

1. SITE AND SURROUNDINGS

- 1.1 The application site is located to the rear of 23 Alexandra Park Road with frontage onto Muswell Avenue and contains a large single storey storage building with low pitch roof which was originally built as a garage/workshop in the early 1950s. The shape of the application site results from the historic alignment of the northern part of Muswell Avenue and the manner in which it intersects with Alexandra Park Road; resulting in irregular shaped rear gardens to No's 13 to 25 Alexandra Park Road. As a result the existing single storey building to the rear of No 23 sits at an oblique angle to the road. Because of this alignment the first dwelling on the eastern side of the road, No 42 Muswell Avenue, is located some distance back from the junction of these two roads. The openness over the fences to the back gardens of No's 13-25 provides an important gap in the streetscene to this part of Muswell Avenue.
- 1.2 Muswell Avenue follows the line of an older road previously known as Weatherill Road. Its curving alignment has resulted in changing views, and buildings with stepped frontages. Along the west side, Nos. 41 to 59 (odd) are two storey late Victorian terraces constructed in pale yellow gault brick with slate roofs with contrasting red brick and stone detailing and ground floor bays. Beyond this terrace the houses are a variety of semi-detached and terraced properties constructed in red brick with pitched slate roofs with projecting gables. Some of these properties have rendered upper floors and red brick at ground level/ bay level.
- 1.3 The properties on the eastern side of Muswell Avenue are two storey semi-detached houses that step forward along the curve of the street. Their elevation treatment varies, although they are all symmetrical and have pitched or hipped slate roofs and recessed doorways. Nos. 42 to 56 are constructed in red brick (Nos. 46, 50 & 52 now painted) and have two storey bays and sills with brackets. Nos. 42 & 44 have gables above large square bays with sashes in their flanks and deep stone heads, and an attic storey within the roof space, whereas Nos. 46 to 56 (even) have canted bays with pyramid roofs over. Nos. 58 and 60 are a slightly taller pair built in yellow gault brick with ground floor bays and pitched roofs.
- 1.4 Given the curving alignment of this road, the stepped buildings frontages with different scales and distances from the road and the range of materials this road has less uniformity in comparison to other streets within Muswell Hill Conservation Area. Nonetheless the road is distinctly characterised by its late-Victorian and Edwardian suburban development

2. PLANNING HISTORY

OLD/1947/0002- -Erection of garage – Granted 17-01-47

OLD/1968/0501 - Use of garage at rear for storage and car repairs – Refused 05-08-68

OLD/1974/0840 - Change of use of garage at rear from storage of motor vehicles to motor vehicles mechanical repairs and servicing – Refused 13-02-74

OLD/9999/0191- Use of premises for motor repairs - Withdrawn

HGY/2009/1699 - Demolition of garage / store building and erection of new 2 storey two bedroom single dwellinghouse including front / rear garden.- Refused 04/12/2009; Dismissed on appeal 6th April 2010

3. RELEVANT PLANNING POLICY

3.1 National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing
Planning Policy Statement 5: Planning for the Historic Environment

3.2 London Plan- 2008 (Incorporating Alterations)

Policy 3A.1 Increasing London's supply of housing
Policy 3A.2 Borough housing targets
Policy 3A.3 Maximising the potential of sites (London Plan Density Matrix)
Policy 4B.5 Creating an inclusive environment
Policy 4B.8 Respect local context and communities
Policy 4B.12 Heritage conservation

3.3 Unitary Development Plan

G1 Environment
G2 Development and Urban Design
G3 Housing Supply
UD3 General Principles
UD4 Quality Design
HSG1 New Housing Development
HSG2 Change of Use to Residential
HSG9 Density Standards
M10 Parking for Development
OS17 Tree Protection, Tree Masses and Spines
CSV1 Development in Conservation Areas

3.4 Supplementary Planning Guidance / Documents

SPG1a Design Guidance
SPG2 Conservation and Archaeology
'Housing' SPD October 2008
SPG8b Materials
SPG9a Sustainability Statement

4. CONSULTATION

Internal	External
Ward Councillors Transportation Group Cleansing Building Control Conservation Team London Fire Brigade Trees	<u>Amenity Groups</u> Muswell Hill CAAC Muswell Hill/ Fortis Green Residence Association <u>Local Resident</u> Flats within No 11, 13-43 Alexandra Park Road 41-67, 67a, 69 & 42- 62 Muswell Avenue 6 to 9 Regis Close

