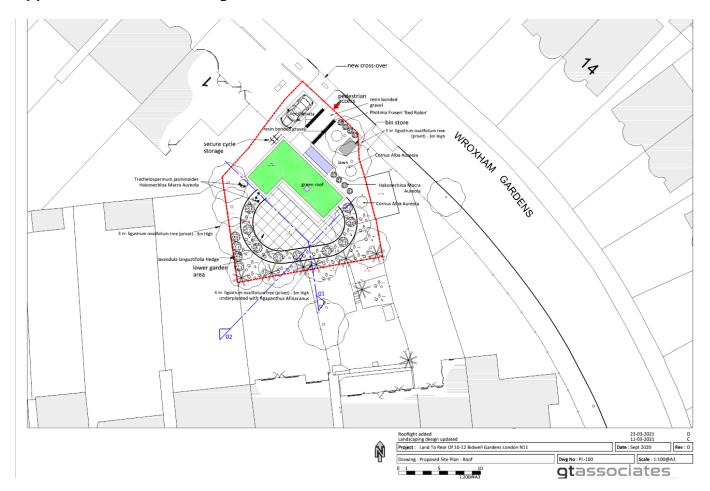
#### INFORMATIVE: Community Infrastructure Levy

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 Mayoral CIL charge will be  $\pounds 5,933.9$  (98sqm x  $\pounds 60.55$ ) and the Haringey CIL charge will be  $\pounds 36,184.54$  (98sqm x  $\pounds 369.23$ ). This will be collected by Haringey after the scheme is commenced 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 RICS CIL Index.

INFORMATIVE: The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 3472) to arrange for the allocation of a suitable address.

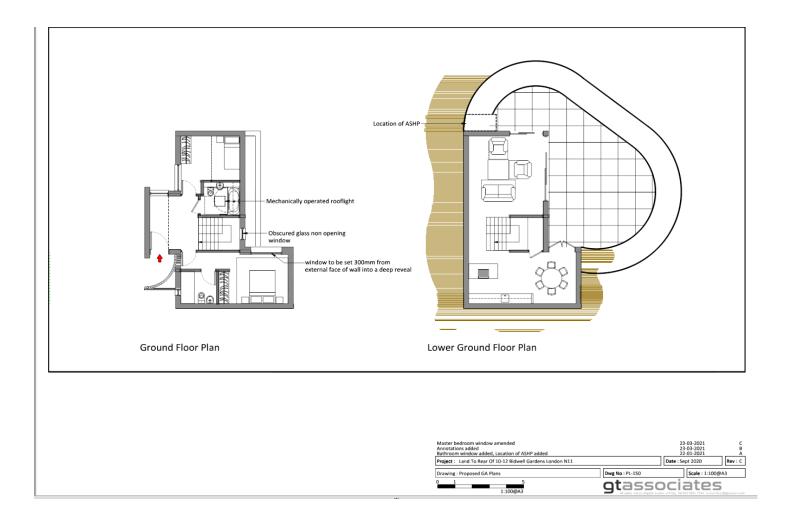
#### INFORMATIVE: Crossovers

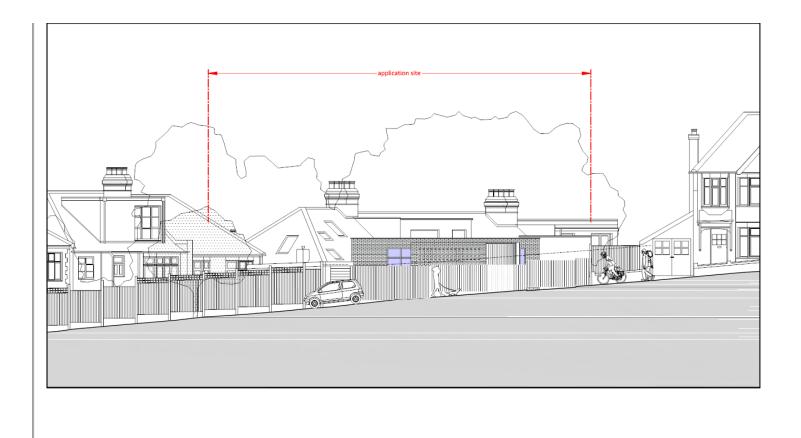
The proposed development requires a new crossover to be created. The necessary works will be carried out by the Council at the applicant's expense once all the necessary internal site works have been completed. The applicant should telephone 020 8489 1316 to obtain a cost estimate and to arrange for the works to be carried out before the development is occupied.



