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Town Planning Consultancy

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Our ref: CWA/CMW/pl/1367

Date: 14th February 2023

London Borough of Haringey
Planning, Regeneration & Economy,
Level 6, River Park House,
225 High Road, Wood Green,
London N22 8HQ.
FOR THE ATTENTION OF MS TANIA SKELLI

Dear Sir or Madam,

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
SITE AT 1 FERRESTONE ROAD, LONDON N8 7BX
LPA APPLICATION REF: HGY/2022/4522

This practice acts for Dr S.Asadi who is the owner of 16 Church Lane, and whose property adjoins the above site. On behalf of our client, we would strongly object to the planning application for the '*demolition of single storey garage and erection of a three storey house over part-basement, 2-bed single dwelling-house*'. We would ask to have full regard to the following grounds of objection:-

Validity of application

It is noted that the application form certifies, under certificate A, that the applicant is the sole owner of the application site. The form also states that the land is unregistered. However, a land registry search has revealed that the land is registered under title no. EGL241043, and that it is owned by other parties on whom notice of the application should have been served. Accordingly, certificate B should have been completed.

We also note the objection to the planning application by D & M Planning, on behalf of the owners of Flat 1, 1 Ferrestone Road, in which reference is made to the absence of certificate B and the associated notice, albeit in the separate context that the proposal would involve works to the adjacent property at 1 Ferrestone Road.

For the above reasons, the application is not considered to be valid.

Impact on townscape

Whilst small infill and end-of-terrace plots may offer the potential for new small homes in tight urban locations, Haringey Local Plan Development Management DPD Policy DM1 requires proposals to have regard to local character including, but not limited to, existing building lines and the rhythm of neighbouring or local plots and building widths. Furthermore, Policy DM7 requires proposals to '*relate appropriately and sensitively to the surrounding area as well as the established street-scene*'.

Notwithstanding these policy requirements, the proposal seeks to 'shoehorn' a 3 storey (plus basement) dwelling into a narrow garage plot located in a street characterised by 2 storey (plus roof) terraced housing set on plots of almost twice the width of the application site.

The additional storey of the proposed dwelling would be accommodated by incorporating lower floor-to-ceiling heights than found in the adjacent terrace, and by including a ground floor at semi-basement level (above the proposed full basement level). The resulting fenestration on the building's front elevation highlights and accentuates the fact that the internal floor levels would bear no relationship to those of the adjacent terrace. This indicates a cramped and contrived building configuration that is out of character with the form of established housing in Ferrestone Road. The proposal also compares unfavourably to the examples of 'Corner House' and 'Slot House' (highlighted in the applicant's Design & Access Statement (DAS)) where the new dwellings broadly continue the floor levels of the adjacent houses, as well as incorporating detailed architectural features that allude to neighbouring development.

The DAS refers to pre-application advice received from the LPA which stresses the need for a new building to be of a subordinate scale, and similar in size to the existing garage. Self-evidently, the LPA's advice on this matter has been entirely disregarded given that a 3 storey (plus basement house) is proposed to be located adjacent to an Edwardian 2 storey (plus roof) terrace.

The DAS asserts that subordination is achieved by way of a lower eaves line and by the absence of a roof level storey although the difference in eaves level would be negligible. Whilst no full roof storey is proposed, the roof line of the dwelling would be visually cluttered by virtue of the air pump, roof light and stair enclosures (3 separate structures), and by the roof terrace balustrading. As a result, the overall height of the proposed dwelling would be less than one metre lower than the roof ridge line of the adjacent terrace. Therefore, little or no sense of subordination of scale would be achieved, and such sense would be further undermined by the squatter storey heights and additional storey.

In addition, the proposed angled projection to the front elevation would be a jarring architectural feature within the street-scene, wholly out of character with, and more prominent than, the simple 'rhythm' of the bay windows found on the adjacent terrace. The DAS asserts that this feature, which would step forward of the established front building line, would provide a 'visual link' to the Church Lane properties but this claim is not explained. To the contrary, the proposed tall dwelling and its prominent angled front projection would harmfully erode the established spatial relationship between the two terraces.

For the above reasons, the proposal is considered to be harmful of the local street-scene, and in clear conflict with Local Plan Policies SP11, DM1 and DM7.

Impact on living conditions

Neighbouring occupiers

The property at 16 Church Lane is lawfully laid out as a series of small studio flats which are single aspect. Those at the rear rely heavily on the existing outlook over the rear garden towards the tall flank wall of 1 Ferrestone Road (see photo below).

Whilst compliance may be achieved with the BRE guidance for the protection of daylight and sunlight in adjacent buildings, the tall 3 storey flank wall of the proposed dwelling would be an enclosing and overpowering presence for the occupiers of ground floor, rear-facing studios in 16 Church Lane due to its proximity (less than 10 metres at one point), height and depth. The maintenance of a 25 degree clear angle of view from this accommodation does not, in itself, ensure that adequate outlook from

the ground floor accommodation would be maintained. The proposal, by virtue of its height, depth and proximity, would increase the sense of enclosure, and would harm outlook from the single aspect studio units in our client's property.



