

Highgate Conservation Area Advisory Committee objects to application HGY/2022/4004: 69 Cromwell Avenue on the following grounds:

- Highgate Neighbourhood Plan is a relevant planning policy document
- Is the principle of losing small units acceptable?
- New dormer above an original dormer is volumetrically unacceptable
- Top and second floor rear balconies = unacceptable level of overlooking
- Lightwells at front, side and rear would introduce light in a situation which would be an alien element in the street scene
- Higher front wall to height of no. 67 is acceptable as long as all details are replicated (as asked for at no. 32 & 66) Cromwell Avenue. Tiled front path must be carefully restored.
- HN Plan DH7 1.III:
III. Under no circumstances should construction be allowed to proceed where there is evidence that damage to neighbouring properties would exceed Burland Scale 1.
- Trial holes and boreholes need to be re-checked at 6 month intervals especially given recent weather conditions.
- Environmental hazards
- There is solid feather edged boarded gate and similar panel about 1200mm high above it as does neighbour at no. 71, clarification on intentions needed.

We elaborate on each of these points in turn:

1. Highgate Neighbourhood Plan

The Applicant does not list the Highgate Neighbourhood Plan as a relevant planning policy document

2. Is principle of losing small units acceptable?

The Planning Department should review this proposal in the light of the requirements for different sized housing units in the SHLAA and the Local Plan. We wish it to be noted as can be seen from the photographs that all remnants of the four flats have been removed.

3. New dormer above an original dormer is volumetrically unacceptable

The rear of this property is visible from Cromwell Place and therefore the impact of the proposed dormer above the existing dormer on the Conservation Area as well as the form of the house in aesthetic terms needs to be considered.

Planning applications and Appeals which set precedent:

HGY/2020/1407: Flat C, 20 Northwood Road N6: refused.

Appeal ref: APP/Y5420/W/20/3260635. Decision upheld

From the Inspector's report:

"6. Despite having been reduced in size, the rear dormer would occupy most of the width of the appeal site roof, protruding up to approximately 3.2m in depth and 2.1m in height from the roof slope.

7. The position, width, depth, and shape of the dormer would be considerably at odds with the shape of the roof, and alignment and proportions of the traditional window openings on the western side of the rear elevation. The dormer and alterations would be of such a scale that they would considerably modify and dominate the rear roof slope,

having the appearance of being somewhat awkward and incongruent in the context of this terrace of largely unmodified double stepped roofs."

HGY/2016/1122: Flat B, 4 Winchester Place N6. Whilst not directly relevant, aspects of the proposals are. This application was refused and a subsequent application was withdrawn.

Whether or not these applications and Appeal are considered relevant, the existing rear dormer at second floor level is consistent with the pattern of dormers in this part of the Conservation Area: a small double hung sliding sash window set in a brick gable built off the main rear wall with a slated double-pitched roof. To introduce any dormer above this characteristic dormer would be uncomfortable visually to say the least. It would be unacceptable and would cause harm to the Conservation Area. The application must be refused on this point alone.

4. Top and second floor rear balconies = unacceptable level of overlooking
We state above our strong objection in principle to any balconies at the rear of this property because of overlooking, noise and other adverse impacts on neighbours.
5. Lightwells at front, side and rear would introduce light would be an alien element in the street scene
Although a couple of lightwells have been introduced on the evens side of Cromwell Avenue next to the buildings on Archway Road these are the exception and pre-date current policies. Therefore this proposal needs to be assessed on the basis of harm to the Conservation Area. It is our firm view that the introduction of lightwells would fundamentally alter the setting of this property and adversely impact the coherent aesthetic in Cromwell Avenue, Cromwell Place, Winchester Road and Winchester Place if allowed and we are very concerned that a precedent should not be set for such a significant visual change to this area of the Conservation Area.
6. Higher front wall
Raising the height of the front garden wall to that of no. 67 is acceptable as long as all details are replicated. We can provide details of the pier caps which can still be obtained. The copings to the wall should exactly match the existing. It will be noted that the Highgate Conservation Area Character Appraisal and Management Plan mentions the importance of the garden walls in this area in particular. The tiled front path must be carefully restored.
7. HN Plan DH7 1.III:
*III. Under no circumstances should construction be allowed to proceed where there is evidence that damage to neighbouring properties would exceed **Burland Scale 1**.*

The Applicant's Basement Impact Assessment states:

*"The settlement resulting from properly executed underpinning, undertaken by a member of The Association of Specialist Underpinning Contractors (ASUC), will be within acceptable limits and at worst may result in minor cracking to applied plaster or paintwork. **Based on our engineering judgement and experience we do not expect any damage to exceed Category 2 – Slight (after Burland et al).**" [Our emphasis].*

This application must therefore be refused.

It is unusual to remove all plaster to brickwork, plaster and lath to walls and ceilings in order to prepare information for a planning application. It should be noted that movement may have occurred as a result.

8. Trial holes and boreholes need to be re-checked given recent weather conditions

The geology in Highgate has been found to be complex so comments such as "*risk to aquifer is expected to be low*" need sound evidence. Provision for land drainage may be needed if an upper aquifer were punctured. We seek clarification on the depth of the lower aquifer. "*Published BGS information indicates that the site is underlain by the Claygate Member which rests upon the London Clay Formation. The Bagshot Formation is shown to overlie the Claygate Member nearby to the north. The investigation encountered a variable sequence of natural sand and clay beneath a significant thickness of made ground. We have interpreted the natural soils as representing the Bagshot Formation, which extended to the full depth investigated. Detailed descriptions are presented on the appended exploratory hole records and the overall ground sequence is summarised in the following sections. Note that all depths are relative to existing ground level unless otherwise stated.*" Where is the evidence of the borehole 'to the north'?

2022 was a year of unusual weather conditions :

May : 5 days with light rainfall. 1 day of average rainfall

June : 1 day of light rainfall. 1 day of average rainfall

July : 1 day of light rainfall

August: 1 day of light rainfall. 1 day of average rainfall. 1 day of heavy rainfall.

Sept : 3 days of average rainfall

Oct : 1 day of light rainfall. 2 days of average rainfall.

Nov : 4 days of light rainfall. 4 days of average rainfall. 4 days of heavy rainfall.

Dec : 3 days of light rainfall. 3 days of average rainfall. 3 days of heavy rainfall.

The trial pits were dug on 26 September 2022. The boreholes were checked on 19 and 27 October - a week apart.

It is normal practice to monitor boreholes over at least a year, covering all seasons. that period in 2002 was exceptionally dry, with such a drought there was a hosepipe ban, so the readings will not be typical. Therefore it is not surprising no water was found in either the pits or the boreholes but those findings could not be relied upon as being typical.

9. Environmental hazards

We are concerned about the references to the high levels of lead contamination - exceedences of lead occurred in all three samples of made ground - and the suggested provision to ensure site safety listed under 'Ingestion and direct contact' and 'Ingestion, contact and inhalation'. Specialist sub-contractors must be required by Conditions as we expect the measures suggested in the last paragraph would otherwise not be achieved. We note the risk to the aquifer is expected to be low given the low solubility/mobility of lead but surely all such risks must be entirely eliminated.

10. There is solid feather edged boarded gate and similar panel about 1200mm high above it as does neighbour at no. 71, clarification on intentions needed.