

Objection Planning Application HGY/2024/0195

Site

1 A, The Avenue, N10 2QE is an Edwardian Corner House situated in a prominent position on The Avenue, corner of Dukes Avenue in Muswell Hill. It forms part of the Vallance Road Conservation area around Alexandra Park. The building is from 1907 and of historic character and interest. It is highly visible from the street by visitors to Alexandra Palace who access the park near the playground immediately opposite the property. The House sets the tone for the historic row of houses on The Avenue and the unique, protected visual environment of this area. The architectural characteristics of this house and its environs fall under specific Conservation Area guidelines and regulations.

Background

1 The Avenue was split into three flats in 1985 and is currently a shared freehold. The applicant is the current leaseholder of the garden flat, 1A The Avenue. The leasehold clearly states that any change of use is not permitted without express permission and that the garden, though use is exclusive, forms part of the freehold and is to be kept in a '***proper state of cultivation***'. The applicant was made aware of this contravention as well as current conservation area and planning regulations on June 1st 2023 when builders started to excavate the existing garden with a digger. Builders confirmed the garden was to be paved over in grey tiles. There had been no prior notification from the applicant up to this point. Written reservations were ignored. Permission for these works was neither sought given.

No Planning Consent from Haringey Council

Planning consent for this drastic change of use was neither sought nor given by Haringey Council. The applicant had originally obtained planning permission to make minor alterations to the posts of her driveway in Spring 2023. This application was supported. The applicant then carried on from these works to remove the boundary wall of the freehold adjacent to Dukes Avenue. This wall was replaced with correct materials and no objections were raised despite planning not having been granted. Works carried on without prior notice to remove the existing garden from June 1st 2023 and carried on for nine weeks. The build was exceptionally noisy with the use of a digger and prolonged stone cutting for eight hours every day.

No ecology or environmental study undertaken

The applicant instructed her builders to remove the historic garden of the property with a digger. The existing garden previously had been a wildlife haven and exceptionally pretty. There are three mature trees in the garden which have a TPO, these remain. The garden also contained a pond and mature planting, bluebell banks and ancient roses, all were removed and thrown into a skip without further investigation. There may have been newts in the pond, which are a protected species, and other wildlife i.e. bumblebee nests, hedgehogs etc. no consideration for wildlife was made.

No soil reports undertaken – potential subsidence risk

There were no soil reports undertaken by the owner before these works commenced. These might have highlighted any potential hazards, i.e. soil sensitivity to changes of water access. This building is from 1907 and built on clay soil. Paving over an entire garden will alter water access to the soil, this may dry clay soil over time as there are three mature trees in the garden. These will continue to take water out of the ground. This could destabilise the structure of 1, The Avenue and neighbouring properties.

Drainage- excessive water run off

Two types of grey paving stones currently cover the entire garden, these were laid on cement on top of a stone cement mix base. Tiles are laid right up to the house and also the boundary wall. No drainage trench was added. Tiles were treated, waterproofed and grouted and create an impermeable surface. They cover approx. 90% of the garden, substantially more than the allowed 5m² limit recommended by the UK's Environment Agency guidelines for urban developments.

The garden is adjacent to the boundary wall of Dukes Avenue. During recent heavy rainfall, a stream of water can be seen running across the pavement into the sewers on Dukes Avenue. Water run off poses a flooding risk at 1, The Avenue, 135, Dukes Avenue and 3, The Avenue.

Conservation Guidelines use of suitable materials

1 The Avenue is an Edwardian house build in 1907 from red brick marking the historic character of the area at a prominent corner of The Avenue and Dukes Avenue. It is part of the Vallance Road Conservation area. Guidelines state clearly that any development in this area should respect this protected historic character and use sympathetic building materials. The colour and style of materials used are not in keeping with these guidelines throughout.

Environmental Concerns

Paving the garden will heat up the surrounding area and the property of 1 The Avenue during heatwaves. It creates a barren and inhabitable place for wildlife and insects. This project contravenes the biodiversity guidelines for gardens and green spaces in a conservation area.

