

Mr Mark Chan
Haringey Council Planning Department
Via email: Planningsupport@haringey.gov.uk

London
Holmes House
4 Pear Place
London SE1 8BT

nexusplanning.co.uk

29 November 2023

Our Ref: 40258

Your Ref: HGY/2023/2785

Dear Mr Chan,

Objection to Planning Application ref. HGY/2023/2785 – Demolition of existing house and construction of a detached three-storey building with basement and lightwells to provide 8 new homes – 12 Great North Road, Hornsey, London, N6 4LX.

On behalf of our clients Ms Adeola Olaitan of 4 Sussex Gate, N6 4LS and Mr James Parsons of 1 Sussex Gardens, N6 4LY we write to object to Planning Application ref. HGY/2023/2787 at 12 Great North Road, Hornsey, London, N6 4LX ("the Site").



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1 Sussex Gardens is located to the south-west of the site, as outlined in red, with the site outlined in yellow. 4 Sussex Gate is located adjacent to the rear of the site, as outlined in blue. Due to the locations of 1 Sussex Gardens and 4 Sussex Gate in respect to the site, our clients are considered some of the most impacted residents.

The Proposed Development at 12 Great North Road, Hornsey, London, N6 4LX

Planning application ref. HGY/2023/2785 'Demolition of existing house and construction of a detached three-storey building with basement and lightwells to provide 8 new homes' was validated on 09 November 2023. The existing house is two storeys, with a mansard roof, and is situated to the northern portion of the site with a large private amenity space to the front of the property and a small private space to the rear.



View of the site from Great North Road, in respect of Sussex Gardens (left) and the surrounding built form

Policy Compliance of the Application

A review of the Haringey Development Management Plan ("DMP") (adopted 2017) has found that the application has strongly failed to comply with various policies, along with the grounds by which we object to the development proposal on behalf of our clients.

Overlooking and Overshadowing

DMP Policy DM1 provides local policy on Haringey Development Character and Design Standards. Criterion D of Policy DM1 provides policy on 'privacy and amenity', in which new developments should comply with. It states that:

"Development proposals must ensure a high standard of privacy and amenity for the development's users and neighbours. The council will support proposals that:

- a. Provide appropriate sunlight, daylight and open aspects (including private amenity space where required) to all parts of the development and adjacent buildings and land;*
- b. Provide an appropriate amount of privacy to their residents and neighbouring properties to avoid overlooking and loss of privacy detrimental to the amenity of neighbouring residents and the residents of the development; and*

- c. *Address issues of vibration, noise, fumes, odour, light pollution and microclimatic conditions likely to arise from the use and activities of the development."*

Objection against overlooking and overshadowing

The significant increase in height from two storeys, to three storeys plus a habitable roof space, along with the proposal being situated flush to the north-west boundary will cause an untoward impact on our clients' properties, as well as other properties on Sussex Gardens and Sussex Gate due to overlooking and overshadowing caused from the proposed development and its balconies and windows.

4 Sussex Gate is located 14m north-east of the sites boundary. The proposed development has allowed for 1.5m private amenity space at ground floor level to at the north-east boundary. The first and second floors and roof are proposed to have balconies that protrude 2m from the internal habitable space, with the ground floor having a internal floor space that extends to this depth also.

This will result in 4 Sussex Gate being situated 15.5m from the proposed development. As noted in the Housing Design: Quality and Standards ("HDSPG") (2020), which forms Supplementary Planning Guidance to the London Plan (2021) in the past, guidance between back-to-back homes was set a minimum distance of 18-21m, which is understandably not being met at present from the site. HDSPG further notes that adhering to these distances can limit the variety of urban spaces and housing types in the city, however as building heights increase, greater distance should be created between buildings to ensure adequate daylight into the dwellings.