5. RESPONSES

Arboricultural Officer

- 5.1 There are two trees in adjacent gardens that must be considered for this planning application. In the rear garden of 21 Alexandra Park Road is located a mature Sycamore tree. The tree has recently been inspected by a Council Arboriculturalist. This tree has been subject to heavy crown reduction works in the past, which has resulted in many pruning wounds with decay cavities. There is also a large wound on the main trunk. The tree has a thin canopy indicating a declining condition and limited life expectancy.
- 5.2 The tree was assessed to see if it merited a Tree Preservation Order (TPO), but due to past management, visible defects and the overall poor condition it did not fulfil the criteria.
- 5.3 The report by Marishal Thompson identified fungal brackets of Polyporus squamosus, which are often found on old wounds and can lead to extensive rot in the main trunk and large branches.
- 5.4 In the rear garden of 25 Alexandra Park Road is located a semi-mature multi-stemmed Ash tree. It is stated that minor pruning works would be necessary to facilitate the proposed development. The cutting back of the overhanging branches of the Sycamore tree are permissible under common law and would not have a detrimental impact on the tree. It is stated that the proposed new structure is to be built at a distance of 5.5m from the Sycamore tree and 6.5m from the Ash tree.
- 5.5 In accordance with BS 5837:2005, a Root Protection Area (RPA) of 6.6m radius would be applicable for the Sycamore tree. However, due to the existing site conditions, this would not be appropriate. One would expect the vast majority of the trees roots would be located with the garden of no 21 and the site conditions in no 23 would have restricted root growth into the development site. The proposed new structure will not have an impact on the Ash tree.

- 5.7 It is proposed to install ground protection between the boundary fence of no 21 and the proposed new structure. A planning condition must be made to ensure the proposed protective measures are implemented. Robust ground protection must be installed prior to commencement of construction activities on site and retained in place until completion. It must be designed and installed in accordance with BS 5837:2005 Trees in relation to construction (Fig 3).
- 5.8 In the opinion of the Council's Arboricultural Officer the impact on the Sycamore tree will be minimal and the proposed tree protection measures will ensure the construction works will not result in unnecessary damage to the tree. However, the Sycamore tree is in a poor condition and will require regular monitoring in the future. It will be necessary to undertake crown reduction works to reduce the likelihood of tree or branch failure

Building Control

- 5.9 Access for fire brigade vehicles and personnel to the development for the purposes of fire fighting and rescue are considered acceptable Means of escape and other fire safety issues will be dealt with on receipt of a formal Building Regulation application.

Transportation

- 5.10 This development proposal is in an area with a PTAL of 2 which indicates a poor level of public transport accessibility level. However Alexandra Park Road offers some 20 buses trips (two-way) per hour. This level of transport services provides connections to, Muswell Hill Broadway, and Bounds Green Underground Station which provides good connections into and out of central London.
- 5.11 Transportation have subsequently considered that since these frequent bus services provide good connections and that the prospective resident of this development would use the combination of these travel modes for their journeys to and from this site. This site has not been identified within the Council's adopted UDP as that renowned to have car parking pressure. This proposed development / conversion would not have a significant adverse impact on the generated vehicular trips or car parking demand on the adjoining roads.
- 5.12 Consequently, the highway and transportation authority would not object to this planning application on highway or traffic implications providing the following condition is met: The proposed development requires a redundant crossover to be removed. 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.

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

London Fire & Emergency Planning Authority

- 5.13 The Brigade is satisfied with the proposal.

Muswell Hill CAAC

- 5.14 The CAAC maintains its objection to the principle of erecting a dwelling on this site. The proposed structure would fail to preserve or enhance the appearance and character of the Conservation Area; in fact quite the opposite as it would not follow the general building line and would thus appear unduly dominant as well as reducing the present open aspect of the site. It would be out of scale and character with the mainly terraced and semi-detached houses in the proximity. These are all aspects which the Inspector highlighted in her report on the earlier scheme to support her decision to dismiss the appeal. As the new scheme will have a similar effect on the Conservation Area we would recommend that it be refused.

