

## Mercy Oruwari

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**From:** mercy.oruwari@haringey.gov.uk  
**Subject:** FW: Objection from Chomeley Tree Group HGY/2024/0715

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**From:** toby hedges  
**Sent:** Thursday, April 11, 2024 5:52 PM  
**To:** Mercy Oruwari <mercy.oruwari@haringey.gov.uk>  
**Subject:** Objection from Chomeley Tree Group HGY/2024/0715

Dear Mercy,

**Cholmeley Tree Group objects strongly to this Certificate of Lawfulness application.**

I would like to draw the Planning Officer's attention to the planning application that was REFUSED at this address for a garden studio in September 2023 : HGY/2023/1684.

The applicant has now put in for a Certificate of Lawfulness for an **almost identical** garden studio to the previously refused planning application.

However the reasons why the garden studio was REFUSED last year still remain.

1. There are mature trees with TPOs adjacent to the proposed site. No allowance for tree RPAs.
2. There is no accounting for the underground streams that run through this garden.
3. This garden studio, due to the gradient of the garden, will be at a raised level and will look into neighbouring properties' back rooms.
4. The proposed studio, by reason of its, location, scale, bulk and site coverage could represent an over-intensive development and fail to preserve or enhance the character and appearance of the conservation area.

Haringey's arboricultural officer, Daniel Monk, visited the site last year. In his report he noted:

1. There is a TPO to the north on the adjacent land (Kingsley Place)
2. From an aerial there are large trees in the bordering property 45 that appear not to have their root protection areas accounted for
3. I am not convinced the root protection areas (RPAs) can be efficiently protected from the machinery, compaction, concrete mixing, refuelling, and storage area. A detailed specification would be required and a sealed loading bearing system specified
4. The Tree Protection Plan/ construction exclusion zone, and protective fencing, does not follow the RPA lines of the trees.
5. The new landscaping refers to the grading and terracing. It is commented that there will be no excavation. I assume they will be raising the levels within the RPAs. Clarification will be required
6. There is no tree re planting proposed

The location of the studio is 'squeezed' into a very tight corner of the garden. It is merely 665cm from the boundaries of 45 Cholmeley Crescent and 12 Kingsley Place. The applicant has not mentioned the mature shrubs /vegetation/trees in his garden which would need to be removed in order to accommodate this structure. The mature trees along the back of Cholmeley Crescent need to be protected as they provide biodiversity and vital screening. The trees here are visible from the street through the side passage too.

I reference, Haringey Strategic Policy SP 13:

- All development shall protect and improve sites of biodiversity and nature conservation, including private gardens through its:
- Contributions to wild life and ecological habitats and, where possible include green and brown roofs, rainwater harvesting, green walls, bird and bat nesting/roosting opportunities.

Whilst the studio is marked as 2.5m in height, (in order to comply with Certificate of Lawfulness), it is in fact taller than this as there is a change in level in the plan and therefore excavation work is involved. This excavation work will affect tree roots and the course of the Upper Cholmeley Brook – which will divert into neighbouring gardens. This needs to be surveyed thoroughly.

Finally, I would like to draw the Planning Officer's attention to the next door neighbour's (no 45 Cholmeley Crescent) certificate of lawfulness application: HGY/2023/2256. This was refused. Please reference the reasons for refusal (eg 'significant incline/differences in levels in the garden, engineering works – Eatherley v Camden LBC & Ireland etc). There is little difference between the two proposals in terms of engineering, tree root damage, party wall agreements etc.

Cholmeley Tree Group objects to this application on the above grounds. We need to protect our mature trees and this application does not.

Kind regards

Cholmeley Tree Group

(please publish on the planning portal)