

## LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

Planning Sub Committee

Item No.

### REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

<b>1. APPLICATION DETAILS</b>	
<b>Reference No:</b> HGY/2013/1420	<b>Ward:</b> Stroud Green
<b>Address:</b> 38 Oakfield Road N4 4NL	
<b>Proposal:</b> Construction of 1 x two storey, two bed dwelling to rear of property with rooms at basement level.	
<b>Applicant:</b> MrBarry Cummins	
<b>Ownership:</b> Private	
<b>Case Officer Contact:</b> Steve Andrews	
<b>Site Visit Date:</b> 13.02.14	
<b>Date received:</b> 17/07/2013 <b>Last amended date:</b> 29/05/14	
<b>Drawing number of plans:</b> 291-02B, 02.1A, 03A, 04B, 05B, 06, 07D, 08A, 09B, 10C, 12C, 13A, 14B and 18 dated May 2014.	
<b>1.1</b> The application is being reported to Planning Committee due to a Councillor referral	
<b>1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION</b>	
<ul style="list-style-type: none"><li>• The proposed development would respect the character of the area and not harm the Conservation Area</li><li>• The impact of the development on residential amenity is acceptable</li><li>• There would be no significant impact on parking</li><li>• The development would not result in a loss of trees</li><li>• Sufficient amenity space would be provided and retained in the adjoining site</li><li>• Waste provision is acceptable</li></ul>	

## 2. RECOMMENDATION

That the Committee resolve to GRANT planning permission and that the Head of Development Management is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### Conditions

- 1) Implementation within 3 years;
- 2) Development to be carried out in accordance with approved plans;
- 3) Precise details of the materials to be used in to be submitted to LPA;
- 4) Details/ scheme depicting those areas to be treated by means of hard and soft landscaping to be submitted to LPA;
- 5) Roof not to be used as external amenity area
- 6) Construction Management Plan to be submitted to LPA prior to commencement
- 7) Removal of permitted development rights A-E
- 8) Plan showing details of the green roof including species, planting density, substrate to be submitted to LPA;

### Informatives

- 1) CIL liable
- 2) Hours of construction
- 3) Party Wall Act
- 4) Building Control

In the event that members choose to make a decision contrary to officers' recommendation members will need to state their reasons.

<b>TABLE OF CONTENTS</b>	
3.0	PROPOSED DEVELOPMENT AND SITE LOCATION DETAILS
4.0	CONSULTATION RESPONSE
5.0	LOCAL REPRESENTATIONS
6.0	CONSULTATION
7.0	MATERIAL PLANNING CONSIDERATIONS
8.0	RECOMMENDATION
9.0	APPENDICES: Appendix 1: Consultation Responses Appendix 2 : Plans and images

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

#### **3.1 Proposed development**

3.1.1 This is an application for the erection of a two-storey building (lower ground and ground floor) to accommodate a 1 x 2 bedroom unit to northeast end of the garden serving 38 Oakfield Road. The existing boundary wall against the back edge of the pavement along Dagmar Road would be replaced and increased in height from 1.6m to 1.8m.

3.1.2 This application follows on from a previously withdrawn scheme and represents a reduction in the height and alteration to the design. The changes are as follows:

- The proposed dwelling has been set further away from the dwelling at 2 Dagmar Road from an original distance of 900mm to 1350mm;
- The external materials have been altered from brick to timber cladding and on advice from the Council's Conservation Officer, a hard wearing scandinavian sustainable wood should be used as opposed to cedar.

#### **3.2 Site and Surroundings**

3.2.1 The application site as shown on the location plan relates to a dwelling house on a corner site with rear garden. The side return of the property and garden fronts onto Dagmar Road. This side frontage has a 1.6m high garden wall with vegetation above (ivy) creating a high degree of enclosure to this garden.

3.2.2 Oakfield Road is characterised by two/three storey Victorian terraces with double bay windows and accommodation in the roof on the east side of the road, rising to three storey properties further from the site, on the west side of the road.

3.2.3 The scale of development reduces in scale in Dagmar Road and is characterised by two storey terraced properties and bay windows at ground floor with some accommodation at roof level and small dormer windows. On the corner of Connaught Road to the northwest of the site lies a three/four storey purpose built block of flats. The site is located within the Stroud Green Conservation Area.

