

Officer's Report

Application Number	HGY/2023/0700
Type	Full planning permission
Location	Midhurst Court, Haslemere Road, Hornsey, London, N8 9QR
Proposal	Erection of a bin store for block of Flats.
Case Officer	Zara Seelig
Valid Date	13/03/2023
Applicant	Menna
Agent	

RECOMMENDATION

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Approve with Conditions

Site Description

The application site is purpose-built block of flats located on the northern side of Haselmere Road within the Crouch End Conservation Area. The building does not have listed status.

Description of Development

Bin Store (open) for block of Flats

Relevant Planning and Enforcement History

Planning:

HGY/2022/2171 – Retrospective planning application for the erection of a bin store (open) for block of flats – refused permission for the following reason:

1. The proposed development would have a detrimental impact on the health and long[1]term viability of the adjacent TPO status tree due to the damage the method of construction would cause to the tree, and through the covering over of its roots with an impermeable surface. The proposal is therefore harmful to the areas biodiversity, visual amenity and the character and appearance of the Crouch End conservation area, contrary to Policy G7 and HC1 of the London Plan, Policy D1 and D9 of Haringey's Development Management DPD (2017) and Policy SP12 of its Local Plan (2017).

Enforcement:

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TPC/2021/00557: Works to protected trees: Closed on 11/2022 - removed the hardstanding and replaced with grass.

Consultation Response

The responses below were received following consultation on the application:

Internal:

LBH Conservation Officer: Consulted – no response received

LBH Transportation – commented: There are no transport objections regarding this application.

LBH Arboricultural Officer: commented: I hold no initial objections to the submitted details. The concrete is being lifted and the root protection area restored to a non-static permeable rhizosphere environment with a no dig system. We will need confirmation that this is a no dig system with no excavation. A method statement confirming no dig should be submitted. The root protection area is for the large adjacent TPO Beech tree. This tree has high amenity value.

External:

None

Local Representations

The application has been publicised by way of a site notice and 16 neighbour consultation letters.

No of individual responses: none

Objecting: 0

Supporting: 0

Neither: 0

The following local groups/societies were consulted/made representation:

- None

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:

- None

The following issues raised are not material planning considerations:

- None

Material Planning Considerations

The main planning considerations raised by the proposed development are:

1. Design and appearance;
2. Impact on the character and appearance of the conservation area; and
3. Impact on trees/landscaping

Design and Appearance and Impact on the Character and Appearance of the Conservation Area

DPD Policy DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original building, including external features such as chimneys, and porches. High quality matching or complementary materials should be used appropriately and sensitively in relation to the context. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account. In relation to extensions or alterations to residential buildings, including roof extensions, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

The bin store and hardstanding surface will cover 16m² within the application site, whilst the associated fencing would be approximately 1.6m in height. Although it will sit in a visually prominent location, directly adjacent the footpath, it is not envisaged that such a development would be of significant detriment to the surrounding conservation area which is made up of a diverse range of different typologies and style buildings. Fencing of such a modest height would not appear widely out of context and as such, it is considered that the conservation area would be preserved as a heritage asset.

The previous application was refused due to the damage to the health and long term viability of a significant protected tree, having a negative impact on the character and appearance of the Conservation Area. This proposal has amended the concrete hardstanding with a non-static permeable rhizosphere environment with a no dig system and so protecting the TPO tree, retaining the character of the Conservation Area and street scene.

The proposed development is in general accordance with Policies DM1, DM9 and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 and SP12 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

Trees and Landscaping

London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

DPD Policy DM1 requires proposals demonstrate how landscaping and planting are integrated into a development as a whole, responding to trees on and close to the site.

LBH Tree Officers were consulted on this application and raised concerns over any potential excavation works required as part of the application, although they have no initial objections. The concrete is being lifted and the root protection area restored to a non-static permeable rhizosphere environment with a no dig system. The approval will be conditioned to submit a tree protection method statement prior to commencement of works to ensure it is a no dig system with no excavation. The root protection area is for the large adjacent TPO Beech tree, this tree has high amenity value.

Conclusion

The proposal is considered acceptable in terms of design, impact on the character and appearance of the conservation area and impact on trees/landscaping and does comply with relevant planning policy.

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.

Recommendation

Grant Permission with conditions:

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

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

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the commencement of any development hereby approved and before any equipment, machinery or materials are brought onto the site for the purposes of the development hereby approved, a Tree Protection method statement incorporating a solid barrier protecting the stem of the trees and no excavation other than hand dug excavations shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved and the protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Reason: In order to ensure the safety and well being of the trees adjacent to the site during constructional works that are to remain after works are completed consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

Informatives:

- **INFORMATIVE: Land Ownership**
The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.
- **INFORMATIVE: Hours of Construction Work**
The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-
8.00am - 6.00pm Monday to Friday
8.00am - 1.00pm Saturday
and not at all on Sundays and Bank Holidays.