Tree Preservation Order

The garden is the site of a group of three protected trees, including a large copper beech. The health of these mature trees will be affected by the change in water access over time.

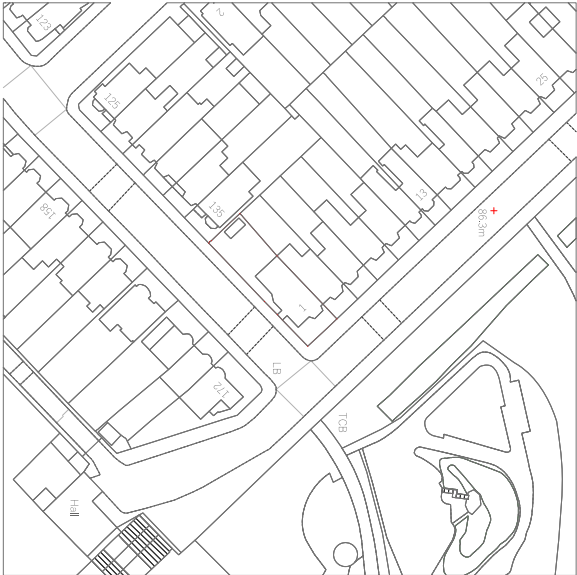
Planned Pergola

The planned metal pergola is to cover the entire length of the grey and white tiles. The size and design is much larger than the original pergola and oppressive in this setting. It is completely out of character for this historic house and what should be a garden though some of this view is now hidden from the street behind an uncharacteristically high slatted fence which is also completely out of character for this area.

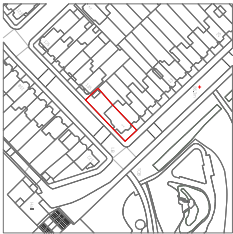
This type of pergola is permanent and cannot be moved, it will prohibit access to the bedroom window of the flat above 1A The Avenue. Currently windows can be regularly cleaned from the exterior. Access also needs to be kept clear in case of fire or emergency. Permission for this pergola to be built will not be granted by the Freehold on safety grounds.

We object to this planning application until further consultation with Haringey's Tree Officer and Conservation team so they can ensure this garden is brought back in line with Vallance Road Conservation guidelines and regulations. We urgently seek a soil and environmental report to ensure water run off does not cause further water damage. There are already signs of extreme water damage externally and internally on boundary walls and internal walls since tiles were laid in the garden of 1A.

There are no objections to a more contemporary garden in principle but this must be in line with existing conservation and biodiversity guidelines and to be planned sympathetically by using suitable materials for any hard landscaping in the right colour, i.e. sandstone, contain a substantial proportion of flower beds and sufficient drainage and **look like a garden**. Architectural fittings, wall render, garden gates, pergola and fencing must fall within that remit. The garden looks completely wrong as it stands in this setting and is a brutal change from the previous garden.



01
BLOCK PLAN - SCALE 1:500



02
BLOCK PLAN - SCALE 1:1250

NOTES

1. The site is located within the Muswell Hill Conservation Area, which is designated as a Conservation Area under the Planning (Listed Buildings and Conservation Areas) Act 1967. The site is also within the Muswell Hill Local Planning Order 1999, which designates the site as a 'Conservation Area'.

2. The site is located within the Muswell Hill Local Planning Order 1999, which designates the site as a 'Conservation Area'.

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NO.	DATE	COMMENT
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PROJECT

1A THE AVENUE
MUSWELL HILL

CLIENT

SIOBHAN WATKINS &
ROB MCILLAN

PROJECT NO.

