

Residential Development

Land adjacent to 31 Riverside Road,

Haringey,

London, N15 6BX



Design Access & Planning Statement

January 2021

1/ Site and Contact information

Site address: Land adjacent to
31 Riverside Road
Haringey
London
N15 6BX

Contact details:

Name of applicant: Mr Gluck

Name of Agent: Jdw Architects
10 St John Street
Abergavenny
NP7 5RT
01873 851125

2/ Introduction

This statement should be read together with the Appeal statement submitted in the Planning Appeal (APP/Y5420/W/20/3255539) and the Planning Inspector Report.

Planning permission has already been granted for the erection of a dwelling on the appeal site. This was for an end terrace two storey building of the design, scale and appearance shown on the proposed plans for the appeal scheme. That planning permission is extant. The main difference between the extant scheme and the current scheme proposal is the addition of a newly amended basement level, albeit this application planning permission for the erection of a dwelling in its own right.

This new amended planning application is made by Mr N Gluck to The London Borough of Haringey, for the **erection of a basement** to an end of terrace property. This application follows an earlier application that was refused on appeal. This application makes the amendments necessary to overcome the objections raised in the earlier scheme.



The main issue is the effect of the proposed development on the living conditions of existing, future occupiers and on private amenity space. Also at issue is the need for adequate urban drainage.

The previous scheme plans show the Basement level to be used for the kitchen and a playroom/storage area. The former is to the front. The plan shows only one small window in the corner of the room, served by a light well at street level. The latter would extend to the rear of the dwelling. It would be the larger of the two rooms and the plans do not show any windows at all.

This scheme has now been amended and the plan shows a study room and utility room, with two larger windows, one for each room, served by two light wells at street level, with adequate urban drainage facility to minimise surface water runoff, by the introduction of a revised surface for the rear garden space and some soft landscaping at the front. The site is very small, as is the surface area of the proposed development; a suitable solution is achievable for the drainage that would result in compliance with the Council's policies.

The boundary walls will be designed with a staggered brickwork design in order to increase natural light and visibility and a better sense of openness and vista.

The private amenity space will not be significantly reduced and will not significantly reduce the usability of land to the front and to the rear, by taking up more of the ground area of the appeal site as this space would be less than ideal for private amenity purposes in any event given where it is. The remaining area to the front would be used for wheelie bin storage and it remains adequate for this purpose. Likewise, the area to the rear of the dwelling would not be dissimilar to that of the extant scheme. On its own merits, it would be small and limited mainly to a paved sitting out area, but the dwelling is equally modest. There is no minimum expected size for private gardens set out by the development plan and as such the private garden provided by the dwelling would be on the small side but nevertheless acceptable for the purposes of private amenity enjoyment.

The policies of the emerging London Plan is about to be adopted. The proposed dwelling would add to housing choice and mix locally which is positive and add to the merit of this proposed scheme.

3/ Planning Policy

National policy relating to new housing and design issues etc are contained within the revised National Planning Policy Framework (NPPF) supported by the NPPG. Whilst the NPPF does not supersede existing development plan policy, such policies should now be read in conjunction with it.

At the outset **Paragraphs 8 -10** of the NPPF advise:

"8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

*10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable.**"*

Paragraph 11 identifies the fundamental thrust of the guidance which states that Plans and decisions should apply a presumption in favour of sustainable development which for decision taking means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*

Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;*
- b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;*
- c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and*
- d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes*

Paragraph 117 adds:

"117. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."

Paragraph 118 amongst other matters in terms of making effective use of land promotes:

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

Turning now to matters of development design p124 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. It adds that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process

Paragraph 127 adds:

"Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."*

Furthermore Paragraph 130 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. In addition, paragraph 130 states:

"Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)."

Furthermore **paragraph 131** adds:

"In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."

The London Plan.

The London Plan 2016 forms up to date Regional Spatial Strategy and seeks amongst other matters to increase the City's supply of housing." The London Plan replacement is due for adoption imminently and any relevant policies of new London Plan are dealt with in Section 4 below.

In **Policy 3.3** the Mayor "recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford." The policy states that The Mayor will: -

"seek to ensure the housing need identified in paragraphs 3.16a and 3.16b is met particularly through provision consistent with at least an annual average of 42,000 net additional homes across London¹ which will enhance the environment, improve housing choice and affordability and provide better quality accommodation for Londoners"

Policy 3.3 E states that "Boroughs should seek to enable development capacity to be brought forward to meet these targets having regard to the other policies in this Plan and in particular the potential to realise brownfield housing capacity through the spatial structure it provides including:

- a. intensification (see policies 2.13, 3.4)
- b. town centre renewal (see policy 2.15)
- c. opportunity and intensification areas and growth corridors (see policies 2.13 and 2.3)
- d. mixed use redevelopment, especially of surplus commercial capacity and

surplus public land (see policies 2.7, 2.11, 4.2-4.4)

e. *sensitive renewal of existing residential areas (see policies 3.4, 3.5, 3.14).*

The minimum 10-year target for new housing in the Borough as established at Table 3.1 is 15,988.

