

Haringey Council
Planning, Regeneration & Economy
Level 6, River Park House
225 High Road
Wood Green
N22 8HQ

Our ref: 3625

23 November 2023

Dear Sir / Madam

FULL PLANNING APPLICATION - 42 SHEPHERDS HILL, LONDON, N6 5RR

Bell Cornwell LLP ('Us'; 'We'; 'Our') write on behalf of our client, Mr Harry Travers, to apply for planning permission to London Borough of Haringey Council (the 'LPA') for a proposed development relating to 42 Shepherds Hill, London, N6 5RR (the 'Application Site').

The following documents have been submitted online via the Planning Portal website (Ref: PP-12615296):

- Completed application forms and ownership certificate.
- Completed Community Infrastructure Levy (CIL) form.
- This covering letter prepared by us, incorporating a supporting Planning Statement and Fire Statement.
- Application drawings prepared by Jason Good Architecture, including:
 - Site Location Plan
 - Existing Basement Plan (SH_00_100)
 - Existing Ground Floor Plan (SH_00_101)
 - Existing First Floor Plan (SH_00_102)
 - Existing Second Floor Plan (SH_00_103)
 - Existing Third Floor Plan (SH_00_104)
 - Existing North Elevation (SH_00_110)
 - Existing East Elevation (SH_00_111)
 - Existing South Elevation (SH_00_112)
 - Existing West Elevation (SH_00_113)
 - Existing Section A-A (SH_00_114)
 - Proposed Basement Plan (SH_10_100)
 - Proposed Ground Floor Plan (SH_10_101)
 - Proposed First Floor Plan (SH_10_102)



- Proposed Second Floor Plan (SH_10_103)
- Proposed Third Floor Plan (SH_10_104)
- Proposed North Elevation (SH_20_100)
- Proposed East Elevation (SH_20_101)
- Proposed South Elevation (SH_20_102)
- Proposed West Elevation (SH_20_103)
- Proposed Section A-A (SH_30_101)

Payment of the statutory planning application fee of £526.00 (inc. VAT), plus the Planning Portal service charge fee of £64.00, has been made electronically when submitting this application.

Description of application site and surrounding area

The application site comprises a substantial three-storey (including basement) detached building situated on the south side of Shepherds Hill.

The building currently comprises 3-self-contained residential flats (Use Class C3), one split over basement and ground floor levels, one at first-floor level and the other occupying the second and third floor levels. The building was originally a single family dwellinghouse and the LPA's online planning records do not clarify when the building was converted into 3no. flats.

The surrounding area is characterised by properties of varying design, style, and age, incorporating a mixture of both single family dwellinghouses, properties converted into flats and bespoke flatted developments.

The application site is approximately 0.5 miles walk from Highgate Underground Station (served by the Northern Line) and has a Public Transport Accessibility Level of 3 on a scale of 0 – 6b (0 being the worst and 6b being the best). There are also several bus stops located along Shepherds Hill, served by local bus services travelling in a variety of directions.

Shepherds Hill and all the surrounding streets fall within a Controlled Parking Zone (CPZ). The application site is within the Crouch End B CPZ, the operational hours of which are 14:00pm-16:00pm on weekdays.

The application site is located within the Crouch End Conservation Area. The building is not locally or statutorily listed.

Proposals which are the subject of this planning application

Planning permission is sought for the amalgamation of the existing 3no. self-contained residential flats (Use Class C3) which the application site comprises to create a single 6-bedroom single family dwellinghouse (Use Class C3).

The proposal shall not increase or decrease the total gross internal area of the building insulation; however, please note that the applicant intends to build out planning permission a recent planning permission (Reference: HGY/2021/2205) in tandem with the amalgamation proposal which would increase the floor area overall. The resultant single dwelling would far in exceed the



minimum floor areas and dimensional requirements as set out within both the London Plan and the Nationally Described Space Standards (NDSS).

The occupiers of the proposed dwelling (the applicant and their family) would benefit from direct access to the front courtyard and large rear garden.