Muswell Hill and Fortis Green Association

- 5.14 - The site is in the rear garden of 23 Alexandra Park Road, one of a group of back gardens which jointly, form a green open area which is an important feature of this part of the Conservation Area.
- The existing garage is only slightly higher than the existing boundary fence on Muswell Avenue and is not visible from street level and does not affect the open aspect of the gardens. The proposed house however, would be clearly visible from the street, prominent in views up and down Muswell Avenue, and intrude upon the present openness of the area .
 - The design of the house is out of scale and out of character with the mainly terraced and semi-detached nearby houses in Muswell Avenue, and with their stepped frontages following the curve of the street. The new house would be very close to the front of the site and would not follow the general building line;
 - The new house with it's garden would be unreasonably close to the rear of 23, Alexandra Park Road thus reducing it's garden to little more than a courtyard. It may meet Harigey's guidelines but it would be out of character with adjoining long gardens.

Local Residents

- 5.15 Letters of objection have been received from the residents of the following properties 13, 19, & 21 Alexandra Park Road, 44, 46, 47, 49, 53, 55, 65, 66 & 79 Muswell Avenue, in addition to a letter from Layzells Solicitors acting on behalf of a resident of No 21 Alexandra Park Road. These objections are summarised as follows:

Character/ Design Issues

- Proposal would seriously detract/ would not preserve or enhance the conservation area;
- Proposal would not fit within the aesthetics and character of the area;
- Bungalow design is unsympathetic to the existing domestic architecture;
- The angle of the frontage of the proposed building is at odds/ visually displeasing to building line on Muswell Avenue;
- The proposed building would stand dramatically in front of building line/ spoil the original design alignment of the street;
- Out of keeping with Victorian/ Edwardian character of this street;
- This proposal would detract from ‘the consistent sense of enclosure along much of the street’ identified in the Planning Appeal Decision 16/03/2010 and the proposal would undermine the position of No 42 Muswell Avenue which provides a natural, established and pleasing ‘visual conclusion’ to the road;
- The proposal would ‘seriously erode the spatial quality of the important gap which successfully resolves the differing geometries in Alexandra Park Road and Muswell Avenue;
- The building height, despite being described as single storey, would be visible from the road and is significantly more noticeable than the existing flat roofed shed structure which is largely obscured by the fence;
- Building would appear as a significantly dwarfed imitation of the style of properties found along the street;
- Inappropriate materials;
- The proposed development is much larger than the existing structure on the site;
- The concerns as raised in the Planning Inspectors decision of 16/03/2010 should still apply, namely the oblique angle, overall size and depth and its failure to enhance or preserve the character of the conservation area;
- Increased density/ over intensification of development in the area;

Environmental Issues

- Impact on root protection area/ / potential loss of mature maple sycamore tree within the rear garden of No 21 Alexandra Park Road;
- Environmentally damaging, loss of open space Increased water run off;
- Potential subsidence to existing properties;

Other

- The proposal would substantially reduce the size of the back garden of the existing dwelling at 23 Alexandra Park Road;
- Additional pressure on on-street parking;
- Proposal would set a precedent for other such development on Muswell Avenue;
- Increased traffic;
- Effect on traffic during construction given that Muswell Avenue is a cul-de-sac;

- Proposal would contravene current Government guidance on 'development in back gardens'.

5.16 A petition of signatures (containing the names and signatures of 69 residents from 45 addresses) objecting to the planning application has been submitted. The petition that was originally submitted has been replaced with a petition where the King's College London logo has been redacted on the request of this institution.

5.17 Letters of support have been received from the residents of the following properties: No 10, 24 27 & 39 Alexandra Park Road, and are summarised as follows:

- The regeneration of this run down building will enhance that part of the road;
- The proposed does not appear as though it would negatively impact on the street, and would more-over potentially improve the aesthetics of that end of the road;
- The proposal is sympathetic to the existing architecture;
- The proposal has addressed many of the concerns raised in the previous application;
- The proposal will be nicer to look at than the existing structure;
- Living in a conservation area should not be a reason to obstruct development in the area now;
- If the right balance between conservation and development is found then there is no reason to object.