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

OLD/1984/1260 - Use as a bed and breakfast hotel (E.U.C). – Refused 12/07/1984

HGY/2013/0830 - Construction of 1 x two storey, two bed dwelling to rear of property with rooms at basement level – Withdrawn 17/06/2013

### **4. CONSULTATION RESPONSE**

4.1 The following were consulted regarding the application:

#### Internal:

- 1) Transportation Group
- 2) Building Control
- 3) Trees
- 4) Conservation Officer

## 5) Waste Management

### External:

- 1) Thames Water
- 2) London Fire and Emergency Planning Authority

The following responses were received :

### Internal:

- 1) Transportation Group

No objection on highway and transportation grounds. Informative should be attached regarding street numbering.

- 2) Building Control

No objection - A building regulations application will be required. With regards to the Construction method Statement and Hydrological Survey submitted there are no concerns over either report. The design of the building is such that the contiguous piling being used to create the basement is appropriate in this situation, although care will be required in relation to the adjoining properties and the public footpath (including the tree on the footpath). The Party Wall Act will be applicable to this scheme and particular attention should be given to the effects of vibration caused in the main by the piling.

- 3) Trees

No objection - It is very unlikely that the proposed development in the garden would have a detrimental impact on the long term health of the adjacent street tree. However, if the application is approved, careful consideration must be given when development works commence, to ensure no direct damage is caused to the tree through negligence (e.g. vehicle damage to tree when delivering materials)

- 4) Conservation Officer

No objection - The loss of rear garden space and sub-division of the plot are not considered ideal. However, the corner location of this plot and the existing side boundary wall relent the site an advantage that must be considered and balanced in view of the proposed development.

The new dwelling is contemporary in design and has been carefully considered, keeping in mind the site's context and constraints. The ground floor is concealed by the existing garden wall which is proposed to be repaired. The roof over the ground floor is set back from street level to align with properties along Dagmar Road. It is felt, therefore, that the building's visual impact would be minimalistic and there would be no discernible impact on the street scene of the Conservation Area.

In terms of design, the contemporary approach is welcomed as the dwelling would form a modern 21st Century high quality addition within the Conservation Area. The palette of materials (whilst still at conceptual stages) should be carefully selected to appropriately relate to the established context of the site. This should be conditioned accordingly. Overall,

it is felt that the proposal would not detract from the conservation area and on balance would be acceptable in this instance.

## 5) Waste Management

No response

### External:

1) Thames Water - No objection - Recommend informatives.

2) London Fire and Emergency Planning Authority - The brigade is satisfied with the proposal.

## **5. LOCAL REPRESENTATIONS**

5.1 A total of 153 neighbours were consulted by letter and a site notice dated 17/07/13 placed outside the site.

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

No of individual responses: 15

Objecting: 14

Supporting: 1

Others: N/A

5.3 The following local groups/societies made representations:

- Stroud Green Advisory Committee

5.4 Katherine Reece and Richard Wilson, Councillors at the time made representations:

- Katherine Reece – “I am writing as Ward Councillor and on behalf of my fellow Ward Councillors Cllrs Butcher and Wilson to urge the Planning Department to take careful note of the comments and objections made by residents about this proposed development in the Stroud Green Conservation Area. Please note that I also made this comment about the previous application which I see has been withdrawn.”
- Richard Wilson – “I have been contacted by the Stroud Green Conservation Area Advisory Committee who are keen that planning application HGY/2013/1420 is decided at committee so that their objections can be heard and debated by councillors. The application is for a new house to be built on a garden in the conservation area and is therefore very controversial and has attracted about 10 objections online. I therefore agree with the CAAC that this application should be discussed by committee and would urge you not to allow the decision to be made under delegated powers. Stroud Green has been blighted by a number of very poorly designed and built infill houses in recent years which have damaged the conservation area, so this application requires maximum scrutiny.”