No external alterations are proposed as part of this application (nor are they required) to facilitate the use of the building as a single family dwellinghouse.

Relevant Planning Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 defines that the LPA have a legal duty to have regard to all material considerations including the National Government's National Planning Policy Framework (NPPF) and National Planning Practice Guidance, as well as any relevant Supplementary Planning Guidance and Documents (SPG and SPD) produced by the LPA and the Mayor of London. For this Site, the Development Plan comprises:

- The London Plan 2021 (March 2021); and
- The LPA's Strategic Policies DPD 2013, with alterations 2017 (July 2017).
- The LPA's Development Management DPD (July 2017)
- The LPA's Local Plan: Site Allocations DPD (July 2017)

In March 2015, the Government published its 'Technical Housing Standards – Nationally Described Space Standard', which sets out floorspace, dimensions and storage standards for new dwellings, including conversions.

Planning Assessment

As noted above the house is currently comprised of 3 self-contained flats, arranged over lower ground, ground, first and second floors. The flats are all non-family sized insofar as they consist of 1–2-bedroom units.

Section 55(3)(a) of the Town and Country Planning Act 1990 as amended (1990 Act) outlines that the use as two or more separate dwellinghouses of any building previously used as a single dwellinghouse involves a material change in the use of the building and of each part of it which is so used. The 1990 Act does not state whether the reverse change of use would be material – and so that is a question which must be considered on the facts in any given case.

A change of use is however considered material if there is some significant change in the character of the activities taking place as a matter of fact and degree. The proposed change from one to two residential units is typically not viewed to cause significant change in the appearance of a site or the nature or scale of activities taking place.

In the case here it is accepted that consent is required to re-vert the building back to one family unit, given there are more than two residential units currently within the property.



As such it is necessary to consider the extent to which such a change would have a 'significant planning consequence' as a matter of fact and degree. The submitted plans demonstrate that the existing flats relate to one- and two-bedroom units, with none of the units being family sized.

The current layout to some of the accommodation is also of small rooms with restricted light and outlook, namely the ground and third floor. Equally a number of the units here are substandard given the absence of access to amenity space.

It is undisputed that the effects of the proposal would be the net loss of residential unit from the overall housing supply, however the loss is not viewed to be significant in planning consequences, i.e., given the layout, size and quality of accommodation.

As such a reversion here back to a family house, serves to provide a family house and to protect/reinforce the character of this area as that of family housing. Given the property here was originally constructed as a large single-family dwelling, the reinstatement of a single dwelling typology will help to reinforce the character and appearance of the conservation area.

The proposed single family dwellinghouse would fully satisfy all relevant standards, including in terms of the gross internal area of the property and the dimensions of all bedrooms within the property meeting both the London Plan space standards and the NDSS, and also in terms of the garden area of the property comprising in well in excess of 138 square metres in area, in accordance with the requirements of the relevant Development Plan Policies.

Fire Statement

The existing three storey building (plus non-habitable basement space) fully accords with the current fire safety regulations for either fire protection between the respective parts of the building or safe means of escape from the ground floor to the outdoor refuge area.

The building incorporates the following other fire safety measures:

- There is a minimum 1hr fire resistance between all floors.
- The internal staircases are wide and shallow in gradient.
- There are modern fire detection systems installed in the building in accordance with the current building regulations.
- All ground floor windows are 'escape' windows.

Conclusion

For the reasons set out within this supporting statement, the proposed amalgamation of the existing 3no. flats which bring the application site back to a single family dwellinghouse would accord with the adopted development plan at both local and regional level, as well as with national planning policies and associated guidance as set out in the NPPF and NPPG. Nor are there any material planning considerations which would outweigh this compliance with the development plan.



Therefore, planning permission should be granted for these proposals, subject to the imposition of appropriate, necessary, and reasonable conditions, the content of which we welcome discussions with the Case Officer regarding in due course.

We look forward to corresponding with the Case Officer to whom this planning application is allocated in the coming weeks, but should any further information or clarification be required please do not hesitate to contact us.

Yours faithfully,

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