



Officer Report

Application Number:	HGY/2023/2121
Application Type:	Full planning permission
Address:	24 Cholmeley Crescent, Hornsey, London, N6 5HA
Proposal:	Demolition of the existing house and construction of a new house of similar appearance, size and footprint with new boundary treatment (AMENDED PLANS).
Case Officer:	Mercy Oruwari
Valid Date:	04/08/2023
Applicant:	MS L SWEET
Agent:	Mr Thanh Tran

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

- 1.1 This is an application for the demolition of the existing house and construction of a new house of similar appearance, size and footprint with new boundary treatment.

Site and Surroundings

- 1.2 The application site comprises of a two-storey detached dwelling situated on the eastern side of Cholmeley Crescent, a horseshoe shaped road which is lined by mainly semi-detached houses of distinctive and varying design with consistency in materials.
- 1.3 The houses are set back behind well landscaped front gardens with intervening gaps and incidental views of trees and greenery. These factors combine to provide a sense of spaciousness and a verdant character which forms part of

the prevailing pattern of the area and of this part of the Highgate conservation area.

Relevant Planning and Enforcement history

1.4 The recent planning history in relation to the site is as follows:

HGY/1993/1041 - Erection of ground and first floor side extension. Approved with conditions.

2. CONSULTATION RESPONSE CONSULTATION RESPONSE

2.1 The following were consulted on the planning application:

- LBH Conservation Officer – Based on revised scheme and justification for demolition raises no objection. Asks for conditions to be imposed.
- LBH Design Officer - The proposed house, and the existing house to be replaced, are reasonably well separated from neighbours with major habitable room windows facing it. It is unlikely suffer any detrimental amenity or cause any amenity loss to any neighbours, compared to the existing situation.
- LBH Carbon Management: In summary question the reasoning for demolition v retrofit. Note the overall predicted reduction in CO2 emissions for the development shows an improvement of approximately 86% in carbon emissions. Question as to whether available roof space has been maximised to install solar PV and what noise and visual mitigation measures proposed for the ASHP etc.
- LBH Arboricultural Officer: - No objection
- LBH Waste Management- No objection
- LBH Transportation Group - No objection/ subject to conditions
- Thames Water

3. LOCAL REPRESENTATIONS LOCAL REPRESENTATIONS

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

No of individual responses: 69

- Objecting: 68
- Supporting: 1

3.2 The following issues were raised in representations and are addressed further on in this report or below:

Consultation Process:

- No notification or site notice (Comment: it appears there were some postal issues. the consultation was however extended by almost 2 weeks to compensate for the postal issues).
- The Barnard Structural Appraisal was submitted at a later date.
- The Barnard Structural report is unreliable as a standalone assessment. A second neutral survey should be carried out. It needs a proper engineer's report.

Principle:

- Justification for demolishing and rebuilding is not sound such as the house being painted white.
- As 100+ year old properties similar houses with similar issues have been renovated.
- Issues of subsidence as justification for demolition has not been clearly established, just claimed. No real photographic evidence. This should be available if the issue is at the stage necessary for demolition.
- Benefits of energy savings are not valid as other properties have had 'retrofit' works carried out successfully with no demolition.
- The Highgate Conservation Area Character Appraisal and Management Plan 2013 states: "Demolitions, replacement dwellings and new development
12.3.3 There shall be a presumption in favour of retaining designated and non-designated assets that make a positive contribution to the conservation area. Any proposals for such demolition should address the criteria for demolition set out in National Planning Policy Framework. Planning permission for demolition and new development would not be granted unless the loss of the building is justified'.

Design and Character:

- Location of No 24 is prominent and contributes to the harmonious architectural style of the crescent.
- No matter the intention of replicating the original house to the Arts and Crafts style, it would still be a loss and would change the conservation area and streetscape, which has been relatively retained.
- New house would still appear as a new build.
- Approval would be a risk to the preservation of the character of the Highgate Conservation Area and would be a mockery of the concept of a conservation area.

- Approval would encourage and create a precedence for other demolitions/new builds which would further erode the character of the crescent.
- Front dormer is larger than what has been granted for previous applications.
- Changes to the roof lines, would create an imbalance in symmetry with the neighbouring detached property, and would not be in keeping with the Crescent.
- Should be confirmed that the roof height of the proposed is the same as the existing.

Impact on Amenity:

- Potential loss of privacy due to the rear windows and proposed side dormer.
- Re-siting of the property could impact the light for adjacent properties.

Trees/Veg/Biodiversity:

- Mature Ginko street tree would be very vulnerable during the construction work.
- No indication of any attempt to increase biodiversity in the landscaping.