The occupier of No 25 states that they have no objection

5.18 Comments received on the revised plan – e-mails/ letters have been received from the residents of the following properties No 53 & 55 Muswell Avenue, No's 13 & 21 Alexandra Park Road and are summarised as follows:

- Impact on character and nature of the conservation area;
- Visually dominant and intrusive due to oblique angle at which the building would sit;
- The proposal would be radically different in appearance to properties in the area/ would introduce a box-shaped, unattractive building into an existing back garden;
- More visible from the street than the existing structure by being higher and closer to the road/ the 'raised element' would effectively makes the building 1½ storeys;
- Materially different from the existing structure;
- Reduces the garden area to existing property;
- It would set a precedent;
- Impact on the tree in the garden of No 21;
- The proposal would still contradict the decision of the Planning Inspector;
- Loss of open space;

- Proposal would appear to be effectively two-storeys high;
- Would be more prepared to accept a scheme which removes the higher element in the roof, so that the building would be genuinely of a single storey, sitting behind a solid wooden fence consistent with the existing fences along that side of the road and a scheme which reinstates the present 'dropped kerb'.

5.20 Comments on the revised scheme have also been received from the Muswell Hill and Fortis Green Association which largely reflect their previous comment.

6. ANALYSIS / ASSESSMENT OF THE APPLICATION

6.1 The main issues in the determination of this application are an assessment of the impact of the proposed dwelling on the character and appearance of the surrounding area and the residential amenity of neighbouring properties.

- Principle of development;
- Design, form & layout;
- Impact on the character and appearance of the Conservation Area
- Impact on residential amenity;
- Impact on trees;
- Transportation & parking.

Background

6.1 The current application leads on from a previous application for the erection of a two storey two bedroom dwelling house on this site, which was refused permission by the Local Planning Authority (LPA) in December 2009 and later dismissed on appeal (April 2010) by the Planning Inspectorate/ Secretary of State. The reasons for dismissing this appeal are discussed further on in this report; however paragraphs 8 & 9 of the appeal decision provides a concise summary of the principle concerns associated with this previous application.

As it would be sited very close to the road, the proposed dwelling would fail to respect the building line in Muswell Avenue, and so it would look cramped and out of place. Because of its substantial depth the dwelling would be unusually close to the existing dwelling at 23 Alexandra Park Road, and as it would also be about as wide as the site, it would look squeezed-in on its comparatively small plot. Due to its siting, its scale, its 2-storey mainly flat-roofed form, and its oblique-angled relationship with the road, the dwelling would be a dominant and visually intrusive addition which would create an unwanted sense of enclosure in the street scene in Muswell Avenue.

For the same reasons, it would unacceptably intrude into the important open space over the back gardens and the garage. The proposed dwelling would be prominent in views up and down Muswell Avenue, and from the surrounding buildings. Because the dwelling would be poorly related to the established pattern of development in Muswell Avenue and in the nearby part of Alexandra Park Road, it would fail to respect the urban grain. In consequence it would look incongruous. The proposal would, therefore,

harm the street scene in Muswell Avenue, and it would fail to preserve or enhance the character of the Conservation Area.

Principle of development

- 6.2 The application site contains a building of large footprint which has existed on this site since the early 1950 and as such is considered to constitute a previously developed site. The proposal would meet the criteria set out in policy HSG1 'New Housing Development' and as such there is no in principle objection to the creation of a dwelling unit on this site. The density of the proposed development would fall within the density range of 200-700 habitable rooms per hectare as advocated in the London Plan.
- 6.3 The revised PPS3 'Housing' of June 2010 reclassifies garden sites as greenfield land (they were formerly considered to be 'previously developed', or 'brownfield', land). This is intended to remove the in-built presumption in favour of development of garden sites, which was applied to all 'brownfield' land under the previous version of the guidance. It is important to note however that this reclassification does not mean that development on garden sites is now prohibited. Planning permission can still be granted on suitable 'greenfield sites', where residential amenity and other planning considerations can be addressed.
- 6.4 The LPA acknowledge that if this site had not been developed upon and had remained as a large rear garden, then the principle of introducing a residential unit on this site would be considered contrary to the aspirations of PPS3. However, in this case the site has been developed upon and has accommodated a structure used for non-residential uses, therefore meaning that the site would have to be viewed as 'previously developed' or 'brownfield land'.