Furthermore, HDSPG states that visual privacy and overlooking spaces can be managed by goof design to avoid windows that directly face each other where privacy distances are tight. A review of the proposed plans, has deemed that if approved, the additional habitable floors at the site and overall mass of the proposal would have a significant impact to the light and privacy of 4 Sussex Gate. It appears the additional floors of the proposed development have not considered the impact on neighbouring properties in these instances.



1 Sussex Gardens will also be largely impacted by overlooking and overshadowing as part of the application. Firstly, considering overlooking, the dwelling that is currently on the site has just two windows along the north-west of the

property, located on the first floor. These window, at present, pose no privacy issues to 1 Sussex Gardens, nor neighbours at 3 and 5 Sussex Gardens due to vegetation in their gardens.

If the proposal was to be granted, vegetation will no longer be able to suffice privacy for our client due to six windows positioned across the second and third floors, and roof space. The proposed plans suggest that these windows will be obscured, however fail to make reference to the windows being non-opening. Assuming the windows are able to be opened, future residents would be able to look into 1 Sussex Gardens, as well as the adjoining properties.

Looking at the overshadowing that would result to 1 Sussex Gardens should the application be approved, the existing dwelling on the site does not extend along boundary of 1 Sussex Gardens. However, the proposed development, if approved, would extend approximately 2.4m flush to the rear boundary of 1 Sussex Gardens. It is not possible to get a accurate measurement, due to the scale bar of the submitted drawing '21-405-202: Proposed Site Plan' being inaccurate. The encroachment, flush of the rear boundary of 1 Sussex Gardens, will inevitably result in an unpleasant level of overshadowing to the property.

After reviewing the 'Daylight and Sunlight Report (Neighbouring Properties)', prepared by Right of Light Consulting, and submitted as part of the application, our clients both strongly disagree with the conclusion of the report which states that the development will have 'a relatively low impact' on light received by neighbouring properties. Our clients both agree that the development will have a significant detrimental impact on the light received into their properties. 4 Sussex Gate will be impacted by a lack of light entering the entirety of the front of the property, whilst 1 Sussex Gardens will be impacted by a further lack of light entering the back of their property, which our client has noted is already dark without any major obstructions to the light.



View of the site from the ground floor of 1 Sussex Gardens

Appendix 2 of the report provides in detail the overall loss of light that would be received, given the development was approved. In total, 4 Sussex Gate would see a 42.2% of reduction in natural light through the front of the property, whilst 1 Sussex Gardens would see a loss of 28.1% of natural light at the rear of their property. Paragraph 4.3.1 states that two windows at 1 Sussex Gardens, our clients residence, have not passed the requirement for total annual sunlight and winter sunlight. The paragraph proceeds to state that if the overhang above the two windows were to be removed, this would be adequate mitigation. Our client is not satisfied in altering his property in order for the proposed development to satisfy BRE direct sunlight to windows requirements.

Appendix 2 also provides a figure of the estimated overshadowing to gardens and open spaces. 1 Sussex Gardens was surveyed under this section, and it is suggested that our clients garden is to have a 0% change in overshadowing as a result of the development. Due to the situation of 4 Sussex Gate in respect of the proposed development, the garden was not surveyed.

Our client strongly contests this figure, as the 0% change is highly improbable given the height and density of the new development lying flush along a proportion of their garden. Currently the garden of 1 Sussex Gardens enjoys an adequate amount of light due to the size of the current dwelling on the site. The fact that the garden of 1 Sussex Gardens, and neighbours, are small, and that the development is proposed in a 'urban' area, is not adequate justification for adversely harming the amenity and quality of life for neighbouring properties. This is notwithstanding that the proposed development, if built, is to a denser scale than surrounding properties.

