

Application Type: Householder planning permission

Address: 95 Wood Vale, Hornsey, London, N10 3DL

To: The Planning Officer, Josh Parker

19 September, 2023

Dear Mr. Parker,

We are the adjoining owners at 93 Wood Vale. While we welcome the much needed refurbishment at No.95, we have a number of concerns with the submitted scheme - many of which have already been communicated to the applicant and which we understand are addressed by Haringey Development Policy.

There are clear grounds to REFUSE:

- A. The application has been submitted with material a) omissions and b) errors, so should be deemed INVALID.
- B. The height, scale and footprint of the proposed ground floor extension is EXCESSIVE and OBSTRUSIVE.
- C. Site-specific conditions suggest UNACCEPTABLE LEVELS OF RISK related to the proposals
- D. There are less excessive, lower risk alternatives that DELIVER HIGH QUALITY DESIGN

A.a) **Omissions**

- i. The proposal for the formation of a substantial basement is not supported by a Basement Impact Assessment (BIA) or a Construction & Traffic Management Plan, thereby fails to comply with *DM18: Residential Basements & Lightwells*.
- ii. The proposed site is in a Critical Drainage Area, on top of known and unknown culverted watercourses and adjacent to Priory Brook, further necessitating a Flood Risk Assessment (FRA) and Sustainable Drainage Systems Plan (SuDS), the absence of which fails to demonstrate compliance with *Policy DM24: Managing & Reducing Flood Risk*, *DM25: Sustainable Drainage Systems*; and, *DM28 Protecting & Enhancing Watercourses and Flood Defences*.
- iii. The site is, moreover, adjacent to Queens Wood, a Local Nature Reserve and Crouch End Open Space (CREOS), a Site of Importance for Nature Conservation, so that, given the scale and nature of proposed development, the application should be accompanied by Arboricultural and Biodiversity Impact Assessments, to demonstrate compliance with *DM19: Nature Conservation*.
- iv. There are a number of mature trees in our adjoining garden which the application also fails to acknowledge or address. In the absence of ground water and arboricultural assessments, construction method statements and associated guarantees, there is no way to ensure these trees will be protected during the extensive excavation works.
- v. The applicant has omitted the formation of a raised terrace of over 0.3m from their list of proposals (not permitted development).
- vi. The application has not appeared on the Haringey Map View for Planning Applications for the duration of the consultation period. Map search-ability is essential for residents who wish to know about new applications in their area.
- vii. A Design & Heritage Statement (D&A) was submitted only two working days before the end of the consultation period. There has been insufficient time for a proper neighbourhood consultation.

A.b) Errors & Inconsistencies

- i. Position and nature of boundary line / wall: The position of the red boundary line to No. 93 has not been drawn properly. The proposed development depends upon property and boundary walls that are not within the ownership or control of the applicant. The flank wall on this boundary is wholly owned by No. 93. The applicant has only limited prescribed rights to this wall by virtue of their lean-to shed being enclosed on to it. The applicants and their architect were made aware of this fact by a party wall surveyor, over one month prior to the submission of their latest document (D&A) where it has been misleadingly represented as being '*shared*'. In this document, it is also described as being a '*single skin brick wall*'. This is factually incorrect. It is a 10-inch-thick external wall.
- ii. There is no 'existing' side extension: The lean-to-shed is not habitable nor does it possess its own foundations. It is not integral to, nor part of, the original dwelling house at No. 95. The structure is enclosed on to our flank wall and has no structural integrity of its own.
- iii. Remnants of a greenhouse is not a 'side extension': Similarly, the structure drawn as the side extension in rear elevation E08 is not bonafide and not integral to the house. As shown in the photo below and again in the Architect's D&A (left hand side page 12), this structure is a dilapidated outbuilding and there is a gap between it and our wall.
- iv. The 'existing basement' does not appear to be subterranean: As seen in the photo below, the entity described as the 'existing basement' is a garden room, the doors to which open directly onto ground level. The Existing Rear Elevation Drawing E08 shows these doors as 1.7m high above ground level. Drawing E02 shows the same room as having a ceiling height of 1.8m while E09 shows a drop of >1m below ground level at the entrance to this room. These measurements are not consistent with each other, nor do they reconcile with the measurement of 2.14m shown for the same doors in a previous planning application for this property (HGY/2007/2228 Drawing_301007_4).



Drawings representing the side structures and garden room as part of the existing dwelling, including on D&A Scale and Mass page 8, are misleading. The proposed extensions constitute entirely new habitable space, increasing it from the existing 2630 sqft to an estimated 4500 sqft (of which 980 sqft is basement). This is a ~70% expansion and would yield 3.5 times the London Plan's minimum space requirement for a five person family.