Environmental:

- Increase of carbon emissions due to new build as opposed to refurbishment.
- A comprehensive Environmental Impact Assessment should be carried out.
- No analysis of the substantial use of concrete for the foundations. The potential impact on the water flow of Cholmeley Brook and other water courses is a concern.
- Would the water from the Brook be diverted and if so, which properties will be impacted and how. This could be a potential subsidence issue for any properties impacted.
- A higher target would have been expected for energy reduction.
- No consideration seems to have been given to upgrading the existing building over the energy cost of demolishing it.
- Consideration should only be given to demolition if satisfactory reports have been submitted on: the severity and cause of subsidence the design and cost of new foundations and lost embodied carbon.

Highway:

- During building works road safety may be impacted

Non Material:

- Construction work would take much longer than has been suggested.
- Disturbance during construction would be more intense than for refurbishment.
- Significant damage to surrounding streets, noise during the works etc. Especially considering its location at the top of the street.
- No evaluation of possible impact to water courses following the construction.

4. MATERIAL PLANNING CONSIDERATIONS

4.1 The main planning considerations raised by the proposed development are:

1. Background;
2. Design and heritage;
3. Standard & quality of accommodation;
4. Inclusive access and fire safety;
5. Impact on neighbouring amenity;
6. Trees, landscaping and ecology;
7. Parking & transport
8. Energy & sustainability;
9. Waste and recycling.

Background

- 4.2 A Structural Appraisal has been submitted with this application. This report outlines that the property has been affected by significant subsidence and differential foundation movement, which are ongoing and exacerbated by tree root activity and soil conditions. The report outlines that even with underpinning, there's no guarantee of halting soil shrinkage, especially with roots extending down and causing further issues.
- 4.3 The various cracks internal and external evident throughout the building are documented in the report submitted, including vertical, horizontal, and diagonal cracks along windows, walls, and ceilings. These cracks signify structural instability and movement. The report also outlines that there are noticeable lateral movements in the terrace area and steps away from the rear elevation of the property, indicating significant structural shifting. Internal observations also reveal misaligned windows and sloping floors, consistent with foundation movement detected externally.
- 4.4 The property's location near natural drainage streams and surrounded by mature trees in shrinkable clay soil is identified as exacerbating the structural issues, making underpinning economically unfeasible and also not certain as being effective. Additional information provided by the agent show that removal, rebuilding and repair of the affected areas of the building would also

equate to substantial demolition in any event, with this documented in drawings provided.

- 4.5 As such the structural engineers strongly advocate for the demolition and rebuilding of the property as the most comprehensive solution to the myriad structural problems with this property. The extent of remediation required is extensive and would surpasses what simple repairs or more limited underpinning.
- 4.6 In this instance bearing in mind the merits of this case, the structural appraisal and engineers recommendation for demolition and rebuilding of the property is supported by a suitable evidence base and as such showing that demolition and rebuilding represent a reasonable and comprehensive solution to the various structural problems identified. In this case and following further clarification from the agent the LPA have no evidence to dismiss the claims of the Structural Appraisal.
- 4.7 On this basis substantive grounds for the demolition of the existing building have been presented, with this matter and the merits of the replacement building discussed in the following section of this report.

Design and heritage

Policy overview

- 4.8 London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D3 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.
- 4.9 Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character. Policy DM1 requires that new development must contribute to the character and amenity of the local area by amongst other things relating positively to neighbouring structures by having regard to building heights; form, scale and massing around the site; urban grain; local architectural styles; detailing and materials.
- 4.10 London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy

SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

- 4.11 DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account. In relation to extensions or alterations to residential buildings, including roof extensions, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.
- 4.12 The Highgate Neighbourhood Plan (HNP) (July 2017) is a material planning consideration when considering an application for this site. Policy DH1 'Demolition in Highgate's Conservation Areas' is of specific relevance, this states that:
- "Proposals to demolish buildings and structures that are non-designated heritage assets will be subject to a balance judgement with regard to the scale of the loss and the significance of the asset. Any proposed replacement should make a positive contribution to the conservation area." The subtext of the policy outlines that all proposals to demolish will be considered against tests in higher level policies."
- 4.13 Paragraph 12.3.3 of the Highgate Conservation Area Appraisal also outline that there shall be a presumption in favour of retaining non-designated heritage assets that make a positive contribution to the Conservation Area; and that planning permission for demolition would not be granted unless the loss of the building is justified.

Existing house

- 4.14 The application site relates to a two-storey detached house finished in render, and with a tiled, hipped, roof. The property has been historically extended on the ground and first floor to the side. The main entrance is recessed and on the front elevation with a half hexagonal bay window which rises through both floors to a small gable and overhanging roof feature.
- 4.15 The plot to this house is smaller compared to the others and subsequently the rear garden is smaller in comparison to the other properties. As noted, the house is located on a horseshoe shaped street comprised predominantly of semi-detached houses and a small number of detached houses, which are of a

broadly similar design and appearance to the host building utilising consistent materials but with some differences in detailing.