5.5 The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

### *Character, Design & Form*

- Out of character with Conservation Area and contrary to Haringey's own guidance on development within conservation areas;
- Astounded by comments of Conservation Officer – wonder whether she has visited the site – the side wall would not fully conceal the ground floor from view;
- Integrity and sustainability of the conservation area would be very seriously undermined;
- Garden grabbing;
- Unacceptable density;
- Ugly wall with raised height is not characteristic of area;
- Out of character with Victorian terraces in the immediate neighbourhood;
- The site is neither vacant nor previously developed but reflects the HMO nature of the house and its management;
- Normal maintenance of property would improve situation
- Appears as three storey;
- Local design precedent misleads
- Development is too large for such a small site and would appear cramped
- Does not follow building line;
- Loss of open aspect to the approach to Dagmar Road;
  
- Development would cram a jarringly modern house between two Victorian houses of architectural merit;
- Not a diverse mix of building types and would stick out like a sore thumb;
- Drawings create an illusion of open spaces at the rear and sides of proposed building;
- Boundary wall is being raised significantly;
- Whole run of windows would be visible contrary to applicant's claim;

### *Impact on Amenity*

- Proposed basement courtyard would not receive sufficient or direct sunlight due to orientation and higher first floor;
- Poor access to light due to windows facing north east away from the sun;
- Would interfere with daylight of 2 Dagmar Road;
- Impact on residents at 38 Oakfield Road;
- Loss of privacy;
- Losing 25% of dwelling not acceptable especially as half is basement and ground floor hemmed in by walls;
- Loss of garden space to 38 Oakfield Road resulting in inadequate size;
- Current view into site of trees and shrubs replaced by intrusive house;
- Height of wall would negatively impact on light;
- Would result in sense of enclosure for neighbouring occupiers;
- Would obstruct view from 3 Dagmar Road;
- No 36 would be overlooked;
- Overshadowing to neighbours;
- Building would suffer from damp and be dark and cramped;

- Noise and disturbance from two separate outdoor entertainment spaces;

#### *Access, Safety & Parking*

- Height of wall would negatively impact on lines of sight;
- Where would bins be stored;
- Bins when left on pavement on collection days would cause significant obstacles to pedestrians, including the disabled;

#### *Environmental Issues*

- Noise disruption from construction works;
- Lose area of green space with trees and plants;
- Loss of open land;
- Gross overcrowding along with No.36 and 38 Oakfield Road being houses in multiple occupation;
- Area already contains one large block of flats – this should be the limit on population pressure;
- Would affect drainage and water table;
- Exacerbate issue of flooding - Hydrological survey does not support reality – many adjacent properties on this side of Oakfield Road experience flooded basements after heavy rains and the development would inevitably impact on this leaving the Council open to legal action for subsequent damages;
- Precedent of building on garden space;
- Concern regarding structural alterations;
- Structural impact on neighbour at 2 Dagmar Road;
- Lightwell would attract leaves and rubbish;
- Impact on foundations of terrace along Oakfield Road;
- History of subsidence;
- Would involve fatal damage to mature tree outside the property wall on to Dagmar Road – such trees are afforded special protection;
- Drawings showing hedging on top of wall surrounding the lightwell are misleading as not clear how these hedge plants can be physically located there;
- Loss of existing tree and be no room for trees on site;
- Noise and disturbance from two separate outdoor entertainment spaces;
- Would not reinstate much needed green space;

5.6 The following issues raised are not material planning considerations:

- Loss of view across site – No right to a view across others land
- Impact on property values – Not a material planning consideration so unable to take into consideration
- Photos submitted are not a true representative of buildings in area – not a material planning consideration – a site visit has been undertaken and the character of the area has been considered

## **6 MATERIAL PLANNING CONSIDERATIONS**

6.1 The main planning issues raised by the proposed development are:



1. Principle of development
2. Design, form & site layout
3. Impact on the character and appearance of the Conservation Area
4. Layout/ standard of accommodation
5. Impact on residential amenity
6. Trees & Landscaping
7. Access and parking
8. Construction, drainage and flooding
9. Sustainability
10. Other issues