Design, Form & Layout

- 6.5 The proposed dwelling will be roughly of a rectangular shape and will be positioned in a similar position to the existing structure on site, however it will shift forward: 0.5m on the outer corner closest to No 21 and 1.8m on the side closest to No 25. The new building will be pulled away from the fence line with No 25. As per the existing structure on site the proposed building will sit at the same angle to the back boundary of the site and at its furthest point it will be 4.5m back from the back edge of the pavement and 1.1m at its closest point.
- 6.6 The building will have a flat roofed on the section of the building sitting closest to the road and an elevated section with a mono-pitch on the rear section of the building. The flat roofed section will be 2.9m high while the elevated section with a mono-pitch roof and clerestory window will measure 4.2m at its highest point. This section of the building will be positioned 3.2m back front the back edge of the pavement at its closest point and 7.8m at its furthest point.

- 6.7 The overall height and mass of the building has been minimised by breaking up the roof form and by positioning the elevated section with a clerestory window well back from the road. In comparison to the previously refused scheme the proposed single storey building is pushed back further into the site and in addition this building is now designed to be positioned behind high boundary treatment and not to have an active/ prominent frontage onto Muswell Avenue. Given the changes to the height and position of the building, in comparison to the previously refused scheme, and by shielding a large proportion of the building from public view the proposal can sit comfortably within the streetscene.
- 6.8 Given the presence of high solid board fences to the backs of these gardens in question, in particular to the backs of the adjoining sites No's 21 & 25, in this case the proposed front boundary treatment should be similar in material and appearance. Given this context Officers would not consider a dwarf brick wall and railing to be acceptable and as such will place a condition seeking details of an appropriate front boundary treatment.
- 6.9 The exterior of the building will be faced in brick. The windows are to be polyester coated aluminium windows (dark grey). The single storey aspect will also have a sedum green roof, therefore softening it appearing when viewed from the first & second floor windows of properties on the opposite side of Muswell Avenue. Overall the building form, detailing and associated materials are considered to be acceptable and will respect the open nature of the site and character of the road.
- 6.10 The residential unit will have a gross internal floorspace of 98.7 sq.m and therefore meets the floorspace minima for a two-bedroom dwelling as set out in the Council's Housing SPD. The private amenity space will be 25.5 sq.m and would meet the minimum standard. The accommodation to be provided at ground floor level will comprise of a large open plan space with kitchen-diner, living room and WC, while the basement floor will accommodate two bedrooms (one with an en-suite) and a bathroom.
- 6.9 The principle windows of this dwelling unit will have east/ west facing aspect and will have large windows. The main living room kitchen/ diner will have a high level clerestory window on the east elevation of elevated section of the roof to bring daylight deep into the house. The basement floor accommodation will receive light and ventilation from a front and rear lightwell.
- 6.11 While the canopy to the nearby trees in the rear garden of No 21 will cause some shading, the high degree of glazing relative to floor area (normally required to be 10%) will ensure an adequate amount of daylight this dwelling unit. Overall this new dwelling will provide an acceptable standard and quality of accommodation for future occupiers.

Impact on the character and appearance of the Conservation Area

- 6.11 The character of the application site and this part of Muswell Avenue is derived from a number of elements which were noted in the recent appeal decision; namely the curving alignment of the street, the terraced and semi-detached dwellings with their range of materials and their stepped frontages and the openness over the fences and walls to the back of No's 13 to 25 Alexandra Park Road. The Inspector recognised that the dwelling at 23 Alexandra Park Road makes a positive contribution to the character of the Conservation Area.
- 6.12 As noted above the Planning Inspector clearly considered that the proposed two-storey building would fail to respect the building line in Muswell Avenue, and considered that the proposal would appear cramped, out of scale, squeezed-in on a comparatively small plot and be uncomfortably close to the existing dwelling at 23 Alexandra Park. In addition the Inspector raised concerns about the oblique-angled at which it would sit at and its relationship with the road.
- 6.13 As noted above the overall height and mass and positioning of the building has changed from the last application, and was further revised as part of this application. The building as now proposed is substantially more subordinate than the previously refused scheme and will sit behind high boundary treatment. The manner in which a single storey building and a two-storey building relate to a street and the pattern of development in its surroundings is materially different. This is evident in the decision of the Planning Inspector who clearly had very clear and precise concerns about the presence of a two-storey building on this site, however on the other hand she acknowledged that the existing garage which "is only a little taller than some of the nearby boundary fences and walls" and "visible from the upper floors of nearby dwellings...has little impact in the street scene in Muswell Avenue".
- 6.14 Bearing this comment in mind and given the height and bulk and positioning of the building has been changed from the previously refused scheme, the building as now proposed will be a relatively discrete feature and will not adversely affect the open nature to this part of road. The building as now proposed will also not adversely affect the views to backs of existing dwellings on Alexandra Park Road, which are viewed to be contribute to the character of the Conservation Area
- 6.15 The proposal will remove an unsightly feature within the street and overall will improve the visual amenity of the area. On this basis it is considered that the proposal will preserve and enhance the character and appearance of the Conservation Area.

