



Application Details

Case Ref:	HGY/2022/2697
Case Type	Full planning permission Standard Application
Proposal	Change of use to 2no.dwellings (Use Class C3), extension to create lower ground floor level (basement) and lightwells, rear and side roof and dormer extensions and alterations, single storey rear extension, replacement of single storey front extensions, new canopy entrances on side elevation, new/altered/replacement windows and doors, new rooflights, alterations to cladding and rear terraces, other external alterations, landscaping works and provision of cycle stores.
Address	108-110, Colney Hatch Lane, London, N10 1EA
Ward	Fortis Green
Valid Date	27/09/2022
Latest Decision Date	10/05/2023 00:00:00
Recommendation Date	10/05/2023
Report Author	James Mead
Last Modified	10/05/2023 – 15:11 By Neil McClellan

List of drawings

Title	Description	Date
AEL-18617-TCP Revision A	Tree Constraints Plan	4 November 2022
AEL-18617-TSP Revision B	Tree Shadow Plan	9 March 2023
AEL-18617-B-AIA-Arboricultural Impact Assessment		9 March 2023
AEL-18617-TWP Revision B	Tree Work Plan	9 March 2023
AEL-18617-TPP Revision B	Tree Protection Plan	9 March 2023
(PA) 004 Rev E; (PA) 005 Rev E; (PA) 006 Rev F; (PA) 007 Rev E; (PA) 008 Rev E; (PA) 009 Rev E; (PA) 010 Rev E; (PA) 011 Rev F; (PA) 012 Rev E; (PA) 013 Rev F; (PA) 014 Rev E; (PA) 015 Rev E; (PA) 016 Rev E & (PA) 017 Rev C.	Proposed Plans, Elevations, Sections and 3d Views.	4 May 2023

Officer's Report

1. SUMMARY OF RECOMMENDATION

GRANT PLANNING PERMISSION, subject to conditions.

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

2.1 The available information suggests that the last use of the property may have been as a HMO. This current application seeks to change the use of the property to two dwellings (use class: C3). It is proposed to enlarge the existing building through roof extensions, a single storey rear extension and the creation of a basement. Replacement single storey front extensions and new stone canopies are also proposed, together with other works such as: the addition of rooflights, the insertion of new windows and the installation of solar panels. Landscaping works are proposed to the front, with a retaining wall, railings and bin stores intended to be added. In the rear garden, bike stores are proposed to be constructed.

Site and Surroundings

2.2 The application site is occupied by a two storey building, which may have last been in use as a HMO. However, it is not clear if this HMO use was lawful. The planning history of the site suggests that the building has in the past been used as a nursing home, but originally it is likely that the property would have been utilised as two separate dwellings. This building sits on the eastern side of Colney Hatch Lane, in a line of residential properties. The setting is residential in character, being predominantly made up of a mixture semi-detached and terraced properties, as well as some blocks of flats. The site is within the Muswell Hill Conservation Area (CA) and is on the western edge of this designated heritage asset. The CA Appraisal covering the area does not identify this building as one that makes a positive contribution to the character of the CA.

Relevant Planning and Enforcement History

2.3 The most recent planning history relating to the site is as follows:

- HGY/2022/4184: Conversion to 9no. self-contained flats, lower ground floor extensions for basement and lightwells, roof dormers alterations, single storey rear extension, replacement of front extensions, new and replacement of fenestrations, new rooflights, alterations to cladding and rear terraces, landscaping works, and provision of cycle store. Pending Consideration.
- HGY/2002/1357: Conversion of property from accommodation for asylum seekers to two single family dwelling houses. Approved with conditions.
- HGY/2001/0684: Continuation of use of the property as a hostel for the homeless. Approved with conditions.
- HGY/1992/1292: Erection of ground floor rear extension to provide lounge- dining room, kitchen and bedroom and first floor rear extension to provide enlarged bedrooms and internal alterations to improve accommodation. Approved with conditions.

- HGY/1990/1489: Erection of large two storey rear extension to provide six additional bedrooms and two bathrooms to existing nursing home. Refused.
- OLD/1985/0911: Loft conversion to provide 4 extra bedroom to nursing home. Refused. Appeal Allowed.
- OLD/1985/0230: Extension at rear of Nursing Home. Approved with conditions.

3. CONSULTATION RESPONSE

3.1 The responses below were received following consultation on the application:

1) *LBH Arboricultural Officer*: No objection. The conclusions of the Arboricultural Impact Assessment are accepted. If trees are to be removed, then it is expected that a landscape plan be provided for the front and rear. Rather than individual tree protection, it would be easier to erect sturdy fixed heras fencing across the garden to prevent any access or storage within root protection areas. Until a landscape plan is provided, the application cannot be fully endorsed.