EXISTING
BLOCK PLAN

SCALE

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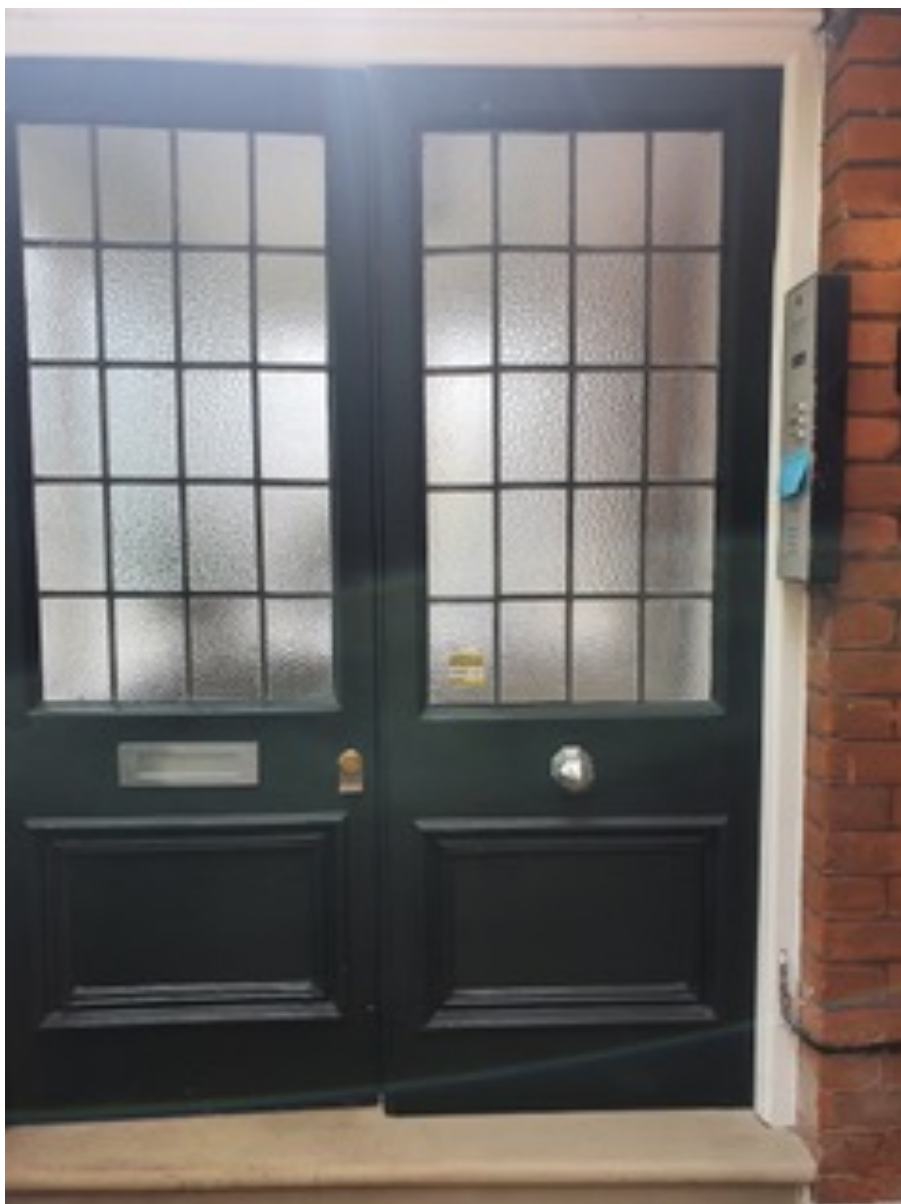
The historic garden of 1 A, The Avenue before works commenced June 2023- a magical wildlife haven in the Vallance Road Conservation area, protected bluebell banks, mature shrubs, protected trees, ancient rose bushes, lilac tree, lawn, pond and brick paths.



