

REPORT FOR CONSIDERATION AT PLANNING APPLICATION SUB COMMITTEE

Reference No: Ward: Highgate
HG/20
06/0001

Date received: 19/12/2005

Last amended date: 4 September 2006

Drawing number of plans: 148/001 Rev B; 148/002 Rev B

Address: Rear of 6 Church Road, N6 4QT

Proposal: Erection of a single storey three bedroom dwelling and removal of a Red Horse Chestnut Tree that is subject to a Tree Preservation Order.

Existing Use: Residential – Private Garden
Residential

Proposed Use:

Applicant: Margaret Driver

Ownership: Margaret Driver

PLANNING DESIGNATIONS

RESTRICTED CONVERSION AREA
CONSERVATION AREA – Highgate
ROAD – BOROUGH

Officer contact: Brett Henderson

RECOMMENDATION

GRANT PERMISSION subject to conditions.

SITE AND SURROUNDINGS

The subject site is located at the rear of 6 Church Road, which currently contains a large rear amenity space measuring 0.0811 hectares in the Highgate Conservation Area. The site is in a residential location which is surrounded by semi-detached dwellings, terrace housing and flats. To the west of the site, four buildings are Grade 2 listed, the address of these properties is 50, 52, 52a and 54 North Hill.

The site is accessed via a laneway from Church Road.

The subject site contains a large number of trees, five of which have Tree Preservation Orders: Three Oaks, a Horse Chestnut and a Red Horse Chestnut.

To the west of the site, four buildings are Grade 2 listed, the address of these properties is 50, 52, 52a and 54 North Hill.

PLANNING HISTORY

24/07/63 – Conditional Consent – 1963/0103 – Severance of part of rear garden and erection of single storey dwelling.

DETAILS OF PROPOSAL

The proposal is for the erection of a single storey three bedroom dwelling and the removal of a Red Horse Chestnut Tree that is subject to a Tree Preservation Order in the rear amenity space of 6 Church Road.

The house will front the laneway to the side of 6 Church Road and contain a double garage. The dwelling will have a length of 18.8 metres, a maximum width of 13.4 metres and a maximum height of 3.6 metres. The house will be timber clad with timber framed windows.

The house will have access to a very large garden which the main living spaces are orientated towards, the use of glazing is maximised to allow considerable daylight penetration.

The roof of the dwelling will be covered with grass or sedum.

The proposal also involves the removal of a Cherry Tree and an Irish Yew, which does not require Full Planning Permission. Furthermore, Council's Arboricultural Officer considers these trees to be of little amenity value.

CONSULTATION

Highgate CAAC
Highgate Society
Conservation Team
Transportation Group
Arboricultural Officer
Waste Management
Building Control
Adverts
Ward Councillors
4, 6 Church Road, N6
60 – 76 (e) Talbot Road, N6
1 – 38 (c) Highcroft, North Hill, N6
50 – 54 (e), 52a North Hill, N6

RESPONSES

Highgate CAAC – Objection. Proposal will result in the loss of open space and trees. Damage the amenity of neighbours and the character and appearance of the Conservation Area.

Highgate Society – Objection. There is a suggestion that the development should be 25 metres from the northernmost oak. Proposal will result in the loss of open space and trees. Damage the amenity of neighbours and the character and appearance of the Conservation Area.

Adjoining Occupiers – Response to original scheme - 25 objections, including two anonymous, on the grounds of: Loss of tree results in a negative impact on the amenity of the area and the Conservation Area. Not in keeping with prevailing development and the character of the Conservation Area. Upset the "rural view". The development is too close to the existing trees on the property. Detracts from the local environment. Concern about access. The development will cause overshadowing and overlooking. Negative impact on car parking in the area.

Arboricultural Officer – No objection, comments quoted as follows:

Tree cover

The rear garden of 6 Church Road contains many trees, the most significant of which are protected by Tree Preservation Orders, The three Oaks, the Horse Chestnut and Red Horse Chestnut.

Three trees are specified for removal to allow for the new development. T7 is a Cherry leaning across the access road and T9, an Irish Yew, both are of little amenity value.