2) *LBH Conservation Officer*: Objects to the application. The proposals to replace the single storey extensions will restore a sense of symmetry to the principal elevation and would enhance the character of the street scene and Conservation Area. As such, there are no objections to the replacement extensions, subject to materiality and detailing, which may be managed through conditions. However, there are concerns regarding the rooflights to the street-facing roof slope. Rooflights are incongruous features within historic streetscapes and are not considered acceptable. Whilst it is acknowledged that there is a precedent for rooflights within the immediate environment, it is incumbent of Local Planning Authorities to ensure that negative or intrusive features do not become prevalent. Whilst there are no objections to the principle of the development to the rear, the choice of metal cladding and its reflective quality will be key to its success. This may be managed through condition. There are concerns regarding the proposed extension to the existing side dormers. Whilst there are no objections to extending the length of the dormer eastwards, the proposed dormers should not be extended closer to the eaves, as this increase in massing would detract from the roofscape. In addition, the proposed new entrance doors with porticos would detract from the elevation and the original intended design of the historic building. It is recommended that the design of these entrances be amended to remain subservient.

3) *LBH Transportation*: No objection. The proposed conversion to two dwellings will not create any adverse transportation impacts. It is proposed to retain the off-street parking facilities, accessed off the existing crossovers. This is considered acceptable, given that these are large family homes and there are no formal parking controls locally. However, there are some changes to the front of both properties, therefore the applicant will need to confirm that there is sufficient space for the parking spaces to be able to be manoeuvred into and out of, without crossing over the adjacent footway. It is suggested that a pre-commencement condition be imposed for the applicant to provide dimensioned drawings and if necessary swept paths that clearly demonstrate the ability of vehicles to access the parking spaces. With regards to cycle parking, three externally places parking spaces are shown for each property. This exceeds the London Plan requirements, however it is noted that the application form references ten spaces, exceeding London Plan requirements. This is welcomed. Full dimensional details, including manufacturers installation

specification, for cycle storage will need to be provided. This can be covered by condition. This development involves building work to existing houses, and given the sites location adjacent to the starting taper of a bus lane, there will need to be a condition for a Construction Logistics Plans or Method Statement.

4) *LBH Waste*: The information relating to refuse in the Design & Access Statement shows two refuse storage areas for each property and the provision of three bins per property. This allowance is adequate for the size of the development. As these households are eligible for kerbside service, I would advise the use of wheelie bins rather than eurobins. The bins are accessible from the proposed storage location for collection crews and are within drag distances.

4. LOCAL REPRESENTATIONS

4.1 The application has been publicised by way of site notice displayed in the vicinity of the site and 52 letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No of individual responses: 3

Objecting: 3

Supporting: 0

4.2 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:

- The roof extension would cause loss of light to windows of 106 Colney Hatch Lane.
- The roof extension would cause loss of light to 112 Colney Hatch Lane.
- A Daylight & Sunlight Assessment should be undertaken.
- The roof extension would cause overshadowing of 106 Colney Hatch Lane.
- The removal of trees would reduce privacy for 106 Colney Hatch Lane.
- There is concern regarding loss of privacy impacting 112 Colney Hatch Lane.
- The removal of trees would impact the character of the area.
- Basements are not in keeping with properties on Colney Hatch Lane.
- The basement would result in a terracing impact to 106 Colney Hatch Lane.
- Basement construction would cause structural risk to neighbouring properties.
- There is concern regarding ground movement.
- There is a lack of information regarding the basement and potential impacts on groundwater flow, land stability and surface flow/flooding.
- An image in the basement report shows the existence of water. A more thorough hydrological assessment is required.
- The basement extends beyond the footprint of the building, but does not incorporate soil for planting.
- Disruption and noise disturbance would impact neighbours.
- Light pollution would result.

4.3 The following issues raised are not material planning considerations:

- The roof extension would impact views from a neighbouring property – *officers note this comment, however it is well established that the loss of a private view is not a material planning consideration.*
- The value of neighbouring properties could be impacted – *officers note this comment, however property values are a private matter and are not a material planning consideration.*

5. MATERIAL PLANNING CONSIDERATIONS

5.1 The main planning considerations raised by the proposed development are:

1. Principle of Development;
2. Design, Appearance & Heritage;
3. Neighbour Amenity;
4. Quality of Accommodation;
5. Basement Construction;
6. Trees & Landscaping;
7. Transport; and
8. Waste & Recycling.

Principle of Development

5.2 London Plan Policy H1 and Table 4.1 identify the overall housing targets for Boroughs (Haringey's 10-year target – 15,920). In addition, London Plan Policy H2 sets out a presumption in favour of development proposals for small sites (below 0.25 hectares in size) and in Table 4.2 a minimum target for housing delivery on small sites is identified for Boroughs (Haringey's 10-year target is 2,600). Local Plan Policy SP2 sets out that the Council will aim to provide homes to meet Haringey's housing needs. The scheme would deliver a net increase of two dwellings on the site, and as such would make a contribution to the overall housing target for the Borough, as well the target for small sites. Therefore, this housing delivery complies with London Plan Policies H1 & H2, as well as Local Plan Policy SP2. In addition, the proposal would supply two family-sized units and there is a need for such accommodation in the Borough. The provision of this type of dwelling also weighs in favour of the proposal.

5.3 DM DPD Policy DM17(B) notes that planning applications for change of use from a HMO to self-contained accommodation will only be considered in the following circumstances: (a) where the property does not meet the appropriate standards for a HMO and has no realistic prospect of meeting the standards; or (b) where the property is in a growth area or area of change and is not registered.

