

OBJECTIONS/COMMENTS IN RELATION TO PLANNING APPLICATION

SITE ADDRESS: TENNIS CLUB, SOUTHERN ROAD, HARINGEY LONDON N2 9LH

HARINGEY APPLICATION REF. HGY/2024/0871

BARNET APPLICATION REF. 24/1407/NAC

1. Pre-planning consultation and planning application due process flawed

- a. Public consultation by the developers prior to the application was designed to engineer the response the developers wanted. The questionnaire was binary in its approach resulting in the 'mixed' responses reported.
- b. Property owners around the site received planning application notification letters late and many not at all.
- c. The consultation period end date keeps changing which is confusing for those wishing to comment/object.
- d. Documents have been loaded on to the Planning Portal in dribs and drabs requiring constant visits to ensure the latest information is available, thus making responding to the application harder.
- e. There is still no LPA Pre-application planning advice note for the 2nd pre-app meeting held in March 2023. The applicant's Planning Statement appears to be the only record of what was said.
- f. As the western side of the applicant site is the borough boundary, the application equally affects both Haringey and Barnet residents/interests. In many respects Barnet more than Haringey. The fact that the application only appears on the Barnet portal as a notification severely underplays the significance of the application on Barnet residents. Many of whom only know about the application by word of mouth.

2. Flawed rationale for development

- a. The key justification for building speculative housing on the site is the rejuvenation of a 'decrepit' tennis facility and ensuring its long term presence on the site. I quote from the planning statement section 1.2:

The proposals comprise the development of eight new residential units that will cross-fund the building of a new clubhouse facility, three new low maintenance all weather synthetic clay tennis courts and an improved point of access off Cherry Tree Road.

and 1.3:

As freeholders of the site, URC Thames North Trust is fully committed to ensuring that the tennis club remains as a sports facility for use of the whole community..... However, in the event the current operators decline to sign

*the lease, URC is committed to either running **the improved facility** themselves or working to find an alternative operator.*

- b. To support this argument, both in the pre-application public consultations and in the application, the status of the club, its courts, and its facilities have been unfairly, and in many instances incorrectly depicted. I expect the club will robustly respond on these issues.
- c. One would expect such an argument would result in a proposal that places the tennis club facility front and central to the proposed scheme. But as proposed the club must:
 - i. be reduced from 4 courts to 3 (none of which will achieve LTA min. size requirements). N.B. the fixed site dimensions prevent the current courts achieving the minimum width and this will not change with any new courts, so any criticism that the courts do not currently meet these standards is pointless and misleading.)
 - ii. lose all of its green outdoor amenity space thereby curtailing all current outdoor club activities/socialising, lose outdoor waiting space for parents, the safe play space for young children. Tennis is an outdoor activity, but in effect the proposals mean that if members are not on court, they're either indoors, or under a narrow and congested colonnade, either of which have very poor natural daylighting and are faced with an oppressive outlook onto court fencing and a retaining wall.
 - iii. lose sight of all the courts from the clubhouse
 - iv. acquire a clubhouse that offers no improvement on the current facilities (e.g., no showers or disabled facilities are proposed).
 - v. become open plan with a residential development, rather than being a discrete and secure site. This alone creates a whole raft of problems and question marks in terms of liabilities, privacy, security and safeguarding issues.
- d. Whilst the current club has residential neighbours, the club and its residential neighbours have a long established sense of acceptance of each other. Whereas the proposed development, both in terms of the adjacency of the courts to the residential units, but also the proposed new access route via Cherry Tree Road, will bring residential owners and club players into direct conflict with each other with no benefit for either party. A concern shared by the LPA at pre-app stage.
- e. These very significant negatives in no way align with the proposal to provide an '*improved facility*'. These negatives are relevant not just for the current club and its members but going forward, should FGTC not stay on the site, relevant for members of any new club operated by either the URC North Thames Trust, or a contracted site operator.
- f. **If any sort of development goes forward, it is imperative that a Town and Country Planning Act 1990, section 106 agreement between the LPA and the developer is implemented** - The provision of an improved tennis facility on the site that builds on the many positives the current club and facility have, can only be assured by way of a development that is **appropriate for the size of the site and that champions the tennis facility**

rather than reluctantly finding room for it, In section 1.3 of the Planning Statement the applicant acknowledges a **section 106 agreement** as being a likely condition of any approval for the application.