## **6.2 Principle of the development**

- 6.2.1 The principle of additional housing is supported by the National Planning Policy Framework (NPPF) 2012 chapter 6 Delivering a wide choice of quality homes, London Plan 2011 Policies 3.3 'Increasing Housing Supply' and 3.4 'Optimising Housing Potential'. It is also supported by Haringey Local Plan Policy SP2 'Housing'. The Haringey Local Plan 2013 sets out a target of 8,200 dwellings between 2011 and 2021 (820 per year). Under the proposed further alterations to the London plan (FALP), the 2015-2015 target is proposed to increase to 15,019 (1,502 per year).
- 6.2.2 The application site is located in an established residential road with its rear garden running parallel with Dagmar Road separated by a 1.6m high brick wall. There is some variety in housing types in the area although they are predominantly late Victorian with a mix of more recent developments along Connaught Road and at the end of Dagmar Road.
- 6.2.3 The proposed dwelling would occupy an area of rear garden currently serving the host dwelling at 38 Oakfield Road, which is currently in HMO (House of Multiple Occupation) use. The rear garden area is hard surfaced and is used for storage purposes.
- 6.2.4 In terms of policy, it is recognised that the National Planning Policy Framework (March 2012) makes reference to resisting development on garden sites. Paragraph 53 of the NPPF states that "local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area". The thrust of such a policy is however not to prohibit development on such sites, but rather to allow local authorities to introduce policies to control such development where it would cause harm to the local area.
- 6.2.5 As discussed further on in this report the scheme proposed is considered by officers to, on balance, be acceptable in terms of scale, layout and use of landscaping. Officers consider the siting, scale and design of the proposed dwelling to be, on balance, acceptable resulting in a relatively discreet feature within the streetscene. The building does not attempt to mimic the design and proportions of the adjoining properties, as such an approach would create a larger/ more dominant building form. The mass of the proposed building will be clearly subservient to the traditional suburban housing, which inform the character and appearance of the area.
- 6.2.6 Bearing in mind the points outlined above and the underutilised nature of this garden there is, on balance, no objection to the creation of a small dwelling unit on this site.

### **6.3 Design, form and site layout**

- 6.3.1 NPPF (2012) chapter 7 Requiring good design, London Plan 2011 Policies 7.4 'Local Character' and 7.6 'Architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Haringey Local Plan 2013 Policy SP11 and Saved UDP 2006 Policy UD3 'General Principles' continue this approach.
- 6.3.2 In general new development and infill buildings should create, preserve or enhance enclosure to the streetscene and create enclosed overlooked urban spaces. Developments should aim to create or follow either an urban form of enclosure in which buildings dominate, or a rural form of enclosure dominated by trees and planting.
- 6.3.3 Where uniform building height is part of the character of a street it will not normally be appropriate to permit abrupt variations in the general roof line or eaves line, while in other areas irregular building height might be acceptable. The form of the development proposed is considered, on balance, acceptable.
- 6.3.4 The proposal comprises the erection of a single storey dwelling house 8m wide, 3.8m high and 8m deep with basement accommodation. The ground floor level steps down to 2.74m high where it projects in front of the adjoining terrace on Dagmar Road (although the side wall adjacent to 2 Dagmar Road would be 1.7m high with planting above). The proposal also reduces to 2.5m on the boundary with 36 Oakfield Road, with the taller element stepping back from that boundary by 1.3m. The basement has the same dimensions as the overall footprint of the ground floor and finishes 2.5m beneath street level. The dwelling would be adjacent to the back edge of the pavement with a section of the existing wall fronting Dagmar Road being replaced with the front elevation of the dwelling. The lower section of the front elevation would be in matching London stock brick to the height of the existing wall with the additional height proposed to be clad in a hard wearing timber.
- 6.3.5 Amenity space is provided at basement and ground floor level. 62 sq.m. of garden space has been retained for the main building at 38 Oakfield Road.
- 6.3.6 The proposed dwelling would be finished predominantly in a sustainable hard wearing wood to soften its impact when viewed from within the street. At the higher level are larger clerestory style windows, which are considered to further reduce the bulk and massing of the larger parts of the property.
- 6.3.7 The roof is proposed to be clad with a sedum roof as a response to the original garden space taken up by this proposal. Soft landscaping has been provided where the development faces the existing building at 38 Oakfield Road, to soften impact of the proposal to the streetscene. This is comprised of a new tree and Virginia creeper on the side elevation wall. Planters will be provided for shrubs on top of the retained garden wall.
- 6.3.8 Whilst the proposed building it is not of the same scale and design as the dwellings immediately surrounding it, its form and associated landscaping are considered sensitive to the nature of the site achieving an acceptable relationship with adjoining and neighbouring properties.

- 6.3.9 The building form will not be highly visible within the streetscene and therefore the proposal would not materially detract from the openness the site currently offers. Given the manner in which the building will be sunken into the site and kept substantially lower than the next door properties, in addition to the landscaping proposed, the proposal will, on balance, not adversely affect the spatial and visual character of the site.
- 6.3.10 In this case the building proposed does not compete with the two and three storey properties surrounding it, and importantly the height and design of the building has changed from the scheme previously withdrawn. Given the comments outlined above the proposed development is considered to be, on balance, sensitive to the character and appearance of the area.
- 6.3.11 On balance, the form, siting, height and layout of the buildings within the site are considered to be acceptable. As such the proposal is considered to be in accordance with NPPF (2012) chapter 7, policies 7.4 and 7.6 of the London Plan and UD3 'General Principles' and SP11. It will make a modest contribution to the new increased housing target in Local Plan SP2 to meet or exceed 820 new homes a year.

