

REF: P0839

PLANNING STATEMENT

Location: 175a Nightingale Lane, London, N8 7LJ

Applicant: JKA Property Limited

Date: September 2023

QUALITY ASSURANCE

Status	Issue	Date	Prepared By	Checked By
Final	1	29.09.23	P Higginbottom	P Higginbottom

COPYRIGHT

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Planning Insight Limited.

CONTENTS

1.0	INTRODUCTION	4
2.0	PLANNING CONTEXT	6
3.0	PLANNING POLICY	9
4.0	PLANNING ASSESSMENT	13
5.0	CONCLUSION	21

1.0 INTRODUCTION

- 1.1 This *Statement* has been prepared by Planning Insight on behalf of JKA Property Limited (hereafter referred to as ‘the Applicant’) to accompany a planning application submitted to the London Borough of Haringey in respect of the proposed development at 175a Nightingale Lane, London, N8 7LJ (the ‘Application Site’).
- 1.2 Planning Permission is sought for the construction of a new dwelling on the site. The description of development is as follows:
- “Construction of a two-storey plus basement single-family dwellinghouse”*
- 1.3 The application follows the grant of permission for a single storey plus basement granted in 2022(HGY/2022/1408)
- 1.4 The overall objective of the scheme is to provide a high-quality dwelling at the site, making efficient use of the land and contributing to the Council’s housing targets. The proposal has undergone a comprehensive design process to ensure that it preserves the character and appearance of the respective designated heritage assets allocated within the area.
- 1.5 The Council currently faces the presumption in favour of sustainable development. The tilted balance is therefore engaged, and the proposal must be considered in this context.
- 1.6 The Applicant has commissioned a consultant team to prepare a full planning application for the development of the application site. This *Statement* describes the application proposal in more detail and the context of the relevant policies. It should be read in conjunction with the following drawings and documents:

Document	Consultant
Design and Access Statement	Office S&M
Heritage Assessment	Authentic Futures
Basement Impact Assessment	LBHGEO
Structural Methodology Statement	T an T Associates
Geotechnical Report	Your Environment
Landscape Design	Maude PINET Landscape Architect
SUDs Assessment	LBHGEO



PLANNING
INSIGHT

Document	Consultant
Internal Daylight Assessment	T16 Design
Tree Survey	Ruskins Tree Consultancy
Parking Survey	Kronen
Energy Statement	UK Building Compliance

2.0 PLANNING CONTEXT

SITE AND SURROUNDINGS

- 2.1 The application site is situated in Hornsey, which is located within the London Borough of Haringey. The site is located at the northern end of Nightingale Lane.
- 2.2 The surrounding area is typified by residential dwellings. Whilst residential use predominates, Campsbourne School, a locally listed building is situated opposite the application site. In terms of the street scene, the immediate area is characterised by residential buildings which generally consist of two-storey terraced properties and the locally listed school.
- 2.3 The application site is bounded by No. 175 Nightingale Road to the south and Alexander Park to the north. The rear of the site is bounded by the garden of No. 2 N View Road.
- 2.4 The site is located within the Campsbourne Cottage Estate Conservation Area and the northern boundary of the site abuts the Alexandra Palace and Park Conservation Area.
- 2.5 The below images show the site and immediate context.



Figure 1 - Application site

PLANNING HISTORY

- 2.6 A search of the London Borough of Haringey online planning database for the Application Site identified no relevant applications.

2022 Application – HGY/2022/1408

- 2.7 Permission was granted following refusal for a single storey plus basement dwelling.

2021 Application – HGY/2021/3405

- 2.8 A full planning application for *“Erection of new two-storey dwelling with basement and associated excavated garden, front lightwell and first floor roof terrace, in conjunction with single storey rear infill rear extension to host dwelling at No.175.”* (LPA reference HGY/2021/3405) was refused by delegated powers on 25th January 2022.
- 2.9 The application was refused for reasons relating to the overall design and the impact that it would have on the heritage assets.



Figure 2 - Refused Scheme CGI



Figure 3 - Refused Scheme CGI

Pre-application – PRE/2021/0153

- 2.10 Pre-application advice was sought before the submission of the previous application. The description of the development was for the “*construction of a two-storey with basement detached single family dwellinghouse*” (LPA reference PRE/2021/0153). The Council’s pre-application written response was received in August 2021. The Council’s pre-application advice was generally positive and supported the principle of a new residential dwelling, but it did raise concerns with the design approach. The LPA stated that a more sensitive scale and mass, with careful siting and achieving a high-quality design would be required.