Impact on residential amenity

- 6.16 In the recent appeal decision the Planning Inspector believes that the proposal "would not harm the living conditions of the occupiers of the dwellings at 42 Muswell Avenue, and 21, 23 and 25 Alexandra Park Road". The revised

scheme will equally have no harm on the living conditions/ amenity of adjoining/ nearby residents. Part of the roof of the building will have a sedum green roof and as such it will soften the appearance of the building when viewed from first floor windows.

- 6.17 Overall the proposed development has taken careful consideration in terms of its layout and design to ensure that the privacy and amenity of neighbouring occupiers will not be adversely affected.
- 6.18 The Inspector did however raise concerns about the impact of the previous scheme on the garden to the existing dwelling at No 23. She stated that it would “leave the existing dwelling at 23 Alexandra Park Road with an unusually small L-shaped garden” and “because of its siting and its shape this garden would offer little well-lit useable space for the occupiers of the existing dwelling”. She however did acknowledge that it did satisfy the minimum private garden space sought in the Council’s Housing Supplementary Planning Document (SPD).
- 6.19 In the current scheme the boundary line separating the existing house and garden at No 23 and the new dwelling has moved. As a result the garden to the family sized dwelling/ No 23 has increased and that to the proposed two-bed unit reduced. This represents a more appropriate arrangement and gives No 23 a more useable amenity space. The reduction in height to the building relative to the previously refused scheme means that the light levels to the existing garden and its outlook/aspect from within this property will be very similar to that which exists at present. Reducing the height of the building addresses the overbearing/ oppressive impact a two-building would have.

Impact on trees

- 6.20 An arboricultural report has been submitted with this application and has been assessed accordingly by the Council’s Arboricultural Officer. As noted in his comments above there are two trees in adjacent gardens that need to be considered in connection with the proposed development, specifically the impact associated with excavation and the creation of a basement floor. In the rear garden of 21 Alexandra Park Road is located a mature Sycamore tree (not protected by a TPO) which has been subject to heavy crown reduction works in the past, which has resulted in many pruning wounds with decay cavities. The tree has a thin canopy indicating a declining condition and limited life expectancy. In the rear garden of 25 Alexandra Park Road is located a semi-mature multi-stemmed Ash tree.
- 6.21 In accordance with BS 5837:2005, a Root Protection Area (RPA) of 6.6m radius would be applicable for the Sycamore tree. However, as noted by the Arboricultural Officer due to the existing site conditions, this would not be appropriate as one would expect the vast majority of the trees roots to be located with the garden of No 21, as the site conditions in No 23 would have restricted root growth into the development site. It is proposed to install ground protection between the boundary fence of No 21 and the proposed

new structure. A planning condition will be placed requiring protective fencing to be erected. In the opinion of the Council's Arboricultural Officer the impact on the Sycamore tree will be minimal and the proposed tree protection measures will ensure the construction works will not result in unnecessary damage to the tree. The Officer also acknowledges that the proposed new structure will not have an impact on the Ash tree located within No 25 as it is located a sufficient distance away.

Transport and parking

- 6.22 The proposal provides no parking with the scheme however, this area has not been identified within the Council's Adopted 2006 UDP as that renowned with car parking pressure. It is therefore considered that this proposed development would not have any significant adverse impact on the existing generated traffic or indeed car parking demand at this location.
- 6.23 As outlined above the LPA will require existing crossover onto Muswell Avenue to be removed once the scheme has been completed. The removal of the crossover will provide more space for on street car parking.