5.4 The submitted Planning Statement outlines that the last use of the building is understood to have been a large HMO. The Council also has record of a HMO license being issued for at least part of the property. Therefore, it appears that a HMO may be lost on site, and as such the proposal could be contrary to DM DPD Policy DM17(B). Whilst this is noted, planning permission was never granted for use of the building as a HMO. In addition, the date of the HMO license is relatively recent meaning that the HMO use may not be lawful in planning terms. Given this lack of clarity around the lawfulness of a HMO use, it is considered that the loss of a HMO and any non-compliance with DM DPD Policy DM17(B) can only be assigned limited negative weight.

5.5 As noted above, only limited weight can be attributed to the possible loss of a HMO. On the other hand, the scheme would contribute towards the Borough's housing targets and assist the Council in addressing the current housing land supply position. The proposal would also deliver family-sized units, where there is a need for such accommodation in the wider Borough. These are positive material considerations that weigh in favour of the proposal. In this instance, it is considered,

on balance, that the delivery of good quality housing would outweigh the potential loss of a HMO. As such, the principle of development is considered acceptable.

Design, Appearance & Heritage

5.6 London Plan Policy D3 outlines that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Optimising site capacity means ensuring that development is the most appropriate form and land use for the site. Local Plan Policy SP11 notes that development should be of the highest standard of design that respects local context, character and historic significance, so to contribute to the creation and enhancement of Haringey's sense of place and identity. Similarly, DPD Policy DM1 requires all new development to achieve a high standard of design. Proposals should relate positively to their locality having regard to: building heights, form, scale, massing, urban grain, building lines, plot/building widths, distinctive local architectural styles, detailing and materials. DM DPD Policy DM12 outlines that extensions or alterations to residential buildings should be of a high, site-specific and sensitive design quality and should respect the form, setting, period, architectural characteristics and detailing of original buildings. High quality matching or complementary materials should be used appropriately and sensitively.

5.7 In regard to proposals in CAs, the Local Planning Authority has a statutory duty to ensure that the historic significance of these heritage assets is preserved or enhanced. London Plan Policy HC1 requires developments to conserve the significance of heritage assets by being sympathetic to the assets significance and appreciation within the surroundings. Local Plan Policy SP12 and DPD Policy DM9 note that proposals should ensure the conservation of the historic significance of heritage assets and their setting. The preservation of the historic form, function and character of CAs should be secured, in accordance with DPD Policy DM9.

Single Storey Rear Extension

5.8 To the rear of the existing property, it is proposed to erect a single storey extension. This enlargement would span across the full width of the rear elevation, however it would be of limited depth and height. The modest depth and height of the extension means that it would not appear overly bulky, with the addition remaining subservient to the host property. The flat roof form of the addition would not be visually intrusive and there are other similarly designed extensions in the locality. Therefore, this design is considered appropriate. Brickwork, to match existing, would be the main external material used and this is acceptable.

Roof Extensions, Rooflights & Solar Panels

5.9 There are currently dormers sited on both the side roof slopes of the property. It is proposed to extend these existing dormers. The enlargement of the dormers would not be substantial in size, and therefore the resultant side dormers would not appear overly bulky, in the context of the existing property. Furthermore, the dormers would not be extended to the west, and therefore would not sit closer to the front of the property. The lack of a western extension means that the dormers would not appear materially more dominant in the street scene. The flat roof form of the dormers would be retained and there is no objection to this. There is limited information on the proposed materials for the extended side dormers. In order to

ensure that the material used is appropriate to this CA location, a condition is attached requiring further details of materials.

5.10 The existing roof extension at the property also projects to the rear, with a flat roof dormer present. It is proposed to enlarge this existing rear roof extension, however the increase in size would be modest. As such, it is not considered that the proposed rear roof extension would be of excessive scale. The flat roof form of the rear roof extension would be retained and there are no concerns with this. Metal cladding would be applied to the roof extension and there is no in principle objection to the use of this material, as it would enable a visual distinction between the older and newer parts of the building. However, further details of this cladding should be secured via condition, so to ensure this material is of suitable quality.

5.11 Four rooflights would be inserted towards the front of the property and it is noted that the Conservation Officer has objected to these new features. Whilst this objection is acknowledged, the proposed rooflights would not be of excessive proportions. Therefore, these additions would not appear overly dominate in the street scene. In addition, several other properties in the locality incorporate front rooflights. As such, these new features would not appear incongruous in this CA setting. Noting these observations, it is considered that the front rooflights would be acceptable additions. However, a condition is attached to this consent requiring the new rooflights to be conservation type.

5.12 Solar panels are intended to be installed across the flat part of the building's roof. These panels are required to be positioned at a 35-degree angle, in order to function properly. This necessary angle means that the panels would extend above the roof of the building. Whilst this is noted, the panels would be sited away from the front of the property, and therefore would not be highly visible in the Colney Hatch Lane street scene. This lack of visibility means that the solar panels would not detract from the wider character of the street scene or the CA. It is accepted that the protrusion of the panels above the main roof would be evident when viewing the property from the rear. However, any harmful visual impacts from the rear would be outweighed by the sustainability benefits of the solar panels. As such, the solar panels are considered acceptable.