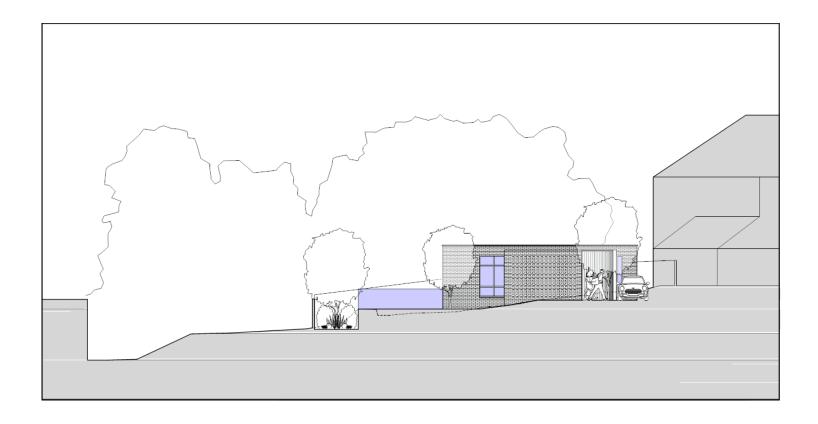
Appendix 1 Plans and Images – Current scheme

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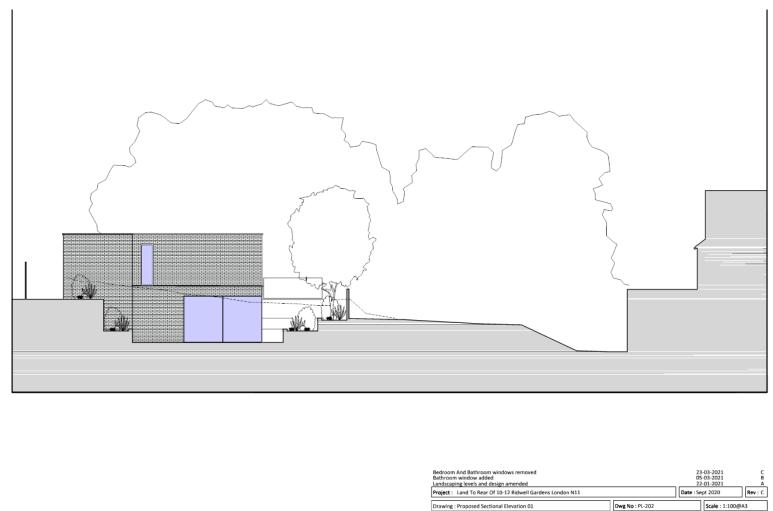


6	Project : Land To Rear Of 10-12 Bidwell Gardens London N11	Date : S	ept 2020	Rev :
6	Drawing : Proposed Wroxham Gardens Elevation - Street Scene	Dwg No : PL-200	Scale : 1:100@/	3
Î	0 1 5 1:100@A3	gtassoci	ates	@etaisoci.com