Figure 4 - Front elevation of pre-application scheme

3.0 PLANNING POLICY

- 3.1 This section of the Statement provides an analysis of the planning policy context in which the proposed development should be considered in accordance with the relevant planning legislation and national policy guidance.
- 3.2 Planning decisions in England and Wales should be taken in accordance with the development plan unless material considerations indicate otherwise. This statutory requirement is set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 3.3 The statutory development plan for the London Borough of Haringey consists of:
- The London Plan (2021).
 - Haringey's Local Strategic Policies.
 - Development Management DPD.
- 3.4 While not forming part of the statutory development plan, the following documents remain important material considerations for the determination of planning applications in Haringey:
- National Planning Policy Framework (NPPF).
 - National Planning Practice Guidance (NPPG).
 - Supplementary Planning Guidance and Documents.
- 3.5 The most relevant extracts of these documents are analysed in more detail below.

STATUTORY DEVELOPMENT PLAN

London Plan 2021

- 3.6 The London Plan forms part of the development plan for the site and was adopted in March 2021. The relevant policies are discussed below.
- Policy H1 - Increasing housing supply
 - Policy H2 - Small sites
 - Policy D3 - Optimising site capacity through the design-led approach
 - Policy D4 - Delivering good design
 - Policy D5 - Inclusive design
 - Policy D6 - Housing quality and standards
 - Policy D7 - Accessible Housing
 - Policy D10 - Basement Development

Haringey's Local Strategic Policies

3.7 Haringey's Local Plan: Strategic Policies was adopted by the council in 2013. It provides the strategic direction for the borough; the following policy is relevant.

- SP2 – Housing
- SP12 – Conservation

Development Management DPD

3.8 The Development Management document was adopted in 2017, it provides detailed policies that are applicable to new development in Haringey. The below policies are relevant.

- DM1 - Delivering High-Quality Design
- DM4 - Provision of Waste Management Facilities
- DM6 - Building Heights
- DM7 - Development on Infill, Backland and Garden Land Sites.
- DM9 - Management of the Historic Environment
- DM10 - Housing Supply
- DM11 - Housing Mix
- DM12 - Housing Design and Quality
- DM18 - Residential Basement Development and Light Wells
- DM35 - Cycle Storage in Front Gardens

Supplementary Planning Documents

3.9 The Campsbourne Cottage Estate Conservation Area Character Assessment and Policy Statement are considered in the context of the development proposal within the Planning Considerations section of this *Statement*.

NATIONAL PLANNING POLICY

National Planning Policy Framework

3.10 On 5th September 2023, the government adopted the revised National Planning Policy Framework (NPPF). The document provides a consolidated framework of planning policy which replaces the previous National Planning Policy Framework.

3.11 The NPPF outlines the presumption in favour of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives: an economic objective, a social objective and environmental objective.

- 3.12 The framework indicates that proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 3.13 The key themes of the NPPF that are relevant to the current scheme are housing delivery, making effective use of previously developed sites and design.
- 3.14 Chapter 11, Making effective use of land, states that planning policies and decisions should promote effective use of land in meeting the need for homes and other uses. Section (d) in paragraph 188 notes that planning policies and decisions should promote and support the development of under-utilised land and buildings. This is considered especially relevant if it would help meet the identified needs for homes in authorities where land supply is constrained, and available sites could be used more effectively.
- 3.15 The setting of a heritage asset is defined as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
- 3.16 The significance (for heritage policy) of an asset is defined as the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence but also from its setting.

National Planning Practice Guide

- 3.17 The Government launched the Planning Practice Guidance web-based resource in March 2014. The resource is continually updated, with the most recent update reflecting the revised National Planning Policy Framework adopted in February 2019.
- 3.18 Paragraph 001 of Design states that as a core planning principle, plan-makers and decision takers should always seek to secure high-quality design.
- 3.19 Paragraph 003 of Conserving the Historic Environment states that the conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.
- 3.20 Paragraph 007 of Design states that development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, while not preventing or discouraging appropriate innovation.



PLANNING
INSIGHT

- 3.21 The NPPF and NPPG are considered as appropriate within the Planning Considerations section below.