3. Submitted documents still do not address key shortcomings of the development as raised by LPA (Local Planning Authority) in the two pre-application consultations

- a. Concerns raised at 2nd pre-app 2023 meeting but still unaddressed:
 - i. *The improvements to the tennis club would be required to justify the loss of the court and open space associated with the club. The Officer required a viability case to be presented.*
 - ii. *The mix of uses on the site were thought to create issues for public and private spaces, and officers stated the proposed residential use should not jeopardise the community use. Officers thought the noise and disturbance from the mix of uses would be “problematic”.*
 - iii. *Cherry Tree Road at the west of the site is within LB Barnet and as such the proposed new access will require their authorisation.*
 - iv. *Officers considered the proposed development would lead to a change in the character of the site in terms of the openness of the tennis club and landscaped area, and the design and impact on heritage assets would need to be fully justified.*
 - v. *The scale and massing of clubhouse was a concern and would need to be addressed and reduced.*
 - vi. *Re-landscaping was required as well as further information on how this will mitigate the level of development. Officers suggested using landscaping as means of designating public and private areas and routes into site. The trees would need to be retained where possible*
 - vii. *Suitable information would need to be provided in terms of policy justification to demonstrate the loss of one court and open space.*
 - viii. *The site should be marketed for use as 4 courts*
 - ix. *The LPA would expect to see a collaborative approach between the current/last tennis club operator and the URC, in ensuring tennis courts can still be provided on this site and open to the public and in providing the necessary evidence base to demonstrate why this site needs to be partly redeveloped*
 - x. *The privacy of the new dwellings needed further consideration to ensure outlook wouldn't be impacted.*
- b. *The scheme as submitted fails to adequately address all of the above concerns. And for these reason alone the application should be refused.*

4. Supporting documentation does not adequately inform the application

- a. The drawings do not provide sufficient detail to inform key supporting documents notably:
 - i. **The Basement Impact Assessment Screening Report** – the report is a desk study only. It relies on generic information on issues such as geology, and ground water drainage and it makes no reference to the necessary infill and levelling over the southern half of the

site or how such made ground will impact on ground water drainage, foundation and basement excavation/formation.

Borehole references in the report are too remote from the site to inform as to the peculiarities of this site. This fact is echoed in the Arboricultural Impact Assessment.

The report fails to acknowledge the presence of the Mutton Brook or its historic and ongoing relevance/influence in terms of local ground water drainage.

- ii. **TMA Arboricultural Impact Assessment** – In terms of the proposed works, the report states that it only had reference to proposed site plan 1143-DFA-PL_0200 and Topographical Survey A1365-T. Neither of these provide any information relating to foundation formation, retaining structures, infill areas, level changes, basement excavations, drainage/utilities, and building/refurbishing of tennis courts.

Seemingly to make up for this lack of information, in sections 6.16 – 6.31 the report's author makes numerous assumptions based on this drawing with regard to tennis court construction, retaining wall locations and form of construction and construction of the dwelling houses, and concludes overall that collateral damage of retained trees is unlikely. The report does however concede that it cannot comment on any damage resulting from installation of new utilities.

The assumption made with regard to the formation of the new 3rd court (namely no excavation) is clearly at odds with what is shown on the existing and proposed site section 1143-DFA-PL_0300

For the application to be properly informed, an outline construction methodology should be provided, and an addendum report commissioned along with access to the full suite of drawings especially proposed site sections 1143-DFA-PL_0300 and an as yet unavailable existing and proposed section across the southern end of the site through the terrace of 5 houses.

