

## 1. APPLICATION DETAILS

Reference No: HGY/2022/4522

Ward: Hornsey

Date received: 22/12/2022

Officer contact: Tania Skelli

**Drawing number of plans:** Site location plan, P9001/B, P9002/B, P9003/B, P9004/B, P9005/B, 210/J, 211/F, 212/J, 213/I, 214/J, 215/D, Design and access statement, daylight and sunlight report by CPMC, waste lift specifications, basement impact assessment by We Are Symmetrys, FER-200/D, 201/D, 202/D, 204/D, 216.

**Address:** Garage adjoining 1 Ferrestone Road, Hornsey, London, N8 7BX

**Proposal:** Demolition of single storey garage and erection of a three storey over part-basement, 2-bed single-dwelling-house

**Applicant:** Mr Jonas Grau

**Site Visit Date:** NA

## 2. SUMMARY OF RECOMMENDATION

REFUSE PERMISSION

## 3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

### Proposed development

- 3.1 This is an application for the demolition of the existing single-storey garage and replacement with new three storey over part-basement, 2-bed single-dwelling-house with car and cycle parking, refuse storage. Small outdoor space at the rear and roof terrace.

### Site and Surroundings

- 3.2 The application site is a single storey single vehicle garage which is constructed within a very narrow plot (3.8m wide), surrounded by residential dwellings, abutting the end gardens of Nos 16 and 17 Church Lane with mature planting and outbuildings.
- 3.3 The existing single storey garage is set back from the main road and sited away from the flank wall of No1 Ferrestone Road. The gap between the garage wall and No1 Ferrestone Road decorative brickwork flank wall has a raised ground level. An existing side window, ventilation grilles and rainwater goods are sited on the flank wall of No 1 Ferrestone Road.

- 3.4 The end garden wall (west boundary wall abutting the garage driveway) appears to have been rebuilt fairly recently by the owners of No 17 Church Lane. Nos 16 and 17 Church Lane have sheds abutting the east elevation and south elevations of the existing single storey garage, sited at the ends of their gardens within their demise, with considerable mature planting and root protection areas to the boundaries.
- 3.5 The site is not located in a conservation area and does not adjoin any heritage assets.

### **Relevant Planning and Enforcement history**

- 3.6.1 There is no planning history in relation to the site. Pre-application advice (ref. PRE/2022/0094) for the above development was issued in 2022.

## **4. LOCAL REPRESENTATIONS**

- 4.1.1 The application has been publicised by way of letters to adjoining occupiers. 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: 20

Objecting: 20

- 4.2 The following local groups/societies made representations:

- NA

- 4.2.1 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:

#### **Design**

- Narrow plot (under 4m wide)
- Overdevelopment
- Out of keeping with local architecture and building line
- Height excessive
- Angled projection a jarring architectural feature within street scene

#### **Amenity**

- Overlooking into habitable space and gardens
- Side windows should be fixed shut
- Bedroom less than 11.5sqm/ min living accommodation standards not met
- Low accessibility standards with kitchen at 1<sup>st</sup> floor level
- Loss of sun

- Overlooking from roof terrace
- Habitable space should not include basement for minimum floorspace calculations
- Overlooking into garden store

#### Basement

- Structural and ground stability concerns

#### Transport

- Parking space insufficient
- Parking stress survey required
- Refuse and bin lift in conflict with car parking
- Space too small for car parking

#### Other

- Garden shed at no 16 not indicated
- Root protection areas needed
- Contrary to pre-application advice
- Invalid application and contrary to article 13 and 15 of the TCP Order 2015

4.3 The following issues raised are not material planning considerations:

- Open windows overhanging adjoining land
- Ownership concerns
- Concerns over hazardous materials in no. 16 garden shed realised during construction
- Party wall matters
- Rights of light issues
- Access concerns during construction
- Fire escape/ building regs concerns

## 5. MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development;
2. Design and appearance;
3. Standard and quality of residential accommodation;
4. Inclusive access;
5. Impact on neighbouring amenity;
6. Transport considerations;
7. Trees and landscaping; and
8. Energy and sustainability.