4.0 PLANNING ASSESSMENT

PRINCIPLE OF DEVELOPMENT

- 4.1 The principle for a new dwelling on the site was established by the extant permission granted in 2022.
- 4.2 Policy SP2 – Housing, states that the Council will aim to provide homes to meet Haringey’s housing needs and to make full use of Haringey’s capacity for housing by maximising the supply to meet and exceed the minimum housing targets. The policy goes further in saying that excellence in design quality and sustainability will be required for all new homes.
- 4.3 Policy DM10 – Housing Supply notes that whilst allocated sites are prioritised, the Council anticipates proposals for windfall development to continue to come forward. Where they are deemed to comply with the relevant policies of the Plan, windfall developments will make a valuable contribution to Haringey’s housing supply over and above the allocated sites, providing a reasonable level of contingency against delivery of the Borough’s strategic housing target.
- 4.4 The need for windfall sites is particularly acute in Haringey. The Local Authority has failed to meet its Housing Delivery Target for the past three years. In turn, the Local Authority face the presumption in favour of sustainable development in accordance with paragraph 11 (d) footnote (7) of the NPPF. The current site is capable of delivering one new unit in a sustainable location, this strongly weighs in favour of the application being approved unless there is strong justification not to do so.
- 4.5 Table 4.1 of the London Plan sets out that over the 10 year period Haringey must deliver 8,020 homes with 2,600 of these to be delivered through small sites (32.4%). London Plan policy H2 (Small Sites), supports the development of smaller sites recognising their significant role in addressing London’s housing shortage. In this regard, the development of a small site, on a broader strategic and national level carries significant weight. This is particularly acute in the case of Haringey given that nearly a third of new homes in the borough will be delivered through smaller sites. London Plan policy H2 seeks to support and encourage the SME developer market, in this regard the scheme fulfils this objective. The proposal strongly accords with the London Plan which carries significant weight.
- 4.6 In both the council’s pre-application report and the previous Delegated Reports, officers acknowledged that the proposal would be an infill development and would therefore be considered against Policy DM7. Policy DM7 – Development on Infill, Backland and Garden Land Sites, states that the Council recognises that to meet the Borough’s housing needs, optimising existing built sites may be necessary.

- 4.7 Part A of Policy DM7 states that there will be a presumption against the loss of garden land unless it represents the comprehensive redevelopment of a number of whole land plots. In the Delegated Report for the previous scheme, the officer confirmed that while the proposal would involve the loss of garden it would “conform to the intentions of this policy, in ensuring sufficient gardens retained, a street frontage provides and a site-specific response.”
- 4.8 It is also considered relevant that Policy DM7 was adopted prior to the adoption of the London Plan in 2021 where the need for a third of housing in Haringey is to be delivered through small sites. Part A of DM7 is considered somewhat restrictive when viewed in the context of the London Plan and the council facing the presumption.
- 4.9 Part B of Policy DM7 states that Development proposals for infill, backland and garden land should meet the requirements of Policies DM1 and DM2 and must:
- 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, and 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.
- 4.10 The proposal would provide a new dwellinghouse that has been exceptionally designed. The proposal has been carefully designed to ensure that it relates appropriately and sensitively to the surrounding area whilst protecting the amenity space of the host and neighbouring properties. The key design principles and details of the design have been addressed in the design section of this document and the accompanying Design and Access Statement and Heritage Statement. Please refer to all documents for completeness.

- 4.11 The existing dwelling would retain sufficient amenity space in accordance with the minimum space standards set out within the development plan. The new dwelling would front onto Nightingale Lane, adjacent to the existing dwelling. It is considered that the proposed development would comply with the criteria set out in policy DM7.
- 4.12 The proposal would positively contribute to the London Borough of Haringey's housing targets. It would provide a well-designed one-bedroom family dwelling house. It is considered that the principle of a new residential dwelling is acceptable as it complies with the relevant development plan policies. Notwithstanding the policy support for the principle of development. The previous application confirmed that "the principle of additional housing is accepted."

DESIGN AND IMPACT ON THE CONSERVATION AREA.

- 4.13 With regards to design, policy SP11 of the Local Plan requires all new development to enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use. This is further supported in Development Management policies DM1 and DM12 which aim to ensure that extensions or alterations to residential buildings 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 buildings.
- 4.14 Policy SP12 of the Local Plan ensures the conservation of the historic significance of Haringey's heritage assets, their setting, and the wider historic environment. This is detailed further in Policy DM9 of the Development Management Document.
- 4.15 The application site is located within a conservation area. National planning policy states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). In this instance the heritage asset is the conservation area, this has a relatively low significance in the heritage hierarchy. Furthermore, the proposal does not result in the loss of any assets or indeed buildings within the conservation area.