View from Dukes Avenue prior to change original fencing



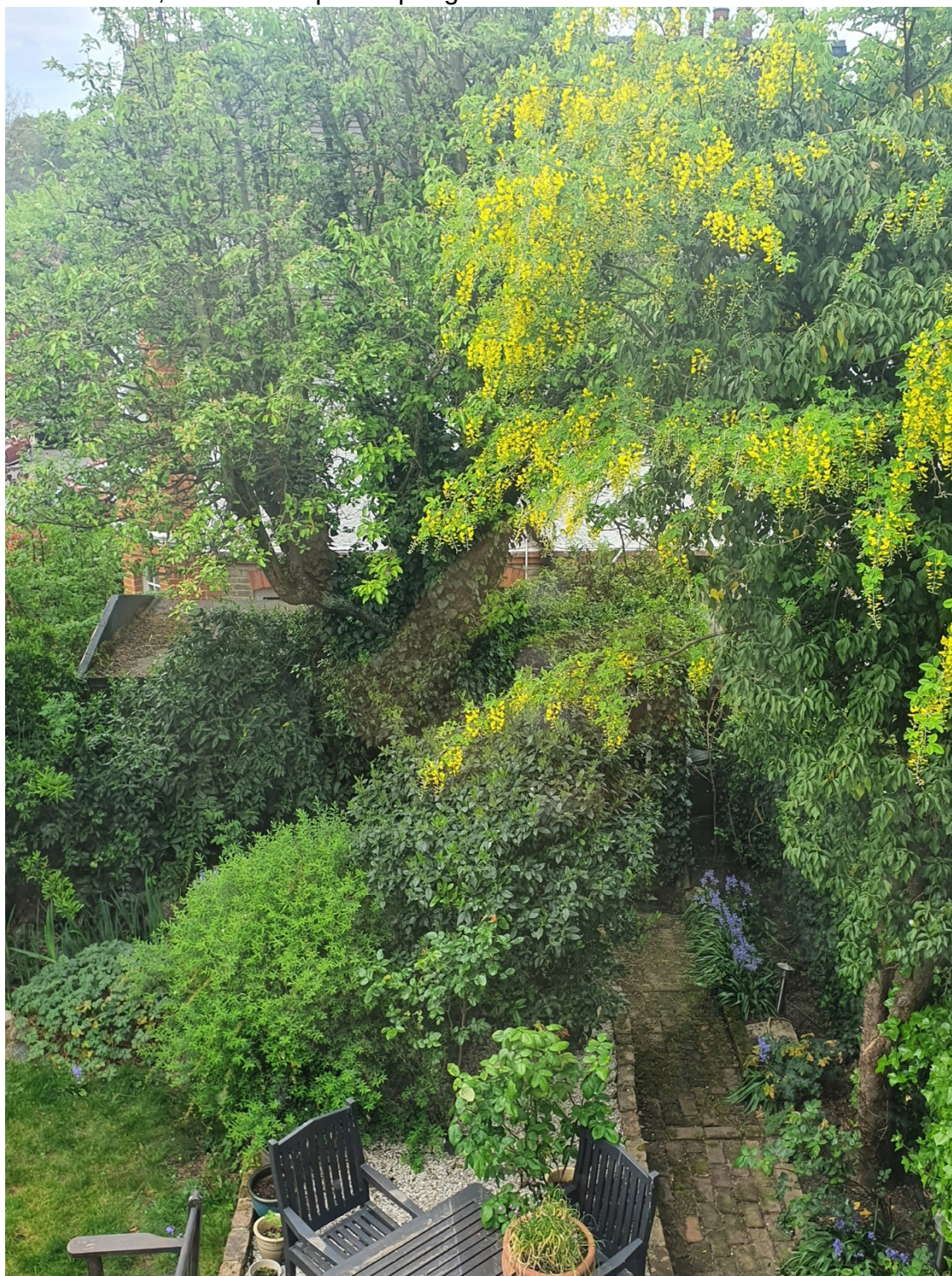
Entrance 1 The Avenue – new garden gate out of character to existing architectural fittings