Given the deficiencies of the report, a draft Arboricultural Method Statement should also be requirement of the application.

5. Drawing inaccuracies, contradictions, and lack of sufficient information.

- a. The documents supporting the application fail to fairly reflect the challenges and implications posed by the sloping site and differing ground levels on the north south axis, either as existing, or as proposed. E.g., there is no existing or proposed section across the southern end of the site

- b. The area covered by the two tennis courts at the southern end of the site is cut into the slope and is approx. 2m below Cherry Tree Road/ground level of No 42. The ground carries on sloping northwards from these courts at approx. 3°.
- c. The proposed plans, elevations and section drawings show the 5 houses, their gardens, the central landscaped area, the flats/clubhouse, and the central tennis court, all on the same level.
- d. The only vague reference to such work is a single paragraph in section 1.16, page 6 the Planning Statement in the context of minimising basement excavations:

The new proposal aims to minimise digging at the lower ground level gardens for the houses by levelling out smaller areas and gently sloping up to follow the existing topography

The reality is a considerable area of infilling as shown on the existing and proposed site section 1143-DFA-PL_0300.

- e. Achieving this level change would create significant level differences at site boundaries particularly No 42 Cherry Tree Road and No 18 Shakespeare Gardens. This is not reflected on drawings submitted but would substantially increase the impact of the development in terms of site operations, the overall width of the site and the impact on these two properties.
- f. Site infill and levelling on this scale would also impact on:
 - the nature of ground water behaviour on this lower section of the site. The idea of excavating down and then sloping up the ground to the southern site boundary can only lead to flooding problems in these gardens. All of which will be below the invert level of the existing shared surface water sewer.
 - the findings of the Arboricultural Impact Assessment
 - the assumptions of the Basement Impact Assessment Screening Report
 - the design of a SUDS scheme of which there are no currently details
- g. The proposed site section 1143-DFA-PL_0300 shows excavation into the slope to level the northern courts. This will necessitate a low retaining structure around the end of the court that will impact on the available court length and width. The court width is already compromised. Lengthening the courts would only make the pedestrian access narrower with resultant implications for club members and court maintenance equipment.

6. Site access

Planning statement claim - section 3.21

The new access will have the added benefit of enabling existing residents, service vehicles and visitors to Cherry Tree Road to turn around rather than having to reverse back out of their street in light of the current absence of any existing turning facilities along the street.

- a. The proposed Cherry Tree Road site access is subject to a ransom strip and until this is resolved the development of the site is not viable. Reference item iii of the unresolved pre-app comments.
- b. As referenced in section 4, without significant site infill and levelling of the southern half of the site, the proposed site access and parking provisions are just not possible.
- c. The parking provision is inadequate (not all houses would have a parking space), the area is too small and does not allow for a safe turnaround for cars or service vehicles.
- d. Cherry Tree Road is a single lane road with CPZ bays on both sides. Additional traffic to the development would be problematic and create safety concerns.
- e. Unless either Haringey or Barnet adopt the access way, it will be a private road and as such inaccessible to all non-residents.
- f. The proposal to allow club members/users to access the club by vehicle using this access will create parking problems and potential conflicts with residents.

7. Loss of Biodiversity/PEA and PRA report

- a. The PEA and PRA report is only a preliminary study.
- b. The planning application includes no affordable homes, proposes the development of all parts of the site, and delivers a much diminished tennis facility, yet it seeks small site exemption for loss of biodiversity. Is such an exemption justified for a speculative housing development?
- c. Whilst the green roofs and the proposed outline planting schedule are welcomed you need a considerable area of green roofs for them to be considered a proper habitat capable of sustaining any meaningful numbers of pollinators. Nature also needs some peace and quiet.
- d. The space available for landscape planting is very small compared to the area of the site. The proposed planting will in no way make up for the loss of green space and natural habitats.
- e. Once developed, the site and related wildlife will not benefit from the long quiet times when there is no play on the courts.
- f. Once developed light pollution will be a constant issue that will adversely affect wildlife.
- g. The site adjoins Cherry Tree Woods (a site of Nature Conservation Interest) and the site as developed would be to the detriment of wildlife habitats along the boundary.
- h. Once the houses are sold, there would be no control over how owners of the new houses use their gardens (planting versus paving over) and what impact this will have on drainage and wildlife on the site or along the boundary.