Basement & Lightwells

5.13 The scheme involves the construction of a basement below the building. Large parts of the basement would not be visible above ground, however at the front the new lower ground floor level, together with the lightwells, would be evident. The form of the lower ground floor would reflect the appearance of the rest of the building, with the bay windows extended downwards and matching brickwork utilised. Due to these design aspects, it is considered that the lower ground floor would respect the character and architectural features of the existing building. Basements and lightwells are not frequently seen in this immediate street scene. Whilst this is noted, it is considered that the proposed brick planters and railings to the front of the lightwells would partially screen the lower ground floor from the street scene. This screening would ensure that the lower ground floor level would not be a dominant feature when viewing the property from Colney Hatch Lane. As such, the basement would not result in the property appearing out of keeping in the locality or within the wider CA. The provision of adequate planting to the front of the lightwells would be secured via condition.

5.14 To the sides of the building, the lower ground floor level would be visible, as it is proposed to extend the existing bay windows downwards and provide lightwells. Again, there is no objection to this, as the form of the lower ground floor extension would reflect the architectural features (etc. bay window) of the existing building. The visible lower ground floor extension on the sides are set-back from the front of the building. This positioning means that the basement extension and lightwells to the side would not be highly visible from Colney Hatch Lane. As such, the visible lower ground floor extension on the sides would not detract from the character of the street scene or the wider CA. A comment has raised concern that the basement would result in visual terracing impacts between 108 – 110 Colney Hatch Lane and 106 Colney Hatch Lane, when viewing the site from the street. This concern is noted, however the below ground level of the basement means that this enlargement would not be highly visible from the street. Therefore, the basement extension would not result in terracing impacts and the properties would continue to appear detached in the street scene.

Replacement Front Extensions

5.15 At the front of the site, the building currently has single storey flat roof projections to either side. It is proposed to remove these existing projections and then erect new single storey front extensions. These new extensions would be of similar proportions to the existing projections, and as such would not appear as unduly bulky additions. The flat form of the replacement extensions would be similar to the existing projections, and therefore is appropriate. It appears that the replacement extensions would be constructed in matching brickwork. A condition is attached to this consent requiring details of the proposed brickwork, in order to ensure that it is a suitable match to the brick of the existing property.

Stone Canopy Entrances

5.16 On both side elevations it is proposed to add stone canopy entrances around the entrances to the two proposed dwellings. The Conservation Officer has raised concerns with these additions. However, since the original Conservation Officer comments, the canopies have been reduced in size. The altered canopies would be of modest proportions, and as such would not appear as unduly large additions to the property. The position of the canopies, set-back from the front wall of the property, would ensure that these features would not appear dominant in the street scene. There is no in principle objection to the use of stone for the canopy, however again further details of this material should be secured via condition, in order to ensure the material is appropriate to the character of the property.

Alterations to Fenestration

5.17 Replacement and new windows are proposed across the building. This new fenestration would be appropriately sited, so to respect the appearance of the building. All of the new and replacement windows would be of timber construction, which is appropriate in this CA location. Therefore, the proposed alterations to fenestration are acceptable.

Bins & Bike Stores

5.18 It is proposed to install bin stores on the front driveway and bike stores in the rear garden. Both these additions would appear to be of modest proportions, and as such would not be bulky additions to the street scene or the site. Whilst this is noted, conditions are recommended securing further details of these stores, in order to ensure that that are appropriate to the character of the site and the CA.

Design Conclusion

5.19 Overall, the full scope of works proposed would be of acceptable design. There would not be an adverse impact upon the character and appearance of the host property, the surrounding area, the street scene or the CA. The special interest and historic significance of the CA would be preserved.

Neighbour Amenity

5.20 London Plan Policy D6 outlines that the design must not be detrimental to the amenity of surrounding housing, in specific it is stated that proposals should provide sufficient daylight and sunlight that is appropriate for the context, while also minimising overshadowing. Furthermore, DM DPD Policy DM1 states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and open aspects to adjacent buildings and land. Schemes should also avoid overlooking and loss of privacy that would be detrimental to the amenity of neighbouring residents.

5.21 To the south of the site is 106C Colney Hatch Lane. The proposed single storey rear extension would be set-in slightly from the boundary with No.106C and would be of limited depth. Furthermore, the roof extension would be of modest scale, particularly when regard is had to the size of the existing roof additions. As such, it is not considered that either of these extensions would result in undue: overbearing impacts, loss of light, overshadowing or restriction of outlook. The others works would not be of such scale to materially impact the amenity of No.106C. This neighbouring property does have several windows present on its northern side elevation. In order to restrict overlooking from the new southern facing windows in the host property towards these side openings of No.106C, a condition is attached to this permission require the proposed new windows at first and second floor level to be fitted with obscured glazing. The new roof terraces proposed would not be of such size to allow inappropriate views towards No.106C. A neighbour comment has raised concern regarding the loss of trees that currently provide some screening for the garden of No.106C. This concern is noted, however the removal of the trees would not allow new intrusive views into the windows of No.106C. The removal of the trees would result in increased visibility from the site over the rear garden of No.106C. However, such views are common in urban areas, and as such it is not considered that a harmful invasion of the privacy of No.106C would occur.