- 4.16 Paragraph 196 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. A Heritage Statement has been prepared and submitted as part of this application. The Heritage Statement provides a comprehensive assessment of the heritage asset (Campsbourne Cottage Estate Conservation Area) in the area and a detailed review of the proposal within its context to determine whether it will cause less than substantial harm. The Heritage Statement has also assessed the Campsbourne School building which is a non-designated heritage asset and the setting of the Alexandra Park and provided guidance throughout the design process.
- 4.17 Comprehensive Design and Access (DAS) and Heritage Statements have been submitted with this application. The DAS provides a detailed assessment and justification for the proposal – showing how the design has progressed from the initial concept stage through to this resubmission. Please refer to the DAS for full details on matters relating to design.
- 4.18 In terms of heritage, the Heritage Statement concludes that the proposals have a neutral impact on the significance of the terrace, this part of the conservation area and the setting of the park adjacent. These changes do not cause harm. Please refer to the Heritage Statement for the full assessment.

Summary

- 4.19 It is considered that the design responds positively to the requests set out in the council's Pre-Application Report and that it has overcome the previous reasons for refusal. Furthermore, it is compliant with all of the relevant policies of the Development Plan. The accompanying Design and Access Statement and Heritage Statement provides a detailed overview of the design process and a character assessment of the site and the surrounding area. Please refer to both of these documents for further details about design and heritage.

BASEMENT

- 4.20 The proposed basement has been agreed on previous determinations and this aspect of the proposal remains unchanged.
- 4.21 The Development Management DPD notes that basements, particularly in established residential areas, have become an increasingly popular way of gaining additional space in homes. As a result of the growing popularity, the Council has Policy DM18: Residential Basement Development and Light Wells, to ensure that this typology of development is built safely and is of an appropriate scale.

- 4.22 The application is accompanied by an updated Basement Impact Assessment which demonstrates that the scheme is acceptable. Please refer to the BIA for full assessment and findings.
- 4.23 The proposal is compliant with Development Management DPD policies DM18 and DM24.

QUALITY OF ACCOMMODATION

Internal

- 4.24 Part A of Policy DM12 states that all new housing must be of 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.
- 4.25 The proposal is for a two-storey plus basement residential dwellinghouse comprising two bedrooms, an open plan kitchen living room, study and a rear garden. All of the rooms and living areas meet and exceed the nationally described minimum space standards for the respective rooms.
- 4.26 An internal daylight assessment demonstrates that the proposed development is acceptable in accordance with BRE Standards.

External

- 4.27 Part D of Policy DM1 states that development should provide appropriate sunlight, daylight and open aspects (including private amenity space where required) to all parts of the development and adjacent buildings and land. Furthermore, Part B of Policy DM7 requires development on garden land to retain and provide adequate amenity space for existing and new occupants. The proposed development would result in both dwellings having access to large rear gardens. This was supported in the previous application.
- 4.28 Part B of Policy DM18 states that '*Proposals for basement must not include habitable rooms or other sensitive uses in areas prone to flooding where there is no reasonable means of escape*'. The application includes a comprehensive Basement Impact Assessment which demonstrates that adequate means of escape for future occupants. The basement remains unchanged and therefore the proposed basement is acceptable with regard to Part B of DM18.

NEIGHBOURING AMENITY

- 4.29 The London Plan policy D4 states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. DM policy DM1 'Delivering High-Quality Design' states that development proposals must ensure a high standard of privacy and amenity for users and neighbours. The Council will support proposals that provide appropriate sunlight, daylight and open aspects (including private amenity space where required) to adjacent buildings and land.
- 4.30 Part B of Policy DM7 states that all development of garden land should safeguard privacy, and amenity, and ensure no loss of security for adjoining houses and rear gardens. The proposed development has been designed to replicate that of the neighbouring properties along the terrace which preserves their amenity space.
- 4.31 The windows at the rear of the new dwelling have the same orientation as those that are established on the other properties along the terrace. The proposed development would have no greater impact on the privacy of the existing dwellings along the terrace.
- 4.32 In terms of daylight and sunlight, an assessment has been carried out which concludes that the proposed development will have limited impact on existing neighbours in terms of daylight and sunlight, in line with the requirements of the BRE Guidance.
- 4.33 It is considered that the proposed development would not result in a harmful loss of amenity to the neighbouring properties and still provides a high level of amenity for future occupiers of the proposed development.