#### **6.4 Impact on the character and appearance of the conservation area**

- 6.4.1 Section 72 of the 1990 Town and Country Planning Act sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The importance of properly discharging the duty conferred by these provisions and the need to pay particular attention to potential harm was recently underlined by the decision of the courts in the Barnwell Manor and subsequent decisions that rely on it.
- 6.4.2 NPPF (2012) chapter 12 Conserving and enhancing the historic environment and The London Plan 2011 Policy 7.8 '*Heritage Assets and Archaeology*' states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 6.4.3 Similarly Local Plan Policy (2013) SP12 seeks to ensure the conservation of heritage assets, their setting, and the wider historic environment.
- 6.4.4 The proposal will result in the loss of part of the garden between 38 Oakfield Road and 2 Dagmar Road. While the siting and scale of this new dwelling would introduce an element of change to this part of the street, the resulting building would be of a modest form and appearance. Bearing in mind the height of the existing boundary wall and vegetation above, there would be no significant effect from the development on the degree of visual separation/ spaciousness between the Oakfield Road and Dagmar Road properties.
- 6.4.5 The dwelling would be adjacent to the back edge of the pavement with a section of the existing wall fronting Dagmar Road being replaced with the front elevation of the dwelling. The lower section of the front elevation would be in matching London stock brick to the height of the existing wall with the additional height proposed to be clad in a hard wearing timber.

- 6.4.6 The design of the building and in specific its frontage onto Dagmar Road is suitably restrained. The use of brick and timber is considered to be acceptable and sensitive to the palate of materials found in the area. Importantly the building does not compete with the two and three storey properties which largely define the character of the conservation area.
- 6.4.7 It is further argued, that a one off house of a modern design such as this in this location creates the potential to add interest to the streetscene; It is therefore considered that the scheme's impact on the character and appearance of the conservation area can be viewed as neutral and the character and appearance of this part of the conservation area preserved.
- 6.4.8 No objections have been received from the Council's Conservation Officer who, in part, considers that whilst *"The loss of rear garden space and sub-division of the plot are not considered ideal...the contemporary approach is welcomed as the dwelling would form a modern 21st Century high quality addition within the Conservation Area."*
- 6.4.9 Officers consider that the proposed development would, on balance, not have a detrimental impact on the appearance and character of the conservation area and would preserve and enhance the conservation area and comply with chapter 12 of the NPPF, policies 7.8 of the London Plan, SP12 of the Local Plan and the Council's SPG2.
- 6.4.10 NPPF (2012) chapter 7 Requiring good design, London Plan 2011 Policies 7.4 'Local Character' and 7.6 'Architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Haringey Local Plan 2013 Policy SP11 and Saved UDP 2006 Policy UD3 'General Principles' continue this approach.

## **6.5 Layout/standard of accommodation**

- 6.5.1 London Plan 2011 Policy 3.5 'Quality and Design of Housing Developments' requires the design of all new housing developments to enhance the quality of local places and for the dwelling in particular to be of sufficient size and quality. The standards by which this is measured are set out in the Mayor's Housing SPG 2012.
- 6.5.2 The residential unit would have a gross internal floorspace of 77 sq.m. and is in excess of the floorspace minima for a two-bedroom dwelling as set out in the Council's Housing SPD and the London Plan.
- 6.5.3 The private amenity space is proposed in the form of two small courtyard areas, one at basement level and one at ground floor with areas of 9sqm and 6 sq.m. respectively. This total of 15 sq.m. is considered acceptable for a two bedroom unit and complies with the guidance laid out the Mayor's Housing SPG 2012. In addition the site is an approximate 5 minute walk from Finsbury Park.
- 6.5.4 Whilst some of the accommodation is at basement level, both bedrooms meet the minimum room size standard, have external ventilation and light, and light is transferred to the basement corridor via a glazed floor. The ground floor also has significant glazing and good ventilation and access to natural light.