Policy 3.4 deals with optimising housing potential taking into account matters such as local context and character, design principles and public transport capacity. The policy adds that development should optimise housing output for different types of location within the relevant density range shown in Table 3.2 and that development proposals which compromise this policy should be resisted.

Policy 3.5 seeks housing developments to be of the highest quality internally, externally and in relation to their context and to the wider environment. The policy adds that the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children and older people.

Policy 3.8 seeks to achieve a genuine choice of homes that Londoners can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.

The Council's Policy

Policy DM1 seeks a mix of housing however given that the site is for one dwelling such is not considered relevant. Policy DM12 deals with housing quality and design and advises:

All new housing and residential extensions must be of a high quality, taking account of the privacy and amenity of neighbouring uses (see Policy DM1) and are required to meet or exceed the minimum internal and external space standards of the London Plan and the Mayor's Housing SPG.

B Ground floor family housing should provide access to private garden/amenity space, and family housing on upper floors should have access to a balcony and/or terrace, subject to acceptable amenity, privacy and design considerations, or to shared amenity space and children's play space.

C In areas of especially poor residential environmental quality, development proposals should seek to include enhanced provision of green infrastructure, including the quantity and quality of landscaped areas, tree provision and, where the site allows, the provision of additional open space.

D Mixed tenure residential development proposals must be designed to be 'tenure blind' to ensure homes across tenures are indistinguishable from one another in terms of quality of design, space standards and building materials.

When assessing the concerns of the local planning authority the material fallback position of the existing planning permission for a dwelling on the site, upon which construction has commenced, is significant in assessing the quality of accommodation which would be provided.

Effectively the appeal scheme seeks to create additional floorspace to that already approved and therefore whilst this is at a subterranean level it simply adds accommodation to a dwelling which was deemed to be acceptable in terms of matters of sunlight and daylight, together with outlook to its principal rooms.

The additional accommodation proposed would house additional floor space in the form of a Study and utility room area.

Whilst this additional floorspace would gain light/outlook solely from proposed windows and lightwell's and redesigned boundary wall such would constitute additional space to the already approved dwelling on the appeal site. This additional space would thereby of benefit to the dwelling itself and most importantly the dwelling would retain acceptable natural light and outlook from its principal windows as evidenced by the existing consent. Put simply the decision really is whether or not the additional accommodation would be harmful to the extent permission for the dwelling on the site.

It is a principal aim both nationally and locally to improve housing stock and it is submitted that the proposed subterranean floorspace extension to an already approved dwelling would be wholly in accord with such aspirations. Turning now to matters of amenity space clearly internal amenity would be significantly improved as a result of the development proposed. The extant dwelling on the site provided a very small area of amenity to the front of the dwelling facing the road junction.

There is no reasonable objection to the lightwell in terms of any impacts it would have on the character or visual amenities of the locality.

In terms of the use of basements the soon to be adopted revised London Plan identifies at under Policy D9 paragraph 3.9.5B that the Mayor considers:

"that smaller-scale basement excavations, where they are appropriately designed and constructed, can contribute to the efficient use of land, and provide extra living space without the costs of moving house."

Furthermore, Policy H2A of the soon to be adopted revised London Plan in terms of small housing developments adds:

A To support the delivery of small sites, boroughs should apply a presumption in favour of development proposals for small housing development involving:

1) the infill of vacant or underused brownfield sites

- 2) residential conversions, redevelopment, extensions of houses and/or ancillary residential buildings or infill development within the curtilage of a house, where it is within PTALs 3-6 or 800m distance of a station 4IC or town centre boundary*
- 3) the redevelopment or upward extension of flats, non-residential buildings and residential garages.*

It is clear from this soon-to-be adopted policy that the Mayor is seeking the best use of sustainable housing land and given the extant consent on the site and the proposals in this amended scheme it does not in any way constitute an overdevelopment of the site and wholly accord with the approach in the new London Plan.

In light of the above, when considering the merits of the appeal scheme, with the fallback position of the extant PP for a dwelling on the site, that the development is proposed would enhance the living conditions for the intended residents. This would be through the provision of additional on-site accommodation which would not in any way harm the already approved outlook and daylight/sunlight from the habitable rooms within the extant scheme. The small loss of part of the front garden area to provide lightwells and also refuse storage would not result in the material loss of any usable amenity to the approved dwelling and overall, the development is compliant with the development plan seeking to improve housing stock and the quality of residential accommodation within the Borough.