Council guidelines state that full width extensions are '*not normally considered acceptable*' (SPG 1a F.2). Given the applicant is seeking permission for a wraparound extension that goes well beyond full width and then also abuts the entire length of our flank wall (converting our houses from detached* to semi-detached), these are material elements of the application that should be clarified.

*Our houses are not 'link detached' as described in the D&A. The attachment is not original to the building, nor is it just from garage to garage. The applicant's lean-to is enclosed on to our flank so that it straddles half of our garage and half of our living room.

B. The height and footprint of the proposed ground floor extension is excessive and obtrusive

Fails to address consultation and ignores precedent

The submitted scheme proposes to fundamentally change the nature and classification of our building, yet we were offered no meaningful pre-consultation. We were briefly shown a single drawing of the ground floor wrap around extension on August 1 (with no reference to a basement). At that time, we made our objection to the abutment of our property clear, highlighting the same concerns listed below, and suggested that the applicants simply move their new flank wall to 1m from ours, as per the precedent set in HGY/2009/0267 on this very same boundary. They were unwilling to concede this 15sqm.

No alterations were made to address our concerns. Indeed, when the plans were finally made available to us on August 26 via the Haringey portal, we found the scheme to be materially expanded. The applicant has *failed to address feedback from local consultation* (DM1:A.c) and is proposing to build structures that would be antagonistic to adjoining neighbours and public spaces, conflicting with DM1:A. failing to *relate positively to neighbouring structures*.

There is no precedent on Wood Vale for the scale and nature of what the applicant is proposing - and none of the precedents listed in the D&A are relevant.

Excessive width of side extension

The overall size, scale, bulk and massing of the side extension does not relate positively to either its own building or that of adjoining neighbours. We do not see any precedent on Wood Vale for extending this far from the hip line so that two buildings that were previously detached become semi-detached. This conflicts with Policy DM1:B. *b) Form, scale & massing, e) Rhythm of neighbouring plots and building widths*. It would fundamentally alter the streetscape and set a precedent for unnecessary over development in our suburban setting.

Building Lines

The proposed extension projects nearly 6.5 metres from the rear building line at No. 97 and 3.8 metres from our building at No.93. There is not a single building between Nos. 91 through 99 that projects half as far into the garden. This conflicts with Policy DM1:B. *b) Form, scale & massing, d. following building lines, e) Rhythm of neighbouring plots and building widths*.

Right to Light & Air

The Architect's Daylight and Overlooking study, submitted in the belated D&A, aside from other obvious flaws, does not show neighbouring properties, windows or gardens - so it does not serve its primary purpose.

Set at our immediate flank boundary, with such a deep projection outward and upward expansion of 3.5m above our terrace level (1 and 1.5 metres above our existing terrace wall*), the proposed rear extension would block southerly and westerly light to our living room window. The extent of the projection means the 45-degree rule is contravened. Aside from loss of daylight and sunlight to our living room and kitchen, our

terrace and garden would also experience a material loss of afternoon and evening light. We would also lose an essential cross ventilation route as the extension would block the only openable window on this side of our ground floor.

*The applicant references this '*high level*' brick wall in many parts of the application, claiming the extension '*comes in line*' with it - but no cross section is shown to depict its height relative to the proposed extension. Drawings mislead the viewer as to the existing ground and wall levels at this boundary. Our terrace wall has two different heights (2 and 2.5m) and, were it to appear in side elevation P09, it would be seen to be dwarfed by the proposed extension. We encourage the planning officer to make a site visit to visualise this undue dominance in person.

Loss of Private Amenity: Outlook & Overbearing

The proposed extension would impose a significant visual obstruction and overbearing presence, viewed from ALL primary living spaces of our home - master bedroom, office, kitchen, living room, dining room - and terrace and rear garden. It would over-urbanise our open green aspect, which forms so much of the visual amenity of our woodland location. This conflicts with DM1: 2.9 *loss of outlook due to proximity and design*, and DM1:D *Development proposals must ensure a high standard of amenity for neighbours a) provide appropriate sunlight, daylight and open aspect*.

Public realm impacts

During the cooler months, the rear elevations of houses on this stretch are also visible to the Woodland Walk (CREOS), a wooded enclosure to the street, bringing these elevations into the public realm. The substantial scale and projection of rear glazing being so immense and out of character with the rest of the row would '*increase in the dominance of built form*' in an area that is largely green and open. It would appear intrusive to the wooded street scene, conflicting with Council Guidelines SPG1a 2.B.3, and be incongruous with neighbouring structures, conflicting with DM1: A & B.

Loss of Amenity & Biodiversity Impacts: Overlook, Light Pollution,

As we back onto CREOS, there is no built form visible from our homes to the rear. At night, we look out onto the darkness of the woods. The proposed expanse of new glazing to the rear and rooflights to the rear and side, will likely create light pollution in our gardens, impacting our private amenity but possibly also having detrimental ecological and biodiversity impacts. We are essentially in a Nature Reserve, with all manner of nocturnal creatures living among us, including owls, bats and hedgehogs. During the day, the extension and new terrace protrude so far into the applicant's garden that we fear it will cause overlook both into our garden and back onto our house.

