

Application by
Ms Siobhan McMillan
& Mr Rob McMillan

1A The Avenue
London
N10 2QE

PLANNING STATEMENT

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1. INTRODUCTION

- 1.1. This planning statement relates to an application seeking full planning permission for the erection of a pergola and construction of reconfigured hardstanding to the garden at 1A The Avenue, London, N10 2QE.
- 1.2. The application should be read in conjunction with the accompanying plans.

2. SITE AND LOCATION

- 2.1. The property at 1A The Avenue is a residential flat, part of a residential property on a corner plot, with exclusive use of the rear garden amenity space. Prior to the development, the garden was laid mainly to flower beds with concrete and brick paths.

3. PROPOSED DEVELOPMENT

- 3.1. The proposed development is for the erection of an aluminium framed pergola, 6m x 3m rising to a height of 2.5m, which replaced a former timber-built pergola.
- 3.2. The rear garden amenity space has also been reconfigured, with re-laid areas of patio hardstanding, as shown on the plans submitted with the application.

4. PLANNING HISTORY

- 4.1. None relevant.

5. PLANNING POLICY

- 5.1. The adopted Haringey Development Management Development Plan Document was adopted in 2017 and sets out planning policies for the local area.
- 5.2. Policy DM1 seeks to ensure that development contributes positively to local character and quality, including by means of appropriate landscaping and planting.

- 5.3. Policy DM21 promotes the use of sustainable design, layout and construction in new building and landscape work. Opportunities to enhance biodiversity on-site, including through appropriate landscaping and sustainable drainage systems, should be maximised.
- 5.4. Further information and guidance is provided in the Council's adopted Supplementary Planning Document (SPD) on Sustainable Design and Construction.
- 5.5. National planning policy for England is contained primarily within the National Planning Policy Framework. Development should function well and add to the quality of the area and be sympathetic to local character. Various policies within the Framework promote sustainable development.

6. ASSESSMENT

- 6.1. It should first be noted that planning permission is only required for the development by virtue of the fact that the garden is associated with a flat. In most cases, residential gardens associated with a dwellinghouse benefit from permitted development rights, whereby minor works of the kind proposed would not normally require planning permission.
- 6.2. The proposed works essentially constitute (a) the replacement of the former pergola with an aluminium pergola, and (b) a reconfiguration of the rear garden to include the laying of new areas of hard surfacing.
- 6.3. The visual impact, in terms of the size and extent of built structures and hard surfaces, is very similar to the garden as it existed before the development was carried out. The pergola replaced an existing structure and is of a similar size, scale, height, bulk and massing. Images of the former pergola (such as the Applicants have been able to locate) are submitted with this application.
- 6.4. The replacement pergola uses aluminium instead of timber, in order to eliminate any fire risk presented by a new timber structure.

- 6.5. A pergola is an inherently lightweight, non-permanent, low-lying structure with minimal visual massing. It is an entirely normal and expected structure within a domestic garden and is entirely appropriate to the residential situation and setting of the site.
- 6.6. Indeed, other properties in the same street also have pergolas, such as the one shown below owned by another flat:



- 6.7. The Applicants' reconfiguration of the garden was necessitated by the need for repair, as evidenced by the below Homeowner's Report as early as 2012. By 2023, this disrepair had developed substantially.

- 6.9. It is submitted that the landscaping mix adopted by the Applicants is not uncommon within the conservation area, as shown by the image below relating to a 2-bed garden flat a couple of roads away, in the heart of the conservation area:



- 6.10. The Applicants have sought to submit images of the original garden layout in the supporting material. It is noted that some of the photos that have been presented to the Applicants (as representing the original garden layout) are unreliable in the sense that they are taken from above and areas of hardstanding are obscured by the tree canopy.
- 6.11. The garden was originally paved with non-permeable paving stones, leaving 27 square metres of permeable soft-standing and grassed lawn space. Since the patio and areas of hardstanding have been re-laid, the areas of permeable garden have increased by 6 square metres to 33 square metres. The new hard surfaces have been laid to drain away from the house onto the areas of grass and soft surfaces. This is shown on the supporting plans submitted with the application.
- 6.12. It follows that the potential for biodiversity and the drainage of surface water is broadly comparable to the former garden or, if anything, somewhat improved in terms of the reduction in the overall extent of impermeable hard surfaces (indeed, the new planting plan is far more diverse than was previously the case). In this regard, whilst planning

policies and guidance seek to maximise opportunities for biodiversity and sustainable urban drainage, such provision is only normally required under planning policies relating to new build development, such as new housing development.

6.13. That is not the case here, whereby the proposal relates only to minor works within an existing and established domestic garden. Nevertheless, the development would not make the existing situation materially worse but would actually secure a beneficial reduction in the extent of impermeable hard surfaces.

6.14. Furthermore, in terms of tree impact, it is noted that whereas the trees previously had brick paving right up to the edge of the trunks, the new layout is far more beneficial with more appropriate gaps between the trees and the hardstanding.

6.15. The development therefore has a small positive impact in terms of biodiversity and surface water drainage, without causing any harm to the character and appearance of the local area, in full compliance with the relevant planning policies and guidance set out above.

7. CONCLUSION

7.1. We have shown that the development comprises minor works within an established residential garden, which enhance the quality of the garden without causing any harm to the character and appearance of the area, whilst securing a small but worthwhile reduction in the extent of hard surfaces, thereby benefiting biodiversity and surface water drainage within the site.

7.2. The development complies with the relevant planning policies and guidance and, in accordance with the presumption in favour of sustainable development set out in the Framework, permission can and should be granted for the development.

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