View from Dukes Avenue prior to change of use lower fence



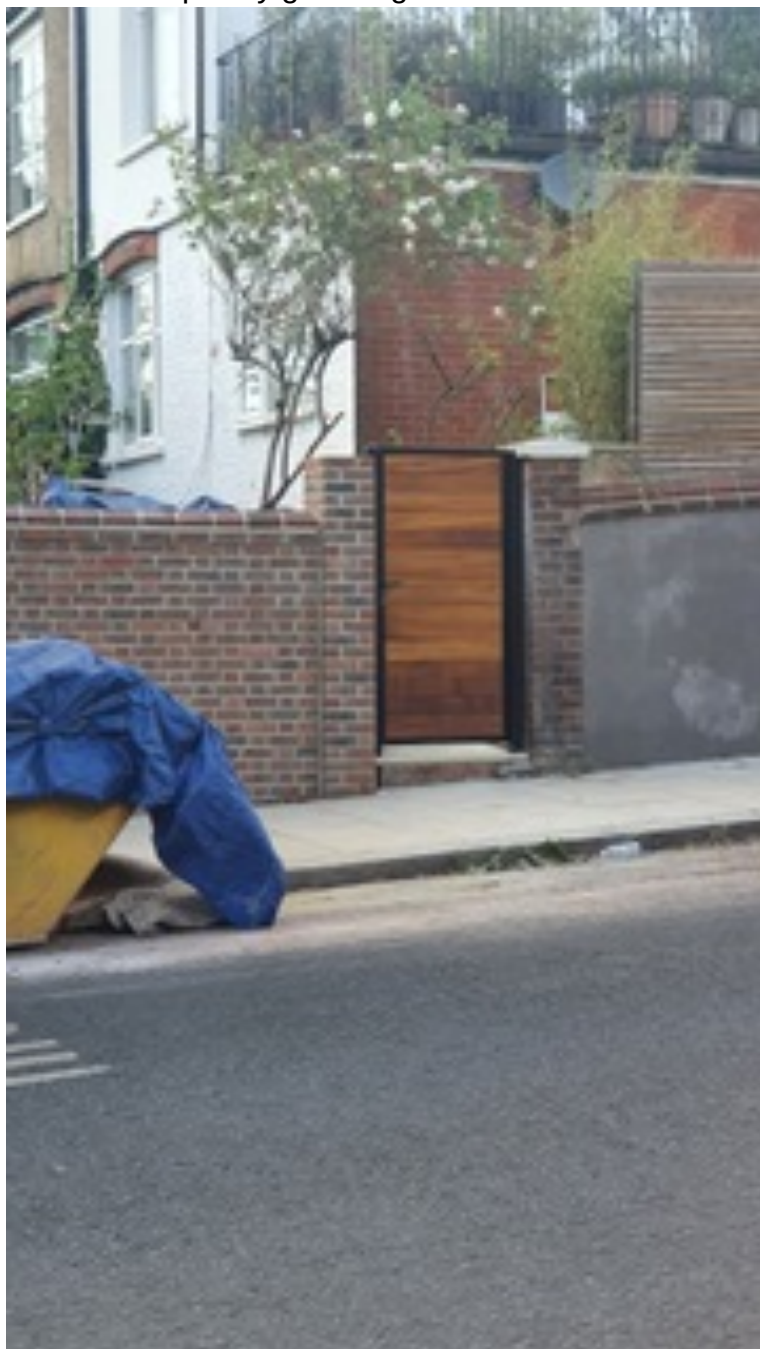
Mature trees, shrubs and pond spring 2023



Water damage to boundary wall after excessive paving after six months- unsuitable render