5.22 To the north of the site 112 Colney Hatch Lane. Again, the proposed single storey rear extension would be set-in from the boundary with No.112 and would also be of limited depth. The roof extension would not be of excessive scale, particularly when regard is had to the size of the existing roof addition. Noting these observations, it is not considered that either of these extensions would cause material: overbearing impacts, loss of light, overshadowing or restriction of outlook affecting No.112. The other works included within the scheme would not be of such size to result in harmful amenity impacts for No.112. This neighbouring property does incorporate several southern side facing windows at first and second floor level. In order to restrict inappropriate overlooking into these windows of the neighbour, a condition is attached requiring the new first and second floor windows on the northern side elevation to be fitted with obscured glazing. The new roof terraces would not be of such size to allow inappropriate overlooking of No.112.

5.23 The property to the rear of the site (93 Muswell Avenue) would be a substantial distance from the proposed development. As such, this neighbour would not be materially impacted by the proposals.

5.24 A comment has outlined that a Daylight & Sunlight Report should be provided. This comment is acknowledged, however it is not considered that the extensions would be of such scale to require the submission of a Daylight & Sunlight Report. Notwithstanding this, officers consider that undue loss of light would not impact the neighbouring properties. Increased light pollution has also been raised as a concern in the neighbour comments. It is not considered that the development would be of such nature to result in issues of light pollution.

5.25 Overall, the amenity, living conditions and privacy of all the neighbouring properties would be suitably protected.

Quality of Accommodation

5.26 London Plan Policy D6 requires housing development to provide adequately sized rooms with comfortable and functional layouts. Dwellings must at least have the gross internal floor area (GIA) set out in Table 3.1 of the London Plan and an acceptable floor to ceiling height should be delivered. Dual aspect dwellings should be maximised and single aspect units should normally be avoided. This policy also requires sufficient daylight and sunlight to be supplied to new residential units, whilst also ensuring that overheating would be avoided. Private outdoor space should be provided for new dwellings, in line with the requirements of London Plan Policy D6. Proposals should achieve the highest standards of accessible and inclusive design, in accordance with London Plan Policy D5.

5.27 Both of the proposed dwellings would have a GIA that would surpass the London Plan requirements. Therefore, the dwellings would be of satisfactory size for this level of accommodation. Adequate floor to ceiling heights would also be delivered for the dwellings. The proposed dwellings would be dual-aspect, providing good levels of light, adequate outlook and opportunities for cross ventilation. Rear garden areas and terraces would be supplied to serve the dwellings. These outdoor spaces would significantly exceed the requirements for private outdoor spaces, outlined in the London Plan. Overall, the proposed development would deliver good quality accommodation, with acceptable living conditions supplied for future occupiers.

5.28 The proposed dwellings would be served by roof terraces at both first and second floor levels. These roof terraces could allow mutual overlooking between the proposed dwellings, which could reduce the privacy of these new residential properties. The applicant has indicated that screening would be provided between the new dwellings to prevent such overlooking. Limited details of the height and design of the screening has been provided. Therefore, a condition is attached requiring further details of the proposed screening. Subject to the provision of suitable screening, it is considered that the scheme would provide satisfactory levels of privacy for both the new properties.

Basement Construction

5.29 DM DPD Policy DM18 notes that the construction of new basements 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;
- (b) Does not increase flood risk to the property and nearby properties;
- (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;
- (f) Will not cause loss, damage or long-term threat to trees of townscape of amenity value;
- (g) Maintains adequate soil depth satisfactory for preservation of landscaping consistent with neighbouring properties;
- (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 unreasonably inconvenience on 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.

5.30 A Structural Methodology & Impact Statement (BIA) relating to the basement has been provided in support of this application. This document concludes that the proposed basement works would not result in unacceptable adverse impacts on the structural stability of the host building or neighbouring buildings. An overview of the basement works is outlined in part 5 of the BIA, while a detailed explanation of the construction methodology is set out in part 11. The BIA sets out that the underpinning of existing walls would be undertaken in a controlled sequence to ensure structural integrity is retained. Temporary support would also be supplied to the front elevation walls. The perimeter walls of the new basement are proposed to be constructed in reinforced concrete and the BIA notes that these will be designed for soil pressures, hydrostatic forces and surcharges from adjacent land uses. In addition, where possible the basement walls would be propped by the new ground floor slab. The basement foundation would be designed to distribute the building loads and retaining wall's lateral loads across the building footprint, so to ensure bearing pressures are minimised. From a planning perspective, there are no reasons for officers to raise concerns with this outlined construction method, which should not result in material issues with the structural stability of the host property or neighbouring properties.

5.31 112 Colney Hatch Lane is the property to the north and sits at a lower land level than the application site. The BIA explains that this land level difference, together with the separation of the buildings provided by the side alleyway, should limit the potential for ground movements from underpinning to impact No.112. 106C Colney Hatch Lane is located to the south and it is noted that mass concrete underpins would be utilised on the southern side. The BIA outlines that these underpins would assist in limiting disturbance of the soil underlying the footings of No.106C. This approach should ensure that ground movements would not materially impact No.106C. These observations in the BIA would assist in avoiding impacts on the structural stability of the neighbouring buildings.