8. Sustainability

- a. No vehicle charging points are mentioned in the DAS. Given only 5 no parking spaces are proposed, this seems unambitious.

- b. Given the much publicised risks currently posed by indoor charging, safe external charging provision for electric bicycles and scooters should also be considered.

9. Outline Construction Logistics Plan (CLP)

- a. An Outline Construction Logistics Plan is considered totally inadequate given the site western boundary of the site is the borough boundary and two boroughs are affected by the works.
- b. Access to the development site can only be via Barnet not Haringey. Barnet therefore need to be as engaged as Haringey in the scheme.
- c. The circumstances of the scheme warrants a full CLP to inform the application.
- d. The CLP underplays the scope of work required on a site. Section 3.1 on p11 incorrectly states that:
'The scheme comprises 5no dwellings so will not result in significant impact'
- e. The scheme actually comprises 5no dwelling houses, 3no flats including a clubhouse, tennis court construction/refurbishment, significant reprofiling of the site including excavation and infilling of a substantial areas and level changes which will necessitate retainage structures and will impact site boundaries, all of which will impact heavily on the relationship between the site and the surrounding and outlying properties during and after the works.
- f. Given the size of the site, its cross borough location, the level of work imposes a much emphasis on the CLP than has been acknowledged.

10. Site rainwater and foul water drainage proposals

- a. The current level difference at the southern end of the site has implications for gravity connections to existing Thames Water foul and surface water drainage assets.
- b. The nearest Thames Water assets are 100 year old private foul and rainwater sewers to the rear of Nos 24-42 and 17-31 Cherry Tree Road. The load on these has already increased over the years on account of extensions/alterations to properties. Some extensions are built over the sewers.

Focus on the proposed surface water disposal scheme

- a. There are pre-existing ground water drainage issues both on the site and in gardens at the rear of Cherry Tree Road properties backing onto Cherry Tree Wood.
- b. Cherry Tree Wood also suffers from flooding. Barnet are fully aware of this and are currently working with The Friends of Cherry Tree Wood, in developing a scheme to combat this, but cross borough co-ordination is needed to ensure site drainage proposals are fit for task and will not add to the existing problems.
- c. Surface water load from the parking spaces, hard landscaped areas, paths, and the (more rapid draining) artificial clay tennis courts will be significant.

- d. The southern part of the proposed development is given over to private gardens that slope up to the site boundary with Cherry Tree Wood. How will these gardens, and the front basement light wells be drained?
- e. The application states surface water disposal will be via SUDS and mains sewer. No details of the scheme are provided, and in particular, how much water will be managed by SUDS versus mains connection and whether the SUDS scheme will have a final connection to the main sewer.
- f. The street surface water sewer serving Cherry Tree Road discharges into the Mutton Brook in Cherry Tree Wood. Are either Thames Water or Barnet concerned that additional surface water load from the site will create an unacceptable surcharge on the Mutton Brook?
- g. Any SUDS scheme will require space on the site for features such as swales, attenuation basins, wetland areas etc. Apart from a reference to 'rain gardens' on p.8 of the Landscape Design & Access statement, it's not clear where SUDS features could be incorporated, whilst still leaving enough space for the planting schedule covered by the DAS.
- h. The DAS document mentions grey water harvesting but only in passing. It is widely accepted that in a domestic context this is generally considered both impractical, and prohibitively expensive to install and maintain.

James Davidson
9 Shakespeare Gardens, N2 9LJ
08/5/2024