T12, a Red Horse Chestnut is in a poor condition. It has a large decay cavity at the base of the stem that extends into the root plate and up the stem. There are also several large wounds in the crown where branches have previously failed. This specimen has a low safe useful life expectancy.

T8, Oak tree is the most significant tree that may be affected by construction activities. The stem diameter measured at 1.5m is 800mm. BS5837: Trees in relation to construction would recommend a Root Protection Area (RPA) of 9.6m square. However, this can be adjusted to take into consideration various site factors.

From the tree's location, it could be assumed that the majority of roots would be found in the garden area where more favourable conditions for growth exist. The areas to the East and South of the tree are not going to be affected by the new development.

There is an Oak tree in the rear garden of the adjacent property, 74 Talbot Road. This tree is approximately 6m from the boundary of 6 Church Road and should not be affected by the new development.

Proposed layout

The present layout indicates the new structure to be built at a distance of 8m. This may be possible if the construction of the foundations of the building is designed using mini piles and a ground beam or slab above ground level to minimise root disturbance. No other type of foundation design should be considered.

An engineered drawing of the foundation design with 1:50 cross section drawings showing existing and proposed ground levels must be requested and conditioned.

Consideration has been given to the constraints above ground in the design of the new structure. It is one storey with a green roof, this should minimise future nuisance issues such as the dominance of the future building and issues such as blocking of daylight / sunlight and personal anxiety caused by a trees movement in strong winds.

Works within the Root Protection Area (RPA)

The removal of the existing concrete shed is proposed, this could have detrimental effect on T8. To minimise this, works must be carried out in accordance with the recommendations specified in the Method Statement (Appendix 6).

Any new surfaces within the RPA must be constructed using a 'No-dig' method.

Careful consideration must be given to the use of cranes and piling rigs in close proximity to trees.

New tree planting

The planting of two new heavy standard trees must be conditioned into planning approval, as adequate replacement for the two trees specified for removal to retain overall tree cover. The areas where trees are to be planted must be protected to ensure no damage to soil structure.

Protective fencing

Robust protective fencing must be designed and erected at the distance agreed at the pre-commencement meeting and as recommended in the Method Statement (Appendix 5).

All protective fencing must be erected before commencement of works on site and remain until works are complete.

Conclusions

I am confident the proposed development can be constructed with minimal impact on the existing mature trees on site. However, robust planning conditions must be attached to any planning approval to ensure the protection measures specified are implemented.

An engineered drawing of the foundation design with 1:50 cross section drawings showing existing and proposed ground levels must be requested and conditioned.

Robust protective fencing must be designed and erected at the distance agreed at the pre-commencement meeting and as recommended in the Method Statement (Appendix 5). All protective fencing must be erected before commencement of works on site and remain until works are complete.

A condition must make reference to the Arboricultural Method Statement, particularly the works within the Root Protection Area and all the other protective measures specified.

A condition must also be made specifying a pre-commencement site meeting must take place with the Architect, the Local Authority Arboriculturist, the Planning Officer and all contractors present, to confirm the protective measures to be implemented.

An Arboriculturist must be retained to monitor works on site that may affect trees such as works within the RPA.

A Construction Method statement will be required detailing location of storage areas, mixing of materials, services routes and soft landscaping.

No fires are to be lit anywhere on site.

Conservation Officer – No objection, comments quoted as follows:

The proposed site is part of the rear garden of 6 Church Road. The site of the proposed house is adjacent to Nos. 50-54 North Hill Rd, which are Grade II listed buildings, and to the rear of the semi-detached houses on Talbot Road.

The proposed dwelling is modern and sensitively designed to be unobtrusive and sympathetic to the context and nature of the site. The single storey with partially flat, partially single pitched green roof means that there will be a minimal visual impact on the surrounding

properties as the green roof will maintain the existing garden character.

Transport Group – No objection, comments quoted as follows:

The site is in an area with a Medium public transport accessibility level (PTAL) located within the Archway Road restricted conversion area. The proposed development will not generate any significant increase in traffic to have any adverse effect on the highways network. The applicant has also proposed providing two off street parking spaces to service the proposed development in line with the Council's SPG 7a.

Consequently the Transportation and Highways authority would not object to this application.

Building Control – No objection in respect of fire brigade access.