5.32 The BIA outlines a process for monitoring, which would assist in ensuring any structural damage to the host property or neighbouring buildings is avoided. This includes the appointment of a suitably qualified structural engineer, who would be responsible for reviewing monitoring, carrying out inspections and providing advice.

The appointment and retention of a structural engineer would help to limit the likelihood of issues with structural stability. Therefore, the appointment of a structural engineer is secured via condition.

5.33 Overall in terms of structural stability, the BIA notes that damage to the host property or neighbouring properties would not exceed Burland Scale 1. Noting this, and providing the measures in the BIA are adhered to, it is considered that the structural stability of the host property or neighbouring buildings would not be materially harmed. Therefore, the proposal satisfactorily addresses DM DPD Policy DM18(a). Whilst this is acknowledged, it is important to stress that there are other controls beyond the planning system in place (i.e. Party Wall Act and Building Regulations), which provide further safeguards for impacts on neighbouring properties.

5.34 The site is within Flood Zone 1, is not within a Critical Drainage Area and is situated in an area at very low risk from surface water flooding. As such, it is not considered likely that material issues from flooding would arise. The BIA explains that the London Clay underlying the site has low permeability, and due to this the excavation would not have a material impact on groundwater or aquifers. A neighbour comment has referred to photos (TP2) at Appendix B of the BIA, which show the presence of some water in trial pits. However, the other photos provided demonstrate that limited or no ground water is present. Noting these other photos, and given that the water shown in this photo may be rainwater, it is not considered likely that effects on groundwater or wider hydrogeological impacts would arise. The scheme would not be likely to increase flood risk to the property or neighbouring properties, in line with DM DPD Policy DM18(b).

5.35 In terms of DM DPD Policy DM18(c), a previous part of this report has already determined that the basement works would not harm the character and appearance of the site, the surrounding area or the CA. The residential use of the basement level means that the provided lower ground floor accommodation would not result in undue noise or disturbance impacting neighbours. Therefore, the proposal would not be contrary to DM DPD Policy DM18(d). The historic or natural environment would not be harmed, and therefore the works would not be in conflict with DM DPD Policy DM18(e). Several trees are proposed for removal, however these are not considered to be of notable amenity or townscape value. As such, the basement works would not be contrary to DM DPD Policy DM18(f). A neighbour comment has raised concern regarding the lack of soil provided above the basement, with reference to DM DPD Policy DM18(g). However, the majority of the basement would be below the footprint of the building. Consequently, the provision of soil and landscaping above the basement would not be possible.

5.36 The construction phase of the basement works would not be likely to materially impact on road or pedestrian safety, nor would it cause undue traffic congestion. However, a Construction Logistics Plan or Construction Method Statement would be secured via condition, in order to limit transport impacts and avoid unreasonable inconvenience to residents. Therefore, the proposal would not be in conflict with DM DPD Policy DM18(h). The BIA includes various recommendations to minimise impacts from noise, vibration and dust during construction of the basement. These measures suitably address DM DPD Policy DM18(i).

5.37 In summary, the overall submission, including the BIA, has adequately addressed the requirements of DM DPD Policy DM18. Therefore, the proposed basement works are considered acceptable in planning terms.

Trees & Landscaping

5.38 London Plan Policy G7 notes that proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees, then there should be adequate replacement. Local Plan Policy SP13 outlines that existing trees should be protected, managed and maintained. DM DPD Policy DM1 states that proposals should demonstrate how the landscaping and planting are integrated into the development as a whole.

5.39 An Arboricultural Impact Assessment (AIA) and several associated plans have been provided with this application. These documents outline that five trees would be removed through the proposals (H1, T01, T02, T03 & T04). The Arboricultural Officer has reviewed the application and has not objected to the proposed tree removals. It is not considered that the trees proposed for removal are of notable townscape value, and therefore that there would not be an adverse impact on the character of the wider area or the CA. However, in order to ensure compliance with London Plan Policy T7 and Local Plan Policy SP13, replacement tree planting is required to compensate for the loss of trees. This submission has not provided specific details of the replacement planting. Whilst this is noted, the AIA has outlined that mitigative planting can be supplied. To ensure that adequate replacement tree planting is provided, a condition is attached requiring specific details of the new planting. Subject to suitable details being provided via condition, it is considered that the proposals would be acceptable from an arboricultural perspective.

5.40 The scheme also involves landscaping and planting works to the front of the site and in the rear garden. In order to ensure that satisfactory landscaping is provided in line with DM DPD Policy DM1, a condition is attached requiring specific details of the proposed landscaping plans.

Transport

5.41 London Plan Policy T1 outlines that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes. The cumulative impacts of development on public transport and the road network capacity, including walking and cycling, should be taken into account, in accordance with London Plan Policy T4. Local Plan Policy SP7 outlines that the Council will tackle climate change, improve local place shaping, enhance public realm, improve environmental quality and enhance transport quality by: minimising congestion, promoting public transport, promoting walking/cycling, promoting road safety and seeking to locate major trip generating development in locations with good access to public transport.