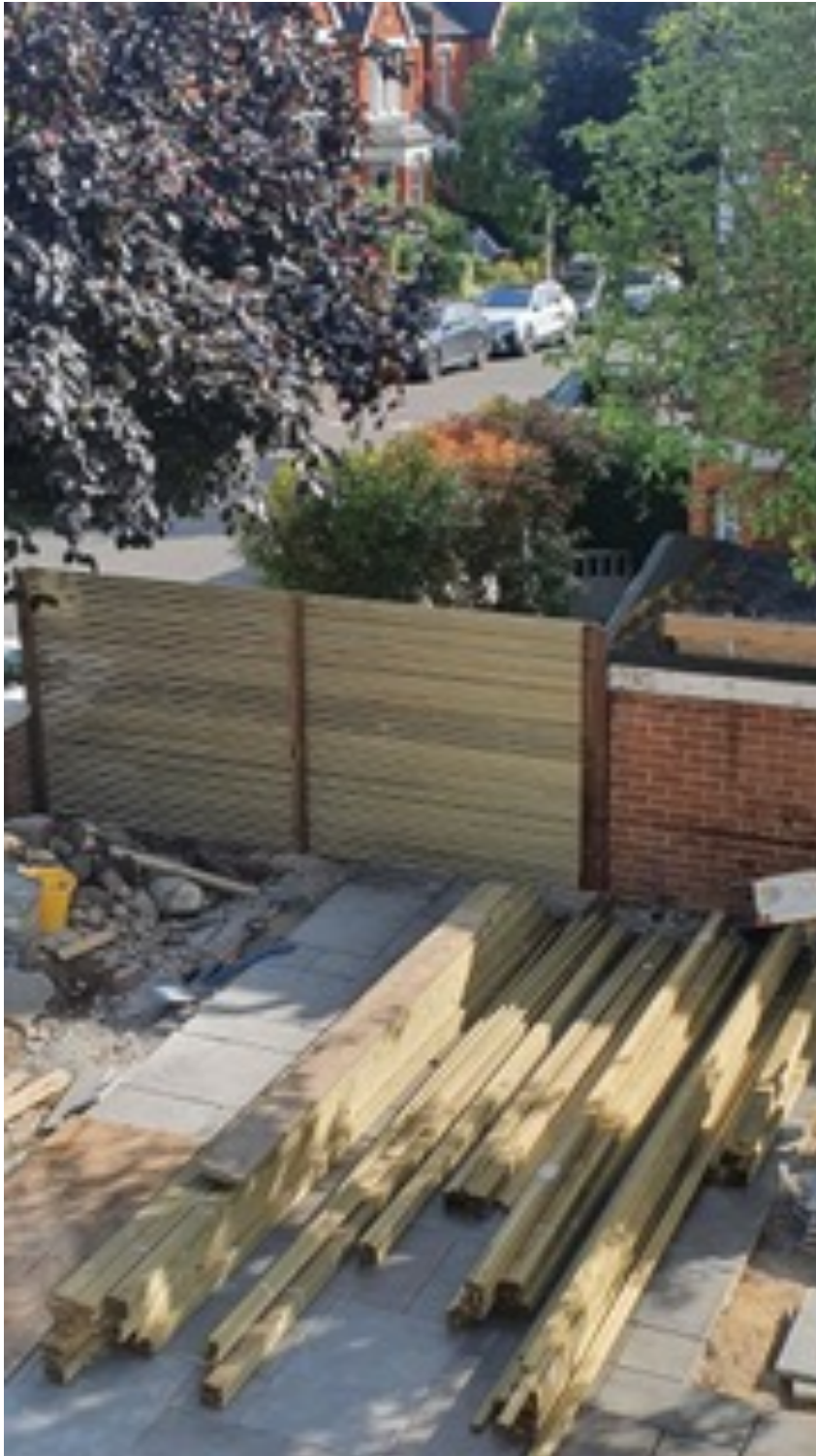
New contemporary garden gate out of character for Edwardian building



Excessive height wooden slatted fence - out of character



Red brick walls cladded inside garden with wood slatted fence- out of character



Use of unsuitable materials for historic Edwardian house in Conservation area



Excessive water run-off from garden of 1A The Avenue into sewers of Dukes Avenue



View of garden project complete without pergola March 15th 2024
Planned site of pergola across the entire length of grey and white tiles