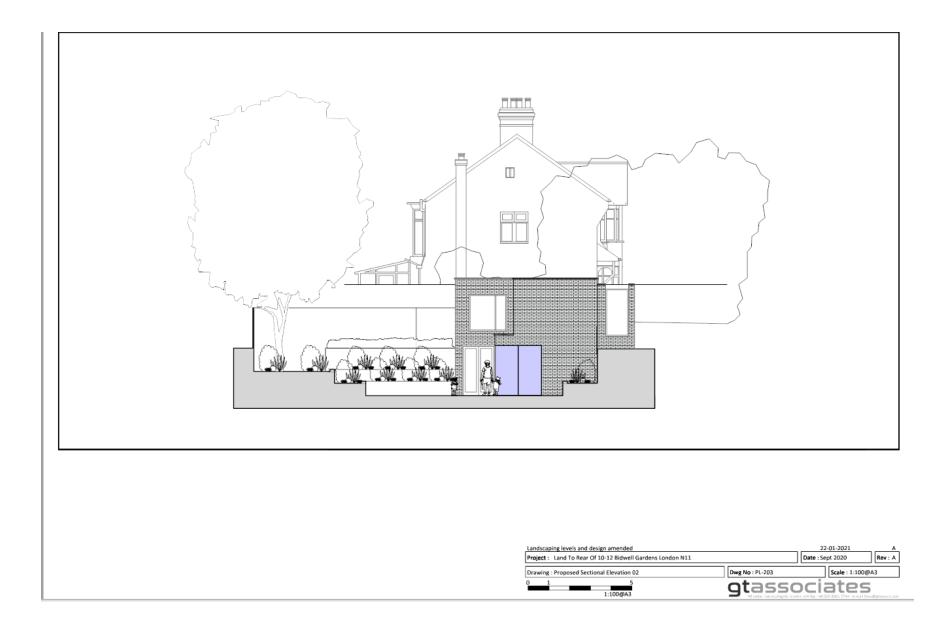
Lands	caping levels and design amended		22-01-2021	A
Proje	t: Land To Rear Of 10-12 Bidwell Gardens London N11		Date : Sept 2020	Rev : A
Draw	ng : Proposed Wroxham Gardens Elevation (Fence Removed)	No : PL-201	Scale : 1:100@A	3
9 1 5 1:100@43 9tassociates		Antinsoci.com		

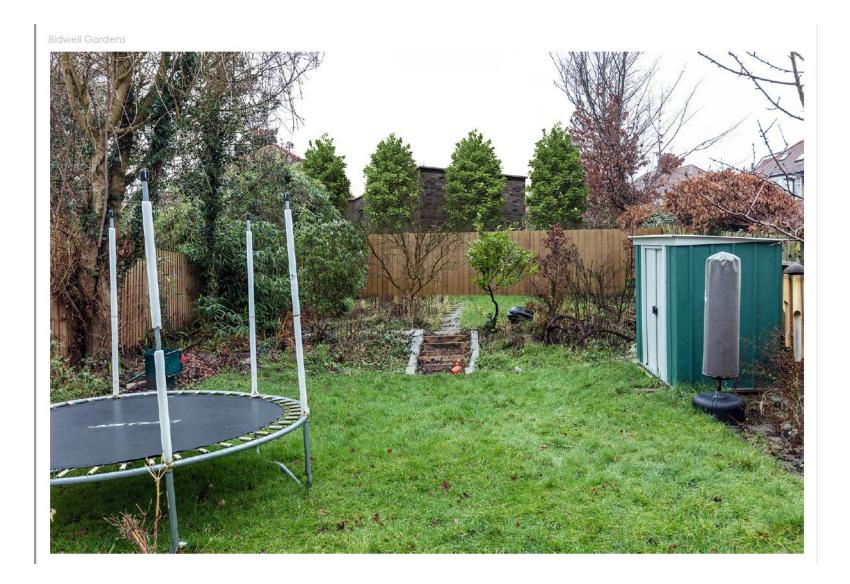
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 Sectional Elevation 01
 Dwg No : PL-202
 Scale : 1:100@A3