Existing view from rear ground floor of 16 Church Lane towards flank wall of 1 Ferrestone Road

The proposed dwelling would also seriously undermine the level of privacy currently experienced by occupiers of the rear-facing units in 16 Church Lane. The proposed roof terrace would allow for direct overlooking from an elevated position into the rear-facing windows and the garden of my client's property. At its closest, the separation distance between the terrace and habitable room windows would be little more than 10 metres, and obviously less in relation to the garden. Although the application drawings describe the terrace enclosure as a 'privacy screen', drawings FER 213 & 214 show the balustrade as being no higher than a 1100mm safety enclosure which would not provide adequate privacy.

The flank elevation of the proposed dwelling contains windows which it is stated would be obscure-glazed although no information is provided about the opening of the windows. Regardless of their

design, the presence of these windows directly on my client's boundary would give rise to an unreasonable sense of overlooking for occupiers of my client's property. The proposal would also give rise to overlooking of the rear gardens of 15 Church Lane and 1 Ferrestone Road, both from the first and second floor rear windows and from the roof terrace.

For the above reasons, the proposed dwelling would materially harm the living conditions of occupiers of my client's property, and of occupiers of neighbouring properties, in clear conflict with the Local Plan Policy DM1(D).

Prospective occupiers of the dwelling

The proposed dwelling would not meet the London Plan (and national) space standards for a 4 person, 2 bedroom dwelling. It is notable that the standards do not cover 2 bedroom dwellings on more than 2 storeys. Furthermore, the size of each bedroom would be less than the minimum of 11.5 sqm for a double bedroom, and as such the proposal is effectively for a 2 person, 2 bedroom dwelling. The failure to provide at least one double bedroom of 11.5 sqm is contrary to London Plan policy. The total gross internal floor area of the dwelling is stated to be 96 sqm although it is unclear whether this includes the windowless basement. The latter should clearly not be included given that it is not suitable for habitable use.

Although the habitable rooms in the proposed dwelling would receive adequate light and outlook, the concerns about overlooking of neighbouring gardens to the rear (see above) would require amendments to the fenestration such as high level or obscure-glazed windows which would not be suitable for the proposed habitable rooms. On a related point, the LPA is also asked to note that the rear elevation of the proposed dwelling would abut a section of our client's rear garden where there is currently a lean-to garden store. This store is located on the application site's rear boundary (see photograph below).



This section of our client's plot can be clearly identified on the applicant's block plan drawing although the store is not shown. The proposed dwelling would incorporate a rear-facing bedroom window (at

lower ground floor) which would look directly into the existing store! Even if the store was to be removed, this window would be located on our client's garden boundary from where direct overlooking into and from the bedroom would be possible. The application scheme is therefore ill-conceived and unworkable in respect of the resulting relationship between our client's garden (and the existing store) and the applicant's rear-facing lower ground floor accommodation.

Finally, although the proposed dwelling is shown to be served by a roof terrace, the resulting overlooking of adjacent properties and gardens renders this arrangement unworkable unless full-height perimeter screening is provided to the terrace. However, higher screening would be prominent and unsightly. The roof terrace would therefore need to be removed from the scheme, with the result that the proposed dwelling would fail to provide external amenity space for prospective occupiers.

For the above reasons, the proposed dwelling would not provide a satisfactory standard of accommodation and amenity for prospective occupiers, and this would conflict with Local Plan Policy DM1(D).

Construction impacts

The rear garden of our client's property includes a garden store and a number of mature trees and other established landscaping. The garden store is located directly on the boundary with the application site. The existing trees and other planting make a valuable contribution to the amenities of occupiers of 16 Church Lane (and adjacent properties), as well as to the visual amenity of the wider area. It is noted that the planning application is not accompanied by an Arboricultural Impact Assessment, and the submitted BIA does not explain how our client's property and landscape assets (including tree roots) would be retained and protected.

Parking & highways

The application scheme includes a single off-street car parking space to serve the proposed dwelling. This space is of inadequate length and width given the need for the vehicle to be parked completely clear of the highway whilst also allowing access to the dwelling's front entrance door and to the proposed lift to the basement cycle and refuse store.

Given that satisfactory and safe off-street car parking cannot be provided, the application should be accompanied by a parking stress survey (under the Lambeth methodology) to indicate whether or not sufficient on-street parking capacity exists in the vicinity to cater for increased demand.

Conclusion

By virtue of its height, scale and detailed design, the proposed dwelling would harm the townscape character of the locality and the living conditions of neighbouring occupiers. The proposal would also fail to provide a new dwelling of an acceptable standard for prospective occupiers, and would threaten the retention of established trees and other landscaping on adjoining land. The proposal amounts to a substantial overdevelopment of this small garage plot, and is therefore in direct conflict with the statutory development plan. The scheme would also appear to be contrary to the pre-application advice provided by the LPA

The proposal is also ill-conceived and unworkable having regard to the existing form of development on adjacent plots, and the application is not considered to be a valid submission under Articles 13 and 14 of the Town and Country Planning (Development Management Procedure)(England) Order 2015 (as amended).

We therefore consider that there are strong and substantive planning grounds on which this planning application should be refused, and we look forward to receiving notification of the Council's decision in due course. If the case officer has any queries regarding these representations, please do not hesitate to contact us.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'CWA', is positioned above the printed name.

CHRISTOPHER WICKHAM ASSOCIATES

c.c. Dr S.Asadi