Waste Management – No objection.

Ward Councillors – No comments.

RELEVANT PLANNING POLICY

National Policy Background

Planning Policy Guidance 3 Housing

The principal national policy guidance relating to residential development is contained in Planning Policy Guidance Note 3: Housing. This PPG provides guidance on a range of issues relating to the provision of housing. Circular 6/98 *Planning and Affordable Housing* will continue to apply, within the framework of policy set out in this guidance.

PPG3 states that Local Planning authorities should:

- provide sufficient housing land but give priority to re-using previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of greenfield sites;
- promote improved quality of developments which in their design, layout and allocation of space create a sense of community; and
- Introduce greater flexibility in the application of parking standards, which the government expects to be significantly lower than at present.

Planning Policy Guidance 13 Transport

Planning Policy Guidance 13 Transport was issued in March 2001. It aims to:

- promote more sustainable transport choices for people and for moving freight.
- promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling.
- reduce the need to travel especially by car.

The London Plan

The London Plan was adopted in February 2004 by the Greater London Authority and forms the Spatial Development Strategy for Greater London. It contains key policies covering housing, transport, design and sustainability in the capital. It replaces Regional Planning Guidance Note 3 - Regional Planning Guidance for London.

The London Plan sets housing targets for individual boroughs for the period up to 2016. The target for Haringey is 19,370 additional 'homes' (970 per year) out of a target for London of 457,950 (23000 per year).

The London Plan also sets out density targets for residential development in London. Various ranges are specified. Of particular relevance to this site - urban along transport corridors with a medium accessibility index proposed for a dwelling may have a range of 200-300 hrh.

Local Policy Background

Current Unitary Development Plan 2006

HSG1 New Housing Developments

The Council will increase the supply of housing in the Borough in order to meet targets.

HSG9 Density Standards

Reflects the advice in the London Plan and increased densities.

HSG10 Dwelling Mix

Requires that the dwelling mix meet the Council's housing requirements.

UD1A Sustainable Design and Construction

This policy is concerned with the environmental/natural resource aspects of sustainable development.

UD2 General Principles

New development in the Borough should complement the existing pattern of development.

UD3 Quality Design

The Council wishes to support good and appropriate design, which is sustainable, improves the quality of the existing environment, reinforces a sense of place and promotes civic pride.

CSV1A Development in Conservation Areas

The Council will require that proposals affecting Conservation Areas will preserve or enhance them.

OS16 Tree Protection, Tree Masses and Spines

The Council will seek to protect and improve the contribution of trees, tree masses and spines to local landscape character.

M10 Parking for Development

The proposal should provide an acceptable level of parking in line with current national and local policy advice.

ANALYSIS/ASSESSMENT OF THE APPLICATION

The main issues in this case concern the i) Effect on neighbours; ii) Access and parking; iii) Design and effect on the Conservation Area; iv) Removal of Red Horse Chestnut Tree that is subject to a Tree Preservation Order and protection of remaining trees on site subject Tree Preservation Orders; v) Density; vi) Sustainability. Each of these issues is discussed below.

Effect on neighbours

The proposed house will not affect sunlight or daylight to, or overshadow, surrounding houses as it is sufficiently far away from the houses on all sides and is single storey in height.

Access and parking

Current parking requirements indicate that 2 car parking spaces will be required on site. A double garage has been provided within the proposed dwelling that will accommodate 2 cars and satisfies Council's Transportation Group. Noise and traffic generated by a single house would be insufficient to cause nuisance or to significantly add to local congestion. The scheme therefore meets current access and parking standards.

Design and effect on the Conservation Area

The proposed dwelling is modern and sensitively designed to be unobtrusive and sympathetic to the context and nature of the site. The single storey structure contains a flat grassed roof, which means that there will be a minimal visual impact on the surrounding properties as the green roof will maintain the existing garden character.

It has been assessed that the erection of the proposed dwelling house would not have a detrimental impact on the character and setting of the adjacent listed buildings. The access road runs to the rear of the listed buildings, and provides an ancillary access to the listed buildings with their primary access being given from North Road.