5.42 Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2 of the London Plan. Cycle parking should be designed in accordance with the London Cycling Design Standards, whilst being fit for purpose, secure and well-located, in line with London Plan Policy T5. Car parking should be restricted in line with levels of existing and future public transport

accessibility and connectivity, in accordance with London Plan Policy T5. The maximum parking standards of the London Plan should be applied to development proposals.

5.43 The delivery of two dwellings would not be a development of such scale that it would generate an excessive number of trips to/from the site. As such, it is not considered that the capacity of the local road network or public transport would be compromised. Four off-street parking spaces would be incorporated to the front of the site. This level of off-street parking would exceed the London Plan maximum parking standards. However, officers accept that this level of parking already exists on site. Noting this, and given the large size of the proposed dwellings, it would be unreasonable to require a reduction in the levels of off-street parking. The Transportation Officer has noted that works are proposed to the front of the site and this consultee suggests that this could impact the accessibility of parking spaces. Whilst this is noted, the Landscape Plan (drawing number: PA 017 C) demonstrates that the parking spaces would be of satisfactory size, so to ensure that parked vehicles would not overhang the adjacent footpath. As such, it is not deemed necessary to seek further information on the dimensions or accessibility of the parking spaces.

5.44 Cycle parking is proposed to be provided in the rear garden, with space for the storage of six bicycles intended to be delivered. This level of cycle parking would exceed the London Plan requirements, and as such is supported. The location of the cycle parking in the rear garden is considered appropriately accessible, however limited details of the design of the cycle parking has been provided. In order to ensure that the cycle parking is fit for purpose and secure, a condition is attached requiring further information on the design of the cycle storage.

5.45 The Transportation Officer has noted the proximity of the site to a bus lane and the existence of numerous other residential properties in the area. Due to these factors, this consultee has recommended the provision of a Construction Logistics Plan or Construction Method Statement, prior to commencement of works. Officers consider that this is necessary to ensure use of the bus lane is not blocked and that undue disruption does not impact neighbours. As such, a condition is attached requiring submission of Construction Logistics Plan or Construction Method Statement.

Waste & Recycling

5.46 DM DPD Policy DM4 requires proposals to sustainably manage waste that arises from development during the design, construction and occupation phases. All proposals should make on-site provision for general waste, the separation of recyclable materials and organic material. Adequate internal and external storage space should be provided to manage the volume of waste arising from the site. Accessible and safe access to on-site storage facilities both for occupiers and collection operatives should be supplied.

5.47 The proposed drawings indicate that bin storage would be provided to the front of the site. The Waste Management Team are content with this, as the bin storage would be accessible for collection crews. The submitted Design & Access Statement outlines that three bins would be provided for each dwelling. This level of storage is considered acceptable and this has been confirmed by the Waste Management Team. Whilst this is noted, the Waste Management Team have advised that wheelie

bins should be provided, instead of eurobins. An informative is attached to this consent to advise the applicant of this preference. Overall, the arrangements for waste management are considered acceptable.

Conclusion

5.48 The principle of the development is considered acceptable, as the possible loss of a HMO would be outweighed by the delivery of good quality housing. There would not be an adverse impact upon the character and appearance of the host building, the surrounding area, the street scene or the CA. The special interest and historic significance of the CA would be preserved. The amenity, privacy and living conditions of neighbouring properties would be protected. The scheme would deliver a good quality of accommodation, with acceptable living conditions supplied for future occupiers. Sufficient details have been provided to demonstrate that the basement would be acceptable, in planning terms. Harmful arboricultural impacts would not arise and adverse transport affects would not result.

5.49 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. CIL APPLICABLE

Based on the information given on the plans, the Mayoral CIL charge will be £13,684.60 (212m² x £64.55) and the Haringey CIL charge will be £83,447.44 (212m² x £393.62). This will be collected by Haringey after/should the scheme is/be 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.

7. RECOMMENDATION

GRANT PLANNING PERMISSION subject to conditions.

Conditions: (13)

- 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: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

- 3** Prior to commencement of the development hereby approved, a schedule of all the proposed external finishes and materials, shall be submitted to and approved in writing by the Local Planning Authority. This shall include a schedule of the exact product references or other satisfactory details for: brickwork, tiling, cladding, stonework, render finishes, railings and brick walls. Thereafter, the works shall be implemented in accordance with the approved materials and details.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of the Muswell Hill Conservation Area is preserved, consistent with Policies SP11 & SP12 of the Haringey Local Plan (2017) and Policies DM1, DM9 & DM12 of The Development Management DPD (2017).

- 4** The proposed rooflight(s) hereby approved shall be 'Conservation style', flush with the roof plane in which they are installed, and shall be maintained as such for the lifespan of the development.

Reason: In order to ensure a satisfactory appearance for the proposed development and to preserve the character of the Muswell Hill Conservation Area, consistent with Policies SP11 & SP12 of the Haringey Local Plan (2017) and Policies DM1, DM9 & DM12 of The Development Management DPD (2017).

