



Officer Report

Application Number: HGY/2024/0067
Application Type: Householder planning permission
Address: 40 Wellington Avenue, Tottenham, London, N15 6AS
Proposal: Excavation of a basement with a front and side lightwell (AMENDED PLANS).
Case Officer: Josh Parker
Valid Date: 09/01/2024
Applicant: Mr Boruch Lobenstein
Agent: Mr Joel Stern

RECOMMENDATION

Approve with Conditions

1. SITE AND SURROUNDING

The application related site is a three-storey end of terrace property on the southern side of Wellington Avenue. Wellington Avenue is one of the streets designated in LB Haringey's 'House Extensions in South Tottenham' SPD (2013).

While the properties within the terrace may have been very similar at the time of their construction, this is not currently the case. Many of the properties have been extended by way of large rear extensions as well as upward extensions or roof extensions. The design and appearance of these properties within this terrace and street vary in terms of their heights, facing materials and fenestration.

The property in question has been extended by way of a Type 3 upward extension as well as a large rear extension. The site is not within a conservation area nor within the curtilage of a listed building.

2. PROPOSED DEVELOPMENT

The applicant is proposing the following works to the dwelling:
Excavation of a basement with a front and side lightwell.

3. SITE HISTORY AND ENFORCEMENT

All existing planning applications have been considered for this application.

HGY/2002/0699 - Demolition of existing conservatory and the erection of a single storey rear extension with a lantern light. Approved

4. CONSULTATION

LBH transport – Construction logistics plan should be secured by condition.

LBH building – Engineering conditions should be secured by condition.

5. LOCAL REPRESENTATIONS

The application has been publicised by the way of letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

Objections:8

Support:0

Objection	Officers comment
Disruption and damage from construction.	A construction plan will be subject to condition as

	will a condition secured to ensure suitably qualified structural engineer will over see the works.
The external stairs and access would damage the character.	The plans have been revised and a smaller subordinate
These houses were built on original marshland near the River Lea. There are known to be underground water streams.	Conditions will ensure a structural engineer will oversee works

planning issues

- Works would cover a public walkway.

Officer comments: Appears to be private land, a land ownership informative has been attached.

6. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance;
2. Basement development
3. Standard of accommodation &
4. Impact on neighbouring amenity.

Design and Appearance Comments:

DPD Policy DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original building, including external features such as chimneys, and porches.

High quality matching or complementary materials should be used appropriately and sensitively in relation to the context. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6. DPD Policy D9 requires development to preserve or enhance the character and appearance of the Borough's conservation areas.

Development Management DPD 2017 policy DM18 'Residential Basement Development and Light Wells' states that when determining applications for light wells, the Council will consider whether:

- a) The architectural character of the building is protected;
- b) The character and appearance of the surrounding area is harmed; and
- c) The development results in the loss of more than 50% of the front garden or amenity area.

Wellington Avenue and adjacent streets are characterised by short front gardens/setbacks altered and extended to the front. In particular, windows have been replaced with a variety of large paned windows with strong horizontal lines and some of the open porches have been enclosed. These alterations and additions have weakened the original character and appearance of the host dwellings and the street scene, although they have not affected the modest form, scale and overall sense of rhythm and uniformity within the street scene.

The applicant wishes to add internal space by adding single storey, basement sited under the original dwelling with a front and side lightwell being the only exception that would additions that would protrude beyond the existing building line.

The proposal has been revised from the initial proposal to be much more modest in scale. As such the updated proposal would omit the rear half of the basement including the rear lightwell and the front access/the large lightwell is now a small subordinate addition with a mesh plate that follows the bay window.

The front gardens are an important feature of the street scene, with their low boundary walls, soft planting and diverse range of paving treatments. Despite their modest size they contribute to the sense of space and uniformity within the street scene. This includes the subject property whose front garden is enclosed by a low brick and render wall to the front and hedges to the sides. This uncluttered open front garden helps reduce

the perceived scale of the uncharacteristic large, dark brown tile clad front dormer extension, which projects up to the first-floor front building line of the host dwelling.

Although the front of the section appear busy the revised lightwell is small, lightweight and when combined with dwelling benefiting from the additional space and breaks from being end of terrace and the modifications/planting to the front boundary treatment the lightwell would appear subordinate and wouldn't be obvious when passing by on foot or vehicle. The side lightwell would be hidden by the side access and not visible from Wellington Road.

The proposed lightwells would not be highly visible from public vantage points. Overall the works here would have an acceptable impact on the character and appearance of the host property and the surrounding area, in accordance with the aforementioned policies.

Basement development

Policy SP11 of Haringey's Local Plan requires that new development should ensure that impacts on natural resources, among other things, are minimised by adopting sustainable construction techniques.

DPD policy DM18 ('Residential Basement Development and Light Wells') requires householder extensions for basement development to demonstrate that a proposal will not adversely affect the structural stability of the application building and neighbouring buildings; does not increase flood risk to the property and nearby properties; avoids harm to the established character of the surrounding area and not to adversely impact the amenity of adjoining properties or the local natural and historic environment.