It is concerning that the total light reduction to our clients properties is not considered to be a cause of concern within the Report, with all windows requiring sunlight passing both the annual sunlight hours tests and winter sunlight hours test. With only 3 & 5 Sussex Gardens being deemed to not meet the BRE recommendations for overshadowing

Design and density of the development

Criterion B of Policy DM1 provides policy on Design Standards, particularly Character of Development. The policies wording is as follows:

"Development proposals should relate positively to their locality, having regard to:

- a. Building heights;*
- b. Form, scale & massing prevailing around the site;*
- c. Urban grain, and the framework of routes and spaces connecting locally and more widely;*
- d. Maintain a sense of enclosure and, where appropriate, following existing building lines;*
- e. Rhythm of any neighbouring or local regular plot and building widths;*
- f. Active, lively frontages to the public realm; and*
- g. Distinctive local architectural styles, detailing and materials."*

Further to this, DMP Policy DM6 provides policy on Building Height Standards. Criterion A states that:

"For all development proposals, the Council expects building heights to be of an appropriate scale which respond positively to the site's surroundings, the local context, and the need to achieve a high standard of design in accordance with Policy DM1."

And Criterion B of Policy DM6 states that:

"Proposals for taller buildings that project above the prevailing height of the surrounding area must be justified in urban design terms and should conform to the following general design requirements:

- a. Be of a high standard of architectural quality and design, including a high quality urban realm;*
- b. Protect and preserve existing locally important and London wide strategic views in accordance with Policy M5; and*
- c. Conserve and enhance the significance of heritage assets, their setting, and the wider historic environment that would be sensitive to taller buildings (see Policy DM9)"*

Objection against the design and scale of the development

The built form currently surrounding the site is that of 'historic' design and value. The proposal, however, if granted will be of a modern design that is not in keeping with the surrounding area and it will result in a significant increase to the height of the built form on the site.

The increase in massing and height will have an adverse impact on the outlook from 4 Sussex Gate, which currently overlooks the two storey dwelling, and 1 Sussex Gardens, which is not currently obstructed by the existing dwelling. The planning statement currently notes that "the proposed views are impacted by the new development, but not dissimilar to the current views available". Our clients argue that the views from their respective properties will be largely disrupted should the development be approved due to the mass of the brickwork causing the development to feel largely overbearing at both addresses. As can be seen in the above image from the second floor of 4 Sussex Gate, if granted the view that is currently enjoyed by our client would be adversely blocked. Secondary, the view that our client of 1 Sussex Gardens enjoys will be largely obstructed by a mass of brickwork.

Conclusion

For the reasons that we have set out in this letter of objection to planning application ref. HGY/2023/2785, our clients strongly object to the development proposal on the grounds it has failed to comply with the various policies. The policies we feel this application is not in compliance with, along with a short summary of contention are as follows:

- **DMP Policy DM1 (Criterion D: Privacy and Amenity)** – The development proposal will have an adverse effect on our clients privacy due to overlooking as a result of a short distance between property boundaries and intensification of the built form. Our clients amenity space, both internal and external will both result in a reduction of direct sunlight, with two windows of 1 Sussex Gardens not meeting the BRE direct sunlight to windows requirements without mitigation measures being enforced. Our client does not agree to these measures being imposed to his property.
- **DMP Policy DM1 (Criterion B: Character of Development)** – the mass of the development will feel overbearing to our clients, resulting in a drastic impact to views should the application be approved. This is contrary to what has been indicated in the Planning Statement, as noted above.
- **DMP Policy DM6 (Building Height Standards)** – the development proposal will exceed the existing height of the surrounding built form, and will also be of a largely denser scale. Further to this, the modern design is not in keeping with the 'historic' design of the wider area.

We would further like to indicate that there has been no mention of the London Plane Tree that is located just outside of the sites boundary along Great North Road, with the planning statement stating that 'the works will not impact any existing trees'. Given the size, and environmental importance of this tree, its location in respect of the site should have been regarded within the planning application.

We trust that you will acknowledge and strongly consider our clients concerns and the adverse impact that the development would have on the immediate neighbouring properties and the long-term quality of amenity for their occupiers. To this effect we believe the application should be refused.

Yours sincerely

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