 1:100@A3
 State : 0:100@A3
 State : 0:100@A3





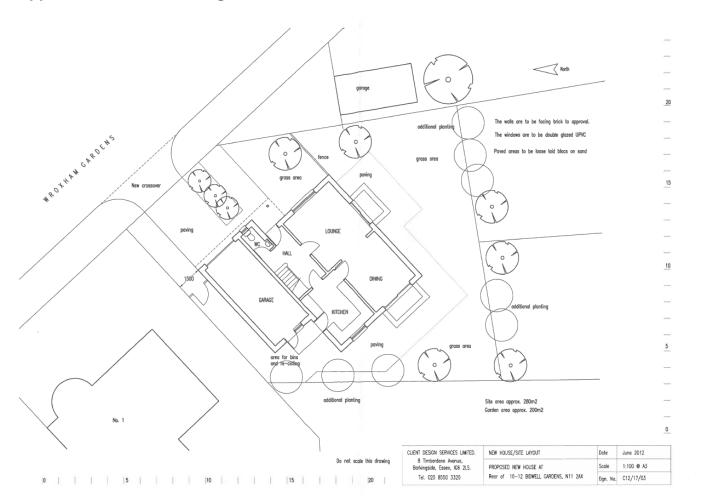
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View2-After

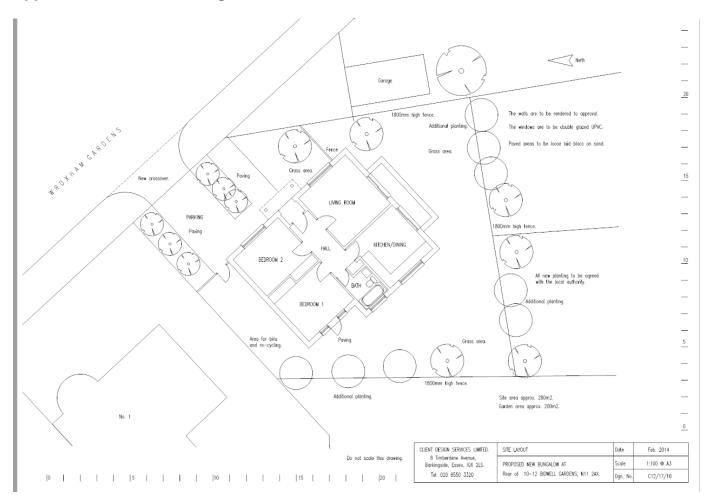
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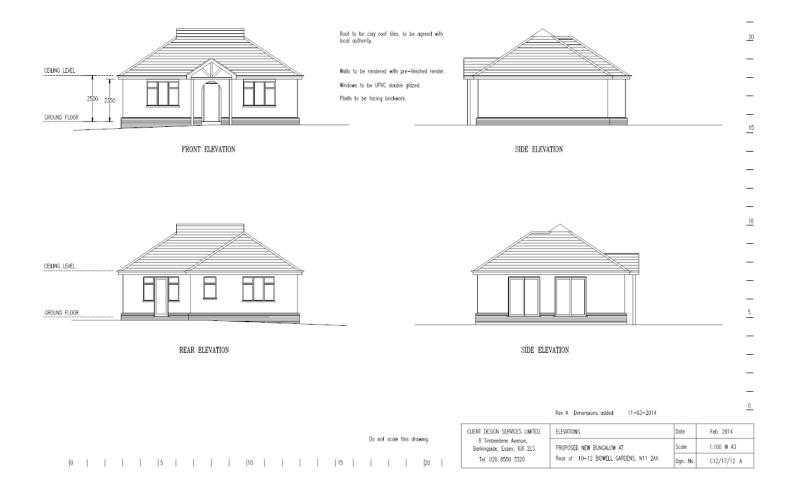