- 6.5.5 It is accepted that given that the basement courtyard is enclosed it would not receive excessive natural light due to both orientation and siting, however this area is both private and useable and is, on balance, considered acceptable. This area is also complemented by the outdoor space provided at ground floor level.
- 6.5.6 The retention of 62sqm of garden space to 38 Oakfield Road renders it compliant with the minimum requirements (50sqm) for a dwelling house, as set out in the Council's Housing SPD.
- 6.5.7 Overall the standard of accommodation is considered acceptable and in line with Policy 3.5 of the London Plan 2011, the Mayor's Housing SPG and the Council's Housing SPD 2008.

## **6.6 Impact on residential amenity**

- 6.6.1 The London Plan 2011 Policy 7.6 Architecture, saved policy UD3 General Principles of the Council's UDP (2006) and Housing SPD 2008 state that development must not cause unacceptable harm to the amenity of surrounding land and buildings and the residential amenity of the adjoining occupants in terms of loss of daylight, sunlight, privacy and overlooking.
- 6.6.2 The property would not cause a material loss of amenity to 2 Dagmar Road, as the side elevation of the dwelling is 1.5m on the boundary where it projects forward of the building line (although hedging to a height of 2.7m is shown on the drawings which is little different to the current situation in terms of natural vegetation height) and does not project beyond the rear of that dwelling.
- 6.6.3 The building is also far enough away from 38 Oakfield Road to avoid material loss of light to that building and its rear garden space. Concern was raised regarding the proposal being visually intrusive to 36 Oakfield Road. However, amendments were received that step back the higher section by 1.3m from the boundary reducing the height to 2.5m on the boundary. The impact on amenity is further reduced by the proposal being to the north of 36 Oakfield Road where no overshadowing will occur.
- 6.6.4 The proposal has no external windows capable of causing overlooking or loss of privacy and a condition will be applied to ensure that the flat roof is not used as an external amenity space.
- 6.6.5 Furthermore, the potential noise emanating from the two proposed amenity spaces serving the dwelling would not create a level of noise and disturbance over and above the potential levels that could be created from using the existing garden area.
- 6.6.6 Some concern has been raised by residents regarding the loss of their open view across the site however there is no right to this view across others land and as such this is not considered to be a material issue.
- 6.6.7 Overall the proposed development has taken careful consideration in terms of its layout, form and design to ensure that the privacy and amenity of neighbouring occupiers will not be adversely affected. As such the proposal is considered to be in accordance with London Plan 2011 Policy 7.6 policy UD3 of the UDP and with sections 8.20-8.27 of the Housing SPD.

## **6.7 Transport and Parking**

- 6.7.1 NPPF (2012) chapter 4 Promoting sustainable transport, saved policy M10 (Parking for Development) of the Council's UDP (2006) seeks to ensure that proposed developments do not adversely affect the free flow of traffic around the site and that they do not result in a material impact on existing parking levels.
- 6.7.2 The application site has a low PTAL rating of 2. Although the application does not include any on-site parking provision, it is within walking distance of a number of Haringey rail stations and is served by the W5 bus route, which operates with a two way frequency of 10 buses per hour. The site is also within walking distance of Ferme Park Road which is served by the W3 bus route, offering 24 buses per hour (two-way), for frequent connection to and from Finsbury Park underground station. It is therefore considered that there is sufficient provision of public transport for this two bedroom development.
- 6.7.3 Furthermore, this site does not fall within an area that has been identified by the Council's Adopted UDP (saved policies 2013) as having undue on-street car parking pressures. It is therefore considered that the development would not result in any significant increase in on-street parking demand or have any significant impact upon the local route network. It is noted that cycle storage space has been provided within the site, in accordance with London Plan guidelines.
- 6.7.4 Importantly, no objections have been received from the Council's Transportation Team.
- 6.7.5 As such it is considered that the proposed development will have no adverse impact on the surrounding highway network or on car parking demand with the area and would comply with NPPF chapter 4 and saved policy M10 (Parking for Development) of the Council's UDP.