Loss of Amenity & Biodiversity Impacts: Noise and Vibration

Given our position in this ecological corridor, the placement of an outdoor air-conditioning unit is also not site-appropriate (DM19: Nature Conservation). We would recommend that the applicant instead install a water-cooled system that utilises a low noise output indoor condenser. These are highly effective, compact, do not require planning permission and mitigate all potential noise and vibration impacts on humans and other species that share this space. We plan to install one ourselves.

Building on our flank

There are clear issues with building right up to our flank boundary – and that too, against our will. It does not *relate positively to people, to neighbouring structures, new or old, does not make a positive contribution to the place, not does it confidently address local feedback* – going against the first three principles of Policy DM1: Delivering High Quality Design.

Aside from the aesthetic impact to the streetscape and the potential financial value impact to us by way of mortgage lenders and insurance companies reclassifying our property as semi-detached vs detached, there

are practical reasons for allowing homes of this period to function as they were intended. These are discussed below and in Section C.

Access for maintenance & development

A meaningful gap between our flank and the proposed side extension would ensure that we are able to access our property for maintenance and possible future development. There is currently no first floor extension over our garage, as mistakenly shown in E06 Existing Front Elevation. Approval was granted for this extension in April 2022, so the subsequent approval of any structure/s or cumulative and concurrent development at neighbouring properties that might impede or compromise our ability to develop the same (before April 2025) would be prejudicial to the existing approval. Council Guidelines SPG1a E.1 Layout - states that '*Proposals should not prejudice the satisfactory development or redevelopment of adjoining land by restricting access, building too close to the boundary, or prejudice the complete development of the site.*'

C. Site-specific conditions suggest unacceptable levels of risk

Land levels, damp, mould & micro climatic issues

Any proposal to build right up to this flank boundary, disregards the fundamental topography of the site, where our plot sits on lower land level to No.95. This conflicts with *Policy DM1: C. Landscaping, Landform, Levels & Slopes*, and poses the real threat of creating long term drainage, damp and flooding problems - one of which we are already suffering as a result of disregard for landform.

The applicant's lean-to shed is a structure that was not original to the buildings and so, being built on a higher level, bridges our original slate damp proof course (DPC). It is thereby causing penetrating damp and mould in our living room. There is a professional survey to support these findings. Any new proposal that may further compromise our DPC would be in contravention of DM1:D.c, failing to *address micro-climatic issues* – which in this case are present and known. Long term damp causes structural risk, inviting woodworm, rot and the like. It is imperative that these issues are not taken lightly.

Any proposal to develop on or right up to our flank wall also disregards the fundamental *physical character* of our building (as per *SPG1a 2. Urban Design Guidance A.1 Context*). In the D&A the architect mistakenly identifies our homes as being post-war (D&A page 4) when they are in fact late 1920s and early 30s-built, solid wall structures, possessing shallow foundations and suspended floors. In the case of our property, which we purchased in 2021, those walls and floors were largely preserved and untouched by gypsum or other modern non-breathable materials. We have since been renovating and restoring to retain the building's intended functionality - using sustainable and breathable heritage materials such as lime, lath & plaster and mineral paints, at considerable additional expense. The applicant's proposal to build up to and along our entire western flank wall would interfere with this 'breathability', compromise our building's health and sustainability - and in doing so would permanently impair our indoor air quality and health. This is not speculative. The impacts are very current.

Drainage, Flood & Structural Risk

The proposal seeks to fundamentally alter the ground levels on our boundary and excavate deep new foundations adjacent to and well below our shallow old foundations. It also plans to add a significant expanse of new basement and associated tanking materials under ground level and hard standing to the garden. We are positioned downhill to these proposed impermeable structures - on clay soil, in a Critical Drainage Area, on top of watercourses, surrounded by woods, in an area known for surface drainage problems and subsidence. These critical hydro-geological and structural issues have not been addressed by way of any assessments or methodology statements.

Meanwhile, there is a wealth of anecdotal evidence from neighbours along Wood Vale that show the incidence of flooding, drainage problems and death to mature trees caused by neighbouring development is

high. I am unable to share these experiences here for privacy purposes but would be happy to provide the officer with this anecdotal evidence in non-published form.

Clay Soil, Settlement & Climate Change Risk

Construction risk aside, leaving a gap between new and old foundations allows the essential leeway for 1930s stepped foundations to respond to shrink and swell of London clay over time - a feature that is inherent to their design. This is becoming ever more important in our Climate Change environment where these seasonal contractions and expansions are becoming more erratic and extreme. Moreover, the weight of any new building takes years to settle – in this case, the proposed extension is the size and weight of a whole new house. Being downhill of it, settlement will mean the structure will inch towards us. There should be sufficient room between our foundations to maintain their integrity vis a vis these movements.