4/ Issues of Structural Stability

4.32 Policy DM18 deals directly with basement additions and states that extensions to existing basements, and the construction of new basements, including in existing dwellings will only be permitted where it can be demonstrated that the proposal:

- a Will not adversely affect the structural stability of the application building, neighbouring buildings and other infrastructure, including the adjoining highway, having regard to local geological conditions;*
- b Does not increase flood risk to the property and nearby properties from any source (see Policy DM24);*
- c Avoids harm to the appearance or setting of the property or the established character of the surrounding area;*
- d Will not adversely impact the amenity of adjoining properties by reason of noise or increased levels of internal or external activity;*
- e Will not adversely impact the local natural and historic environment; And, where the proposed basement extends beneath the garden area:*
- f Will not cause loss, damage or long-term threat to trees of townscape or amenity value;*
- g Maintains adequate soil depth satisfactory for preservation of landscaping consistent with neighbouring properties; And during the construction phase:*
- h Will not cause harm to pedestrian, cycle, vehicular and road safety, adversely affect bus or other transport operations, significantly increase traffic congestion, nor place unreasonable inconvenience on the day to day life of those living, working or visiting nearby; and*
- i Will minimise construction impacts such as noise, vibration and dust for the duration of the works.*

4.33 The policy adds under part B that proposals for basements must not include habitable rooms or other sensitive uses in areas prone to flooding where there is no reasonable means of escape. In addition, under Part C it also advises that in determining applications for light wells, the Council will consider whether:

- a The architectural character of the building is protected;*
- b The character and appearance of the surrounding area is harmed;*
- c The development results in the loss of more than 50% of the front garden or amenity area.*

The updated report from the Structural Engineers at Appendix AP2 concludes: "Ammro Consulting Ltd (ACL), are appointed by Award Properties to provide the basement construction method statement to accompany the Planning application for 31a Riverside Road, N15.

The Project scheme is to provide a basement/retaining structure along the boundary with No. 31 and also along the boundary with the back of

footpath/highway. Ammro drawing 18.0282/01 provide a construction method which when completed provides a reinforced retaining wall/foundation against both boundaries.

Due to the sensitive nature of both boundaries the method chosen is to maintain the structural integrity of both the Local Authority highway asset and the neighbouring property. The method chosen is similar to underpinning an existing sub-standard foundation where the structure needs to be protected from any further movement.

By excavating each pin in sequence as shown on the drawing, this enables a safe, tried and test method of installing a deeper foundation with the addition of reinforcement to provide sufficient strength for the completed basement to perform as a retaining element.

The reinforcement will be installed into each pin prior to pouring concrete as shown. Each pin will be linked to the adjacent pin by adding lapping reinforcement bars into the soil each side and below where they will be exposed during the excavation sequence providing continuity.

The sequence is to be completed to the first level and then repeated to the required depth where the basement slab will be tied in and cast to complete the basement construction."

The Report is also supported by detailed drawings identifying construction of the basement.

It is also correct that the original Basement Impact Assessment, supported by the updated document and plan clearly identifies that the proposed development would not (assuming of course it is constructed in accordance with these details) adversely affect the structural stability of the either the application building, any neighbouring buildings or indeed any other infrastructure, including the adjoining highway. On this basis, subject to appropriate condition there would be no harm created by the construction of the basement element of the scheme and it is compliant with Policy DM18.

5/ Conclusion

The new amended scheme accords with the objectives of the revised NPPF, and also the Development Plan by promoting the more efficient use of land with extant permission for a dwelling on highly sustainable urban land.

It is common ground that the proposed development would not result in unacceptable impacts to the occupiers of neighbouring development in terms of residential amenity, or highway safety, and it is further common ground that the proposal would not harm the visual amenities of the area.

With the new Amendments to the scheme the objections regarding the living conditions have been overcome especially when considering the merits of this scheme with the fallback position of the extant PP for a dwelling on the site the development proposed would enhance the living conditions for the intended residents. This enhance would be through the provision of additional on-site accommodation which would not in any way harm the already approved outlook and daylight/sunlight from the habitable rooms within the extant scheme and would not result in the loss of any usable external amenity space.

In terms of structural matters these have now been dealt with the original Basement Impact Assessment, being supported by the updated document and plan, clearly identifies that the proposed development would not (assuming of course it is constructed in accordance with these details) adversely affect the structural stability of the either the application building, any neighbouring buildings or indeed and other infrastructure, including the adjoining highway.