## **Principle of development**

- 5.2 Additional housing is supported at national, regional, and local plan level. Government policy as set out in the NPPF 2021 requires Local Planning Authorities to significantly boost the supply of housing. It supports approval on small sites and outlines that such sites can make an important contribution to meeting the housing requirement of an area and can be built out relatively quickly.
- 5.3 London Plan (2021) Policy D3 seeks to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services.
- 5.4 Policy SP2 states that the Council will seek to ensure a mix of dwelling sizes arising from development. Policy DM7 'Development on Infill, Backland and Garden Land Sites' of the Haringey Development Management DPD is relevant. As set out in the following section of the report, the proposal fails to satisfy criteria of Policy DM7(b) and more broader planning policy in terms of relating appropriately and sensitively to the surrounding area and safeguarding amenity of neighbouring occupiers. Policy DM14 (Self Build and Custom Build Housing) supports the identification of plots for residential development by individuals.
- 5.5 The re-development of the subject site for residential purposes is considered acceptable in principle, subject to details. In this case, the plot size is considered too small for the amount of form of development proposed. The need for housing in the borough is not considered to be outweighed by the provision of a single 2-bed new home of insufficient quality.

## **Design and appearance**

- 5.6 London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D4 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.
- 5.7 Policy DM1 'Delivering High Quality Design' of the 2017 Haringey Development Management Development Plan Document (DPD) is relevant. It states that development proposals should relate positively to their locality, having regard to, building heights, form, scale & massing prevailing around the site, urban grain, sense of enclosure and, where appropriate, following existing building lines, rhythm of any neighbouring or local regular plot and building widths, active, lively frontages to the public realm, and distinctive local architectural styles, detailing and materials. Policy DM12 'Housing Design and Quality' is consistent with this approach.

- 5.8 Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.
- 5.9 In meeting the design expectations of Policies DM1 and DM2, Policy DM7 is relevant. It requires development proposals for infill sites to have at least one street frontage or be ancillary to the host dwelling and the adjacent houses/terraces. It lists several criteria to be met (a to g);
- a. Relate appropriately and sensitively to the surrounding area as well as the established street scene, ensuring good access and where possible, retaining existing through routes;
  - b. Provide a site specific and creative response to the built and natural features of the area;
  - c. Where appropriate, repair or re-provide street frontages and provide additional passive surveillance and increased security;
  - d. Safeguard privacy, amenity, and ensure no loss of security for adjoining houses and rear gardens;
  - e. Retain and provide adequate amenity space for existing and new occupants;
  - f. Incorporate at least one street frontage or be ancillary to the host dwelling and the adjacent houses/terraces; and
  - g. Not result in 'gated' developments that prevent access which would normally be provided by a publicly accessible street.
- 5.10 The proposed new building would be constructed of red brick over three storeys with basement and roof terrace. The proposed decorative chimney has been reduced in size and the cill and lintel levels reduced in height to match that of no. 1 Ferrestone Road. The proposed building is to cover the same footprint as the existing garage with a part-1m set back from the rear boundary to avoid designing windows into a shared boundary.
- 5.11 The front yard would allow for a single car parking space and a lift shaft (normally at basement level when closed) which would bring the refuse and bicycles to street level, if accessed from its narrow end. This would, therefore, need daily and weekly management to ensure that refuse is delivered at street level on the relevant days and bicycles are moved into the lift for use daily. This would need to be coordinated to not obstruct the car parking.

- 5.12 Whilst some improvements were made to the original design and the new building would sit on the same footprint with a depth of 10.1m, overall the amount of development is considered too great for the existing plot size.
- 5.13 With a 9.7m distance from the rear of the Church Lane properties, a part-1m rear outdoor space, a multi-functional front yard and a roof terrace over the lowered roofline, a 2-bedroom unit on this plot is considered too tight despite its creative design. To conclude, whilst some aspects of policy DM7 are met, overall the proposal results in overdevelopment on this site.

#### **Basement considerations**

- 5.14 The application was submitted with a Basement Impact Assessment and would be conditioned to be supervised by a qualified engineer during construction, should the proposal be recommended for approval.

#### **Standard and quality of residential accommodation**

- 5.15 London Plan Policy D6 requires housing developments to be of high-quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.
- 5.16 The proposed 2-bedroom/ 4-person dwelling is provided with 79sqm of habitable space and 7.1sqm roof terrace. This meets the London Plan Standards, in principle. However, the London Plan does not provide for minimum guidance for 2-bedroom units, which suggests that the height of the development is excessive for this unit. This is exacerbated by the previously mentioned lack of sufficient outdoor space at ground level, as would be expected for a single-dwelling-house.