PARKING ACCESS

- 4.34 The application site has a PTAL rating of 1b which means that the site has a poor level of access to public transportation. In line with the London Plan Policy T6.1, maximum levels of parking provision is 1.5 spaces per dwelling. Given this is a two-bed property, up to 1 vehicle space would be considered appropriate.
- 4.35 A parking stress survey has been undertaken and the results have been submitted with this application. The survey shows that the street can accommodate the additional parking space required for the new dwelling. The proposal does not include any off-street parking but based on the survey results is not considered to give rise to significant impacts on the local highway network. This was agreed upon by the Council in previous applications.

TREES

- 4.36 An Arboricultural Assessment is provided with the application which demonstrates that the scheme is acceptable with regards to trees.

CYCLE STORAGE AND REFUSE

- 4.37 Refuse storage and safe and secure cycle storage have been provided at the rear of the property. Both the refuse and the cycle storage have been carefully designed into the landscaping of the rear garden. The refuse and the bikes can be taken down the side of the new dwelling rather than internally, providing convenient access.

SUSTAINABILITY

- 4.38 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 is promoted for all new development, specifically to achieve a reduction in predicted carbon dioxide emissions of 20% from on-site renewable energy generation.
- 4.39 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 to meet/ exceed, minimum carbon dioxide reduction requirements. This policy also seeks to maximise opportunities to enhance biodiversity on-site, including through appropriate landscaping, use of sustainable drainage systems, living roofs and green walls etc. An Energy & Sustainability Statement should be prepared to accompany such an application, addressing the policies outlined above and prepared in line with GLA Guidance on preparing energy assessments (March 2016).
- 4.40 An Energy Statement was prepared to accompany the previous application. The changes to the scheme are very minor in terms of energy performance and so the report is still considered relevant for consideration. The statement addressed how the proposal would comply with the requirements set in the above-referenced policies and it has been prepared in line with GLA Guidance (March 2016). Similarly to the previous application, this proposal includes a series of passive measures and high energy standards, as well as an efficient Air Source Heat Pump to achieve the required reduction in CO2 emissions. The applicant has agreed to pay for the remaining carbon emissions offset and will be willing to agree to further contributions in this regard.
- 4.41 The Council considered these measures to be acceptable and for the offset payment to be agreed upon as a unilateral undertaking.

THE TITLED BALANCE

- 4.42 As stated within the Policy section, the tilted balance as per Paragraph 11 is engaged. This requires the decision-maker to assess the proposal with a presumption in favour of sustainable development.
- 4.43 This statement has demonstrated that no considerations would outweigh the tangible benefits of the scheme, which are cited below:
1. The benefit of one additional unit in a sustainable location.
 2. The proposed development would not result in the loss of privacy or any other negative impact on the neighbouring properties.
 3. The proposed development is of high quality in design terms. The proposal will preserve the character of the conservation area with an appropriate design.
 4. The proposed development would be constructed to a high standard in terms of energy performance.
- 4.44 Given the above clear benefits and lack of any harm arising from the proposal, the proposed development tips the balance in favour of approval. Accordingly planning permission should be granted.

5.0 CONCLUSION

- 5.1 This Statement has been prepared in support of a full planning application for a new dwelling to the side of No. 175 Nightingale Lane. The proposed scheme provides a high-quality development that it is in accordance with the relevant policies of the Development Plan and relevant Supplementary Guidance.
- 5.2 This application comprises a comprehensive planning pack with all necessary supporting documents which demonstrate that this application has overcome the previous reasons for refusal. This planning statement must be read in conjunction with all of these supporting documents.
- 5.3 The reduction in scale and amendments to the design of the proposal ensure that it will respond positively to the local context and character of the area. It is considered that the proposal will make a positive contribution to the character of the conservation area.
- 5.4 The provision of a new dwelling would positively contribute towards the Council's housing targets.
- 5.5 The development would not harm the amenity of the neighbouring properties whilst ensuring that the quality of accommodation for the future occupiers meets the required standards.
- 5.6 The proposal is therefore considered to be in accordance with the overall aims of the Development Management Policies and wider aspirations of the Development Plan.



PLANNING
INSIGHT