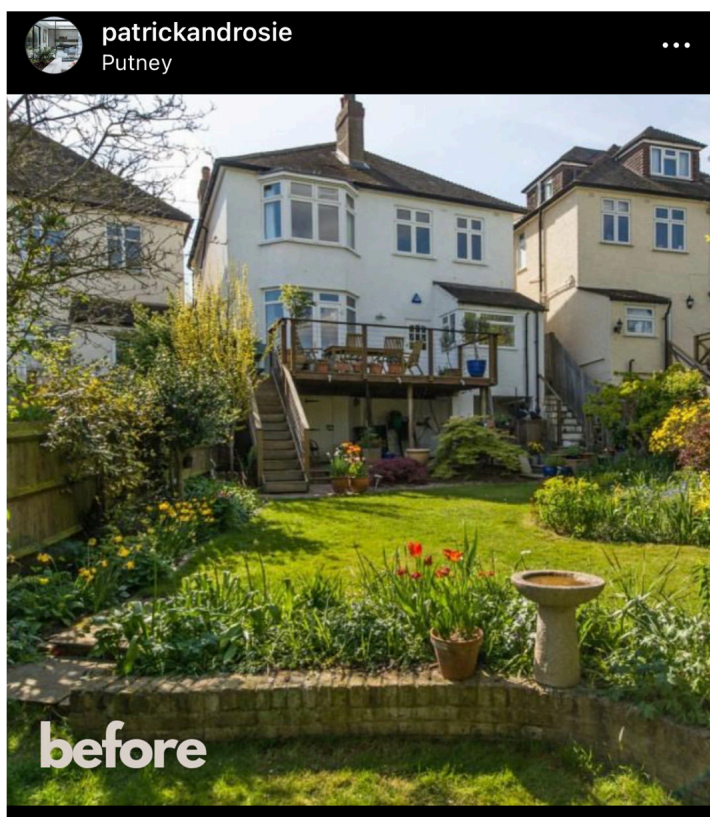
Mitigating risk and removing harms

The Council has a duty of care to ensure that any development should **first do not harm**. The risk of harms here are such that they are a) current and known, b) would constitute a basic loss of rights, damage to property, loss of residential amenity and right to quiet enjoyment and c) perpetuate rather than redress ongoing issues. This is an opportunity for good design to offer solutions.

D. Delivering High Quality Design

Architectural Merit

There are numerous examples on Wood Vale of front and rear extensions that successfully Deliver High Quality Design, while modernizing and providing valuable new space to inhabitants. The submitted scheme unfortunately does not demonstrate sufficient architectural merit or sympathy with its 1930s suburban surroundings. The drawings show a large rectangular box with a solid expanse of rear glazing that appears to dominate the existing house. The proportions and fenestration design proposed appear to be similar to those shown on the architect's Instagram page (below Before & After) for a project recently completed in Putney. The scale of the new building and relationship with its neighbouring properties is astounding. If this is the design intention, our concerns of scale and excess will have been well-founded:



Many of the issues with this scheme can be mitigated by simply scaling down

Relative to the likelihood and severity of risks and the potential costs to undo them (if and where they are even reversible) the applicants' concession of 1m on our boundary, amounting to just over a 160 sqft out of a total dwelling of many thousands of square feet, does not constitute a meaningful loss.

Similarly, at the rear, the extension should be set back and height should be reduced so that not it, nor the new terrace, is visible from our ground floor views to the rear. It should not curtail our Rights to Light. In order to mitigate privacy and surface run off issues to our garden, new hardstanding should not project beyond our terrace line, nor should it come up to or touch our terrace wall, the position of which is slightly set in from our boundary. Our trees should be protected.

The application for a basement is so lacking in detail that it cannot warrant consideration. Acceptance of any future applications for basements in this area should be put on hold until more robust policy is developed to respond to the clear topographical and geo-hydrological unsuitability of Wood Vale for basements. I outline these concerns in a letter written to neighbours regarding the impact of these proposals, also attached in this email.

The existing loft conversion on this property is old and suboptimal. There is potential to build better space on this level, rather than excavating below ground. We would take this opportunity to note that the existing balcony at loft level has outdoor floor space so is illegal - and that any replacement should be a Juliet balcony, with indoor floor space only.

In our initial consultation with the applicants, we urged them to explore other design. We suggested there were many ways in which good architecture could help to enhance their living space without being to the detriment of other properties or people. Their response was to put the decision into the Council's hands.

We hope our concerns are shared by the officer and that this application is refused.

Sincerely,

Prerna Chainani & Thor Monsen

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