Due to the heavy screening by trees around the site and the new building's low profile it is considered that it will be barely visible, from the north, east and south and it will present a largely green (sedum or grass) flat appearance when viewed from the upper floors of the buildings to the west. It is considered that there will be little impact on the open nature of the site or views of the site from outside.

The new house is contemporary in design, and, due to its low profile, does not compete with the surrounding buildings. The design has considerable merit and quality, and is sensitive to its location, and preserves the character of the Conservation area.

Removal of Red Horse Chestnut Tree that is subject to a Tree Preservation Order and protection of remaining trees on site subject Tree Preservation Orders

The proposal involves the removal of a Red Horse Chestnut Tree that is subject to a Tree Preservation Order and the erection of a dwelling within 8 metres of an Oak Tree that is subject to a Tree Preservation Order.

According to Council's Arboriculturalist the Red Horse Chestnut is in a poor condition. It has a large decay cavity at the base of the stem that extends into the root plate and up the stem. There are also several large wounds in the crown where branches have previously failed. It is considered that the tree has a "low safe useful life expectancy". It is therefore, considered that the removal of this tree will not have a significant negative impact on the amenity of the area.

According to Council's Arboriculturalist, the 8 metre distance may be possible if the construction of the foundations of the building are designed using mini piles and a ground beam or slab above ground level to minimise root disturbance. An engineering drawing of the foundation design with 1:50 cross section drawings showing existing and proposed ground

levels will be requested and conditioned to ensure that there will be no damage to the Oak Tree.

Conditions will be imposed requiring the submission of a Method Statement covering details of the location of the site compound and storage area, the installation of service runs and the provision of appropriate protective fencing around the tree protection zones.

Density

Policy HSG9 'Density Standards' sets out the density range for the Borough. PPG3 recommends that more efficient use be made of land by maximising use of previously developed land. It recommends that Local Authorities "*avoid housing development which makes inefficient use of land and provide for more intensive housing development in and around existing centres and close to public transport nodes.*". The London Plan also sets higher densities for development in urban areas. The London Plan recommends a density range of 200-300 hrh for urban development along transport corridors with a medium accessibility index rating such as this one. The Unitary Development Plan generally concurs with the guidance in the London Plan.

This scheme has a density of 62 hrh based on a gross residential site area of 0.08111 hectares. Given the number of mature trees on site and prevailing development in the vicinity, this density is considered to be appropriate in this backland location.

Sustainability

The proposed sedum roof has insulation properties and will considerably reduce rainwater run-off.

Orientation of the building within the site allows significant daylight to reach the indoor living areas, while roof lights will also allow some daylight penetration.

Rainwater from the roof will be collected in a water butt fitted with overflow drains for use in the garden.

SUMMARY AND CONCLUSION

The proposed development is of a type and scale which is appropriate to this location. The scheme meets the relevant policy requirements for sites of this type as well as being in line with general national policy and guidance. The position of the proposed building on the site means surrounding occupiers will not suffer loss of amenity as a result of additional overlooking or loss of sunlight or daylight. The design approach is modern which fits in with the surrounding area.

Planning permission is therefore recommended subject to conditions.

RECOMMENDATION

GRANT PERMISSION

Registered No. HGY/2006/0001

Applicant's drawing No.s 148/001 Rev A; 148/002A

Subject to the following conditions

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

Reason: This condition is imposed by virtue of Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

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

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

3. Samples of all materials to be used in conjunction with the proposed development for all the external surfaces of buildings hereby approved, areas of hard landscaping and boundary walls shall be submitted to, and approved in writing by, the Local Planning Authority before any works commence on site. Samples should include sample panels or brick and wood types combined with a schedule of the exact product references.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

4. Notwithstanding the details contained in the application full details of the sedum roof covering shall be submitted to and approved in writing by the Local Planning Authority, such covering as approved to be installed prior to occupation of the house and permanently maintained and retained thereafter.

Reason: In the interests of visual amenity and in order to protect the character of this historic garden

5. Notwithstanding the details of landscaping referred to in the application, a scheme for the landscaping and treatment of the surroundings of the proposed development to include detailed drawings of those new trees and shrubs to be planted together with a schedule of species shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. Such an approved scheme of planting, seeding or turfing comprised in the approved details of landscaping shall be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner). Any trees or plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority.