## Appendix 2 Plans and Images - 2012 scheme/ Ref: HGY/2012/1530





Appendix 3 Plans and Images - 2014 scheme/ Ref: HGY/2014/0718



# Appendix 4 Consultation Responses from internal and external consultees

Stakeholder	Question/Comment	Response
INTERNAL		
LBH Transportation	<ul> <li>Full details of cycle storage should be provided by condition.</li> <li>The access to the site would be delivered in the form of a footway crossover which is considered acceptable. A Construction Management Plan should also be conditioned.</li> </ul>	A prior to occupation condition requiring details of cycle storage has been included in the recommended list of conditions. A pre-commencement condition requiring a construction management plan to be submitted to and approved in writing has been included in the recommended list of conditions.
LBH Building Control	<ul> <li>No. objection to the proposal. The development will require building regulations consent should planning permission be granted.</li> </ul>	The impact of the basement development is assessed in detail between paragraphs 6.45-6.55 and of the report.
LBH Carbon Management	<ul> <li>No. objection to the proposal. The development will require building regulations consent should planning permission be granted.</li> </ul>	A condition has been included in the recommended list of conditions requiring the development to be carried out in accordance with the Energy & Sustainability Statement, and for further details of the Air Source Heat pump, solar panels and green roof to be submitted to and approved by condition prior to the commencement of works on site.
Councillor Rossetti (Alexandra Ward)	<ul> <li>The architecture of the development is out of character with the surroundings.</li> <li>Overlooking of neighbouring properties</li> <li>Potential problems with ground movement resulting from basement development</li> </ul>	<ul> <li>The design and appearance of the proposed development is considered between paragraphs 6.14 – 6.21 of the report</li> <li>Paragraph 6.25 addresses matters of privacy and overlooking</li> <li>The impact of the basement development is assessed in detail</li> </ul>

Stakeholder	Question/Comment	Response
		between paragraphs 6.45-6.55 and of the report.
EXTERNAL		
Muswell Hill & Fortis Green Association	- The character and appearance of proposal fails to complement the surroundings.	- The design and appearance of the proposed development is considered between paragraphs 6.14 – 6.21 of the report
Bounds Green & District Residents' Association	<ul> <li>The should be kept as garden land and not developed.</li> <li>The proposed development does not fit in with the street scene</li> <li>The development would have a visually overbearing impact on residents in Bidwell Gardens</li> <li>Overshadowing</li> </ul>	<ul> <li>The principle of development is considered between paragraphs 6.7 – 6.13 of the report</li> <li>The design and appearance of the proposed development is considered between paragraphs 6.14 – 6.21 of the report</li> <li>The impact on shading resulting from the development is considered at paragraph 6.24 of the report</li> </ul>
NEIGHBOURING PROPERTIES		
	<ul> <li><u>Design and character</u></li> <li>Design is out of keeping with the locality</li> <li>Loss of greenery</li> <li>Development would be a precedent for similar development</li> <li>Over-development</li> <li>Potential to further extend the dwelling if approved and built</li> </ul>	<ul> <li>The design and appearance of the proposed development is considered between paragraphs 6.14 – 6.21 of the report</li> <li>The issue of landscaping and existing verdant character is considered at paragraph 6.39 of the report</li> <li>The issue of precedent is addressed at paragraph 6.13 of the report.</li> </ul>

Stakeholder	Question/Comment	Response
		<ul> <li>This matter is considered within the design and appearance section of the report</li> <li>A restrictive condition has been recommended to be imposed on the development that would remove permitted development rights to alter or extend the dwellinghouse without the need for full planning permission.</li> </ul>
	<ul> <li>Highways, transportation and construction</li> <li>Additional vehicular access will reduce highway/pedestrian safety</li> <li>The ground on which the development would be located is unsuitable for basement development</li> <li>Disruption to neighbours during construction. Potential for subsidence and drainage problems</li> </ul>	<ul> <li>The location of the proposed vehicular access has been considered by officers to not result in any unacceptable impact on highway or pedestrian safety</li> <li>The impact of the basement development is assessed in detail</li> </ul>
	Environment Impact of development on local wildlife	This issue is considered within paragraphs 6.36 and 6.39 of the report.
	Amenity         - Overlooking         - Loss of outlook and privacy         - Visual overbearing impact         - Development should be well-screened with appropriate trees and soft landscaping	<ul> <li>Matters of overlooking and privacy are considered at paragraph 6.25 of the report</li> <li>Matters of outlook and visual overbearing impact are considered at paragraph 6.24 of the report</li> <li>Paragraphs 6.21 and 6.39 set out that the development will be subject to a generous soft</li> </ul>

Stakeholder	Question/Comment	Response
		landscaping scheme, details of which shall be required by condition.

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