## **6.8 Trees and Landscaping**

- 6.8.1 Local Plan (2013) policy SP13 Open Space and Biodiversity and saved policy OS17 Tree Protection, Trees Masses and Spines of the UDP (2006) seek to protect trees that could be affected by a proposed development.
- 6.8.2 Neighbour concern that the street tree could be adversely affected by the proposal has been considered however no objections have been raised by the Council's Tree Officer consulted on this application. It is considered very unlikely that the proposed dwelling would have a detrimental impact on the long term health of the adjacent street tree.
- 6.8.3 Concern has been raised by the Tree Officer that caution should be had by vehicles delivering materials to the site to ensure that the tree is not damaged, however this is outside the scope of the application and cannot be controlled by planning condition. Therefore it would be the responsibility of the driver of the vehicles not to damage the tree.
- 6.8.4 The proposal is therefore considered to comply with Local Plan (2013) policy SP13 Open Space and Biodiversity and saved policy OS17 Tree Protection, Trees Masses and Spines of the UDP (2006)

## **6.9 Construction, drainage and flooding**

- 6.9.1 NPPF chapter 10 Meeting the challenge of climate change, flooding and coastal change and 11 Conserving and enhancing the natural environment, Policy 5.12 Flood risk management of the London Plan 2011, saved policy UD3 General Principles of the Council's UDP (2006) and the Council's Draft Basement Development Guidance Note seeks to ensure that any proposed development does not adversely affect the natural environment and the structural integrity of neighbouring properties.
- 6.9.2 A number of residents have raised concern regarding the basement excavation and impact on foundations/ structural stability and impact on the water course. Regarding the issue of construction works affecting neighbouring properties this is a civil matter between the two parties and is dealt with by party wall agreements. However, a construction management plan (CMP) and desk study and basement impact assessment report have been submitted with the application, which the Council's Building Control Team has considered. There are no concerns relating to the contents of the report as the design of the building is such that the contiguous piling being used to create the basement is appropriate in this situation, although care will be required in relation to the adjoining properties and the public footpath (including the tree on the footpath). The Party Wall Act will be applicable to this scheme and particular attention should be given to the effects of vibration caused in the main by the piling.
- 6.9.3 The development will involve excavation to create a basement floor beneath the footprint of the structure and the creation of a courtyard, which would extend 2.5m below ground level. A Basement Impact Assessment (BIA) Report (carried out by Geotechnical and Environmental Associates) has been carried out and submitted with this application. This report is in the form of a desktop study and ground investigations and has been carried out in accordance with Haringey's Basement Development Guidance Note 2012.
- 6.9.4 The Geological Survey map of the area indicates that the site is underlain by the London Clay Formation. The report indicates that the nearest surface water features are a pond located approximately 500m to the south of the site in Finsbury Park and New River located 400 m to the east of the site; in addition, Stonebridge Brook runs above ground approximately 1.2 km to the north of the site.
- 6.9.5 The report concludes that proposed development is unlikely to result in any land or slope stability issues. The report accepts that the construction of the basement may have an impact on the ground water regime although it says these impacts can be mitigated by suitable methods of construction.
- 6.9.6 Officers would point out, as per studies carried out by other London Local Authorities, it is unusual for sub surface conditions to be adversely affected by basement development as flowing groundwater will usually simply find an alternative route when it meets an underground obstruction, and static groundwater will re-distribute itself. It is therefore likely that, in general, the effect of a new basement on groundwater levels is expected to be relatively small, and may be less significant than natural seasonal or other variations in the groundwater table.
- 6.9.7 However, in order to fully understand the impacts a desk study and basement impact assessment was submitted with the application. No objections have been raised by the Council Building Control Team who after considering the findings of the report,

concluded that potential adverse impacts relating to the construction of a basement in this location can be mitigated by appropriate design and standard construction practice.

6.9.8 The proposal therefore is considered to comply with the relevant policies relating to basement extensions named above.

## **6.10 Sustainability**

6.10.1 NPPF (2012) chapters 4 Sustainable Transport and 11 Conserving and Enhancing the natural Environment, London Plan (2011) policies Policy 5.1 Climate change mitigation Policy 5.2 Minimising carbon dioxide emissions Policy 5.3 Sustainable design and construction Policy 5.11 Green roofs and development site environs Local Plan (2013) policy SP0 Presumption in the favour of sustainable development, require sustainability to be incorporated into the design of residential units. In the case of the proposed scheme:

- will have good natural ventilation and natural light;
- will have a green roof which will reduce heat gain and losses; reduce surface water runoff and reduce building maintenance, in addition to providing an ecological habitat;
- will provide secure cycle parking;
- will provide areas for waste storage/recycling facilities with integrated bin store internally;
- Will be insulated above current regulations and where possible use recycled materials reducing carbon footprint
- Aim for Level 4 or above in the Code for Sustainable Homes. A condition has been imposed requiring the development to meet Code for Sustainable Homes Level 4 which would be in line with policy 5.2 of the London Plan.