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

6. The existing trees on the site, not scheduled for removal in this application, shall not be lopped, felled or otherwise affected in any way (including raising and lowering soil levels under the crown spread of the trees) and no excavation shall be cut under the crown spread of the trees without the prior written permission of the Local Planning Authority.

Reason: In order to safeguard the trees in the interest of visual amenity of the area.

7. The protective fencing works required in connection with the protection of the trees on the site shall be carried out only under the supervision of the Council's Arboriculturalist. Such works to be completed, prior to any building or demolition works commencing on site, to the satisfaction of the Arboriculturalist acting on behalf of the Local Planning Authority.

Reason: In order to ensure appropriate protective measures are implemented to satisfactory standards prior to the commencement of works in order to safeguard the existing trees on the site.

8. An engineering drawing of the foundation design of the dwelling with 1:50 cross section drawings showing existing and proposed ground levels shall be submitted to and approved in writing by the Local Planning Authority, prior to any works commencing on site.

Reason: In order to ensure appropriate protective measures are implemented to safeguard the Oak tree that is subject to a Tree Preservation Order.

9. No materials, supplies, or plant machinery shall be stored or parked and no access shall be allowed within tree protection zones without the prior approval of the Council's Arboriculturalist acting on behalf of the Local Planning Authority.

Reason: In order to safeguard the existing trees on the site.

10. A method statement including, the chronology of events with regard to tree protection, the details of the method of demolishing the existing foundations on site, the location of the site compound and storage area, the location of the area where the mixing of materials will take place and details of service runs shall be submitted to and approved by the Local Planning Authority before any works commence on site, this method statement shall then be implemented as agreed. A pre-development commencement site meeting must take place with the Architect, the Local Authority Arboriculturist, the Planning Officer and all contractors present, to confirm the protective measures to be implemented.

Reason: In order to safeguard existing trees on the site in the interests of visual amenity.

11. Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning General Permitted Development Order 1995, no enlargement, improvement or other alteration of any of the dwellings hereby approved in the form of development falling within Classes A to H shall be carried out without the submission of a particular Planning application to the Local Planning Authority for its determination.

Reason: To avoid overdevelopment of the site.

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

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

13. Details of lighting for footpaths and any other external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to completion of the development hereby approved and such works shall be carried out as approved prior to the occupation of the building.

Reason: To ensure that the development provides a safe and secure environment for users, to protect the amenities of neighbours and to protect the character of this historic garden

14. No boundary fencing is to be erected on site until precise details and plans have been submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing on site. Such an approved scheme shall be carried out and implemented in strict accordance with the approved details.

Reason: To protect the amenity of the area

15. The dwelling hereby approved is to have a maximum height of 3.6 metres.

Reason: To protect the amenity of the area.

16. The double garage hereby approved is to be retained as such and shall not be converted to habitable living space without the prior consent of the Local Planning Authority.
Reason: To prevent overdevelopment of the site.
17. An Arboriculturist must be retained to monitor works on site that may affect trees such as works within the Root Protection Area.
Reason: To protect the trees on site
18. No fires are to be lit anywhere on site before, during, or after the construction process.
Reason: To protect the trees on site.

INFORMATIVES

- (i) The applicant is advised that in the interests of the security of the development hereby authorised that all works should comply with BS 8220 (1986), Part 1 - 'Security Of Residential Buildings'.
- (ii) The new development will require naming/numbering. The applicant should contact the Transportation Group at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

REASONS FOR APPROVAL

The proposal at Rear of 6 Church Road, N6 for the erection of a single storey three bedroom dwelling and removal of a Red Horse Chestnut Tree that is subject to a Tree Preservation Order complies with Policies HSG1 'New Housing Developments'; HSG9 'Density Standards'; HSG10 'Dwelling Mix'; UD1A 'Sustainable Design and Construction'; UD2 'General Principles'; UD3 'Quality Design'; CSV1A 'Development in Conservation Areas'; OS16 'Tree Protection, Tree Masses and Spines'; and M10 'Parking for Development' within the Haringey Unitary Development Plan. It is therefore considered appropriate that Planning permission be granted.