London Plan 2021 policy relates more specifically to large-scale basement development but in paragraph 3.10.6 it is recognised and outlined that small-scale basement excavations, where they are appropriately designed and constructed, can contribute to the efficient use of land, and provide extra living space. Paragraph 3.10.5 equally highlights the need to manage sensitively through the planning application process potential impact on the local environment and residential amenity.

A Basement Impact Assessment (BIA) was submitted with the earlier application. This outlines the site's geological and hydrological setting. The proposed excavation would result in a 2.7m additional depth. This will allow for approximately 2.6m internal ceiling height under the original building footprint intended for non-habitable use.

As per the objections summarised above, a number of concerns have been raised by neighbouring residents concerning impact on the structural stability of their properties, given previous examples. Specifically, concerns are raised about the extent of the excavation proposed, with the associated impacts in terms of movement and stability.

Such works to the party wall would in effect be very similar to typical underpinning works/ foundations repair, where foundations are taken below the swelling and shrinkage zone of London Clay, so as to reduce the risk of damage caused by the water consumption of trees in a shrinkable soil as well as due to normal seasonal movement.

As with all basement projects more intrusive aspect of basement design and construction takes place after the planning process. Other legislation provides further safeguards to identify and control the nature and magnitude of the effect on neighbouring properties. In specific the structural integrity of the proposed basement works here would need to satisfy modern day building regulations. In addition, the necessary party-wall agreements with adjoining owners would need to be in place prior to the commencement of works on site. In this instance a condition is being imposed to ensure that works are overseen by a suitably qualified engineer.

Local residents highlight that there are known concerns/ incidences of subsidence to properties in the area. Officers accept that as London Clay Formation has a propensity for high levels of shrinkage and swelling as a result of seasonal variances in moisture content, there will be inevitable issues of subsidence. This however cannot preclude or mean that basement works cannot take place in such areas. Rather providing the construction process is carried out with good workmanship and following well engineered construction sequences using engineer designed temporary excavation support etc., the risk of damage to neighbouring

structures can be minimised and mitigated. As per a condition imposed the works here are required to be overseen by a structural engineer.

Given the concerns raised by neighbouring residents it is also required that a construction management plan be submitted.

Subject to the conditions outlined above the proposal here is considered acceptable.

Standard and quality of residential accommodation

London Plan Policy D6 requires housing developments to be of high quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.

The proposed additional space is to be utilised for a study and a utility room with an additional WC. As discussed through the application these rooms are not designated nor suited for habitable because of the outlook and levels of light. This will be secured as a condition as agreed to by the applicant and therefore acceptable.

Impact on neighbouring amenity

London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring resident.

The disturbance during construction is considered to be of a temporary nature with the number of vehicles and movements associated with this development to be controlled through a construction management plan secured by a condition.

Conclusion

The proposal is considered to be acceptable with the basement and associated lightwells being a discrete feature so as not to cause unacceptable harm to the character and appearance of the host property and the streetscene. The impact on the residential amenity of neighbouring occupiers is considered acceptable. The impact of the basement works are subject to further conditions. Subject to the attached conditions the proposal would satisfy relevant material planning considerations. This view is reached without prejudice to the need to comply with any other regulatory regimes outside the control of the planning system, as applicable.

CIL

The increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning

permissions.

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the submitted details and prior to commencement of the development hereby approved a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority, detailing the programme of works and providing details in respect of the construction traffic movements, material and plant storage areas, details of necessary suspended car parking spaces, details of conveyor and gantry to transfer material over the footway. The approved details thereafter shall be implemented throughout the project period.

Reasons: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies T4, T7 and D14 of the London Plan 2021, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017

- 4 No development shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed, and such appointment confirmed in writing to the local planning authority, to supervise the construction works throughout their duration. In the event that the appointed engineer ceases to perform that role for whatever reason before the construction works are completed, those works will cease until a replacement chartered engineer of the afore-described qualification has been appointed, and such appointment confirmed in writing to the local planning authority, to supervise their completion. At no time shall any construction work take place unless an engineer is at that time currently appointed and their appointment has been notified to the local planning authority in accordance with this condition.

Reason: To ensure that the proposed development would have no undue impact on the structural integrity of adjoining and neighbouring buildings, in accordance with Policy DM18 of the Haringey Development Management DPD 2017.

- 5 The basement accommodation hereby approved, shall be used as ancillary accommodation in connection with the use of this property as a single-family dwelling only and at no time for additional bedroom accommodation.

Reason: In the interests of providing an acceptable standard of accommodation for occupiers of this property.

Informatives:

INFORMATIVE: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

INFORMATIVE: Party Wall Act

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a

shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

INFORMATIVE: Hours of Construction Work

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday

8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.