6.10.2 Overall the proposed scheme is considered to be of sustainable design and represent a beneficial use of this land.

## **6.11 Other Issues**

6.11.1 Saved policy UD7 Waste Storage of the UDP (2006) states that the Council will require all development to include appropriate provision for the storage of waste and recyclable material.

6.11.2 In terms of waste management, although no external storage has been shown a store has been provided internally.

6.11.3 Concern has been raised that the bins when left on the pavement on collection days would cause an obstacle, however doors have been integrated into the front wall which will allow bins to be wheeled in and out for collection days thereby not remaining on the pavement.

## **6.12 Conclusion**

6.12.1 The position, scale, mass, detail and alignment of the proposed building is considered to be, on balance, acceptable and addresses the concerns raised in respect of the previous application for this site by omitting a second storey and



stepping down and back from 36 Oakfield Road. The building will be of modern but simple appearance with a frontage onto Dagmar Road.

- 6.12.2 Officers consider that the proposed development would, on balance, not have a detrimental impact on the appearance and character of the conservation area and would comply with policies 7.8 of the London Plan, SP12 of the Local Plan, SPG2 and section 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act.
- 6.12.3 The proposal will not give rise to overlooking or loss of privacy to neighbouring occupiers or adversely affect local residential amenity.
- 6.12.4 The proposal will deliver 1 private two bedroom house of an acceptable size and standard of accommodation and will make a positive contribution to the Borough's housing supply. The density of the proposed scheme is compatible with recommended density standards and is appropriate for the site and surroundings, bearing in mind its close proximity to public transport links and a town centre.
- 6.12.5 Having considered the proposal against the NPPF, policies 3.5, 7.4 and 7.6 of the London Plan 2011, SP0, SP1, SP2 and SP11 of the Local Plan 2013 and saved policies UD3, UD7, HSG2 and M10 and the Mayors Housing SPG (2012) Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology' and the Council's 'Housing' SPD (2008) the proposal is, on balance, acceptable.
- 6.12.6 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

## **6.13 CIL**

- 6.13.1 The proposal will be liable for the Mayor of London's CIL as the proposal is for a new dwelling. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £2695.00(77sq.m x £35). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

## **7.0 RECOMMENDATIONS**

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s) 291-02B, 02.1A, 03A, 04B, 05B, 06, 07D, 08A, 09B, 10C, 12C, 13A, 14B and 18 dated May 2014.

Subject to the following condition(s)

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

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

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

Reason: In order to avoid doubt and in the interests of good planning.

3. Samples of all materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample 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. Soft landscaping including planters on the garden wall and the tree and creeper in the garden of 38 Oakfield Road, and the green roofs in the plans hereby approved 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: To ensure a satisfactory setting for the proposed development in the interests of the visual amenity of the area.

5. No part of any of the roofs to the development hereby granted shall be used as a roof terrace.

Reason: In order to protect the amenity of occupants of the adjoining residential properties.

6. No development shall take place, including any works of demolition, until a Method of Construction Statement, 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 Policies 6.3, 6.11 and 7.15 of the

London Plan 2011, Policies SP0 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

7. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 or any Order revoking or re-enacting that Order, no alterations to the dwelling under classes A-E shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and to prevent overdevelopment of the site by controlling proposed extensions and alterations consistent with Policy 7.4 of the London Plan 2011 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

8. No development shall commence until details of a scheme for a "vegetated" or "green" roof(s) for the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The details shall include its (their) type, vegetation, location and maintenance schedule. The development shall be implemented in accordance with the approved scheme prior to its first occupation and the vegetated or green roof shall be retained thereafter. No alterations to the approved scheme shall be permitted without the prior written consent of the Local Planning Authority.

Reason: To ensure a sustainable development consistent with Policy 5.11 of the London Plan 2011 and Policies SP0, SP4 and SP11 of the Haringey Local Plan 2013.

## THAMES WATER INFORMATIVES

### Surface Water Drainage Informative:

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act

1991.

**Water Informative:**

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**STREET NUMBERING:**

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 5573) to arrange for the allocation of a suitable address.