7. CONCLUSION

- 7.1 The proposed scheme involves a reduction in the size, bulk and footprint relative to a scheme dismissed on appeal in April 2010. The position, scale, mass and detailing of the proposed dwelling has been carefully considered to create a relatively discrete building which will not adversely affect the building pattern on Muswell Avenue and the open nature to this part of the road. The building as now proposed is substantially more subordinate than the previously refused scheme and will sit behind high boundary treatment. As such the proposal achieves an acceptable relationship with Muswell Avenue and will preserve the character and appearance of this part of the Conservation Area. 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', HSG1 'New Housing Development', CSV1 'Development in Conservation Areas', OS17 'Tree Protection, Tree Masses and Spines' 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.

8. RECOMMENDATION

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s) A101, A201, A202, A301, EC100

Subject to the following condition(s)

IMPLEMENTATION

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.

MATERIALS & BOUNDARY TREATMENT

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 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. Details of a scheme depicting those areas to be treated by means of hard and soft landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme shall include a schedule of species and a schedule of proposed materials/ samples to be submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

5. Notwithstanding the front boundary treatment indicated on the submitted plans full details of a proposed front boundary treatment similar in material and appearance to that found next to and along the application site's frontage onto Muswell Avenue shall be submitted to, approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved plans/ detail.

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

6. No windows other than those shown on the approved drawings shall be inserted in the extensions unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties.

PERMITTED DEVELOPMENT RIGHTS

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (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.

TREE PROTECTION

8. All works associated with this development shall be undertaken in accordance with the detail as specified in the Arboricultural Report & Method Statement.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

9. A pre-commencement site meeting must take place with the Architect, the consulting Arboriculturist, the Local Authority Arboriculturist, the Planning Officer to confirm tree protective measures to be implemented. All protective measures must be installed prior to the commencement of works on site and shall be inspected by the Council Arboriculturist and thereafter be retained in place until the works are complete.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

CONSTRUCTION

10. 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 1300 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 proposed development requires a redundant crossover to be removed. 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.

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

REASONS FOR APPROVAL

The building as now proposed is substantially more subordinate than the previously refused scheme and will sit behind high boundary treatment. As such the proposal achieves an acceptable relationship with Muswell Avenue and will preserve the character and appearance of this part of the Conservation Area. 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', HSG1 'New Housing Development', CSV1 'Development in Conservation Areas', OS17 'Tree Protection, Tree Masses and Spines' 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.

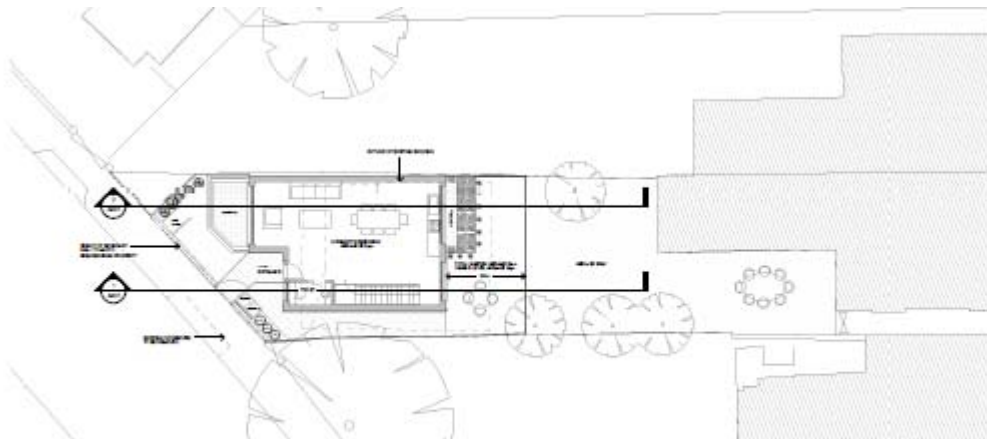


③ FRONT PERSPECTIVE 1



④ FRONT PERSPECTIVE 2

Street Elevation



① PROPOSED GROUND FLOOR PLAN
1:100

Ground Floor Plan