#### **Inclusive access**

- 5.17 London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used easily and with dignity by all. DPD Policy DM2 also requires new developments to be designed so that they can be used safely, easily and with dignity by all.
- 5.18 Due to the constraints of the site, the proposal does not demonstrate compliance with minimum accessibility standards in accordance with Part M(2) Building Regulations. This should be re-visited in any re-submissions.

#### **Impact on neighbouring amenity**

- 5.19 London Plan Policy D4 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.
- 5.20 DPD Policy DM1 'Delivering High Quality Design' 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 aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring resident.
- 5.21 The proposed development would be constructed closer to the rear elevations of nos. 16 and 17 Church Lane, with a gap of 9.7m. Whilst this may reduce some outlook from some windows, it could be considered acceptable in this dense urban context, if reduced by one storey. The current sheer 2.3/3-storey high new side wall would appear overbearing at such short distance.
- 5.22 A daylight and sunlight assessment was included in the submission which demonstrated compliance with minimum standards BRE minimum standards. Other information demonstrates that 25-degree lines from opposite properties would not be obstructed by the new development.
- 5.23 The part/1, set back from the shared boundary assist in avoiding future conflict for development at the adjoining site or outlook from proposed windows, however, the space is too small for real positive impact for future occupiers.
- 5.24 The proposed roof terrace would provide suitable amenity space for future occupiers and is supplemented with a privacy screen to avoid overlooking. Windows within the new flank wall are proposed as obscured and would need to be conditioned as fixed shut to avoid direct overlooking, unless other mitigation was proposed. Perforated brick privacy screen to the far end of the side wall would allow some light into the recess and sufficiently mitigate overlooking. Other new windows to the rear are not considered to result in overlooking over and beyond any other residential windows along the rear building line which would allow some overlooking into the far end of gardens.
- 5.25 To conclude, whilst amenity standards are not entirely considered to be met for future occupiers, adjoining occupiers would not be adversely affected, subject to conditions as outlined above. A condition to remove permitted development rights would be imposed if the proposal would be considered acceptable. Issues regarding existing rights of light would be addressed under separate legislation.

## **Transport considerations**

- 5.26 London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.
- 5.27 Local Plan Policy SP7 'Transport' states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DPD Policy DM31 'Sustainable Transport'.
- 5.28 The existing site allows for one car parking within the garage and one outside, to its front. The proposal would result in the loss of one space and provision of the front area for the parking of one car. This is considered acceptable and complies with the relevant policies.
- 5.29 Cycle parking is proposed within the basement, as outlined above, and accessible to street level via a car lift. This complies with policy, however, does result in an extremely tight arrangement which would require daily management.

## **Trees and landscaping**

- 5.30 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.
- 5.31 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.
- 5.32 As the new building is proposed over the existing footprint of the garage, there are no trees on site affected by the proposal. Whilst there is evidence of mature vegetation surrounding the proposal site, suitable mitigatory condition to protect trees within adjoining and during construction would be included upon approval.

## **Energy and sustainability**

- 5.33 The London Plan sets out detailed policies in relation to energy efficiency, renewable energy, climate change and water resources. Local Plan Policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions through on-site renewable energy generation.
- 5.34 DPD Policy DM21 also requires new development to consider and implement sustainable design, layout and construction techniques, with proposals required to apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements.
- 5.35 The application includes a statement to outline energy efficient and carbon reduction measures, such as triple glazing, solar panels and a roof mounted air source heat pump. There will be no gas installations. In addition, vegetation is proposed within the roof terrace and solar shading will result from the rear part set-back. accordingly, and subject to details, the proposal is considered to comply with policy DM21.

### **Conclusion**

- 5.36 The proposal is considered unacceptable due to the amount and form of development proposed to replace the existing garage, resulting in over development and poor amenities. The need for housing in the borough is not considered to be outweighed by the provision of this single 2-bed new home of insufficient quality.
- 5.37 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

## **7. CIL APPLICABLE**

- 7.1 The development is over 100 square metres (102sqm) and is for a whole new unit and as such would be liable for CIL.

## **8. RECOMMENDATION**

**REFUSE PERMISSION**