- 5** Notwithstanding the plans hereby approved, the new first floor and second floor windows (serving bedroom 04, laundry, bathroom, office and en-suite) on the north-western side elevation shall be obscured glazed to level 3 or higher on the Pilkington scale of privacy or equivalent. This specification shall be complied with before the development is occupied and thereafter be retained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of neighbouring occupiers and to comply with Policy SP11 of the Haringey Local Plan (2017) and Policy DM1 of The Development Management DPD (2017).

- 6** Notwithstanding the plans hereby approved, the new first floor and

second floor windows (serving bedroom 04, laundry, bathroom, office and en-suite) on the south-eastern side elevation shall be obscured glazed to level 3 or higher on the Pilkington scale of privacy or equivalent. This specification shall be complied with before the development is occupied and thereafter be retained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of neighbouring occupiers and to comply with Policy SP11 of the Haringey Local Plan (2017) and Policy DM1 of The Development Management DPD (2017).

- 7** Prior to the first occupation of the development hereby approved, a plan showing 1.8 metre high privacy screens between the new Units 01 and 02 shall be submitted to and approved in writing by the Planning Authority. These privacy screens shall be installed between the terrace areas of Units 01 and 02 at both first and second floor level. Thereafter, the development shall be carried out in accordance with the approved details and the screening shall be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan (2017) and Policy DM1 of The Development Management DPD (2017).

- 8** The works to implement the construction of the basement and lightwells shall not commence until such time as a suitably qualified chartered civil engineer or chartered structural engineer, with membership of the appropriate professional body, has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. At no time shall any basement works take place unless an engineer is at that time currently appointed.

Reason: To ensure that the structural integrity of the host building and neighbouring buildings is maintained, in accordance with the Policy DM18 of the Development Management DPD 2017.

- 9** The construction of the basement hereby approved shall be undertaken in full compliance with the measures and recommendations outlined in the Proposed Basement – Structural Methodology & Impact Statement, Revision 02 (Prepared by: Justin Gathercole, dated: 08/10/2022).

Reason: To ensure that the structural integrity of the host building and neighbouring buildings is maintained, in accordance with the Policy DM18 of the Development Management DPD 2017.

- 10** Prior to the first occupation of the development hereby approved, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details. Details shall include the following:
- a) Scaled drawings of means of enclosure;
 - b) Scaled drawings of bin stores;
 - c) Details of hard landscaping surfacing materials;
 - d) Planting plans, including: schedules of plants, noting species, plant sizes and proposed numbers/densities;
 - e) Written specifications, including details of cultivation and other operations associated with plant and/or grass establishment.

The approved scheme of planting, seeding or turfing comprised in the approved details of landscaping 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 retained thereafter.

Reason: In order for the Local Planning Authority to assess the acceptability of any landscaping scheme, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area, consistent with Policy DM1 of the Development Management DPD (2017).

- 11** Prior to the removal of the identified trees (T01, T02, T03 & T04), details of replacement trees shall be submitted to and approved in writing by the Local Planning Authority. Such details shall specify: the location, species, numbers and sizes of the replacement trees. The trees shall be of quality at least equivalent to those trees removed. Thereafter, the replacement trees shall be planted, prior to first occupation of the development.

Reason: In order to ensure that the loss of trees is satisfactorily compensated for, in accordance with London Plan Policy T7 (2021) and Policy SP13 of the Haringey Local Plan (2017).

- 12** Prior to first occupation of the development hereby approved, full details of the type, dimensions and location of secure and covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. This shall include dimensioned drawings of the cycle stores. The development shall not be occupied until a

minimum of 6 cycle parking spaces for users of the development have been installed in accordance with the approved details. Such spaces shall be retained thereafter for this use only.

Reason: To promote travel by sustainable modes of transport and to comply with the London Plan (2021) minimum cycle parking standards.

- 13** Prior to commencement of the development hereby approved, a Construction Management Plan (CMP) or Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP or CLP shall detail the programme of works and provide details in respect of: the construction traffic movements, material/plant storage areas, details of necessary suspended car parking spaces and details of how impacts on the operation of the bus lane will be avoided. Thereafter, the development shall be implemented in line with the approved details throughout the project period.

Reason: 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 T4, T7 and D14 of the London Plan (2021) and with Policy DM1 of The Development Management DPD (2017).

Informatives:

INFORMATIVE: Waste Management

The Council's Waste Management Team advise that wheelie bins should be provided to serve the development, rather than Eurobins, in line with the Council's Sustainable Design & Construction Supplementary Planning Document (SPD).

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.

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: Party Wall Act

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

INFORMATIVE: Community Infrastructure Levy

The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayoral CIL charge will be £13,684.60 (212m² x £64.55) and the Haringey CIL charge will be £83,447.44 (212m² x £393.62). This will be collected by Haringey after/should the scheme is/be 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.

Note: The CIL rates published by the Mayor and Haringey in their respective Charging Schedules have been inflated in accordance with the CIL regulations by the inflation factor within the table below.

INFORMATIVE: Proactive Statement

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our pre-application advice service and published development plan, comprising the London Plan 2021, the Haringey Local Plan 2017 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.