- 4.16 No 24 Cholmeley Crescent lies within the Highgate conservation area. Cholmeley Crescent predominantly dates to the 1920s. There is a large number of different designs, though many feature half timbering and/or tile hanging, with occasional contrasting herringbone brickwork and quoining, with increasing use of roughcast in the later houses. Deep projecting gables on timber brackets, or hybrid forms with a deep hip topped by a gablet, are prominent features, coupled with a wide variety of porches and entrances, notably recessed porches behind board brick arches with keystones, or with timber arch braces. Four 1920s red-brick garages survive to the north of No. 24, each with a segmental pediment.
- 4.17 No. 24 has several of these features, with a canted bay beneath a deep projecting gable on brackets and appears to retain an original window pattern. Though the brickwork has been painted, the quoins remain prominent features and the original segmental arch above the door is appreciable.
- 4.18 The replacement front door and window in the centre, the painted brickwork, and loss of tiles to the bay window have eroded some of its contribution to the significance of the conservation area. Its similarity to the buildings in the vicinity is appreciable. The detailing to the chimney stack is still visible and has been retained despite the roughcast render. The building is considered to positively contribute to the significance of the Conservation Area as a good example of the early 20th Century suburban housing with consistent detailing throughout the street.

Detailed design of replacement house

- 4.19 In principle the demolition of a building within a Conservation Area which is considered to positively contribute to its significance is not considered to be a favourable solution. The form, detailing, quality of the materials, and the patina of age which are hard to replicate would be lost. As reflected in planning policy, as referred to above, any proposal to demolish such a building would need to be of strong justification that the loss outweighs the harm.
- 4.20 As previously discussed, a Structural Engineer's report has been submitted to outline the justification for the demolition and replacement of this existing house. While the initial report did not fully provide sound justification to support this claim, a further updated report was submitted which provides more robust details of the various and significant structural defects with this existing building. As outlined above the evidence justifies that the retention of the house would not be soundly viable.

- 4.21 The proposed footprint is broadly the same as the existing in a slightly different position but would be unappreciable given the detached nature of the building, located on the curve on this road. Apart from the extension of the roof over the double storey side element of the building, plus the addition of the front and rear dormers/rooflights/PV panels, the replacement property would on first appearance appear mostly the same as the existing.
- 4.22 The design of the replacement house has been amended from that submitted. The change to the roof form is one of the main noticeable changes with the roof as initially proposed having an appreciable crown. The roof form has been amended to retain parapet detailing common to the existing house and others in the crescent. Importantly the roof is now less bulky and has significantly less crown roof, which is less visible with only one small rear dormer proposed, similar to others on the street.
- 4.23 Additionally, the loss of the defined garage side wing with its decorative parapet upstand was viewed to be unacceptable as it would have resulted in the loss of similarity in detailing and form in relation to the adjacent property No. 22. The continuation of the pitched roof over this element would have also added to its bulk.
- 4.24 With the amended scheme rooflights/PV panels have now been sited beneath the proposed ridgeline which is a more congruous roof form than the previously proposed.
- 4.25 The windows both openings and sills; front door and porch, brick arch; projecting eaves; oriel window; chimney stacks are designed to match the existing. With the scheme initially submitted the proportions to some of the window openings were considerably different, and this would have impacted on the appreciation of the building as part of a group and therefore differentiating it, as such changes were secured these concerns.

Impact on the character and appearance of the conservation area

- 4.26 In coming to a decision on this application special attention has been given to the desirability of preserving or enhancing the character or appearance of the conservation area in accordance with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.27 As reflected above there were several key areas where the replacement dwelling differed from the existing house and the other positively contributing buildings within Cholmeley Crescent. The differences were both in the main form of the building, plus the detailing of several 'smaller' but important distinguishing design features and as such revisions to the scheme were secured.
- 4.28 Overall, the revised scheme in terms of design and detail is more consistent with the existing building and the other original buildings in the street. The arts and

crafts style detailing has been more carefully aligned in the amended scheme, including several key aspects such as the extent of the proposed projecting eaves, chimney stacks window and brickwork details.

- 4.29 In effect, the replacement dwelling would look largely the same as the existing dwelling and as such would make an equally positive contribution to the Conservation Area as the existing building. Consequently, there would be no harm to the character or appearance of the Conservation Area
- 4.30 Given the points outlined above in respect of the design of the replacement dwelling and the justification for demolition, Paragraph 202 of the NPPF which states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this is not viewed to be engaged here.
- 4.31 Specifically, the information submitted has now evidenced that the retention of the existing building is not viable due to its various and significant structural defects. On this basis the demolition of the existing building is considered to be justified and mitigated by ensuring the replacement building is of acceptable design quality, sympathetic with the character of the existing house and the surrounding area, as such having a neutral effect on the character and appearance of the conservation area (as a whole), as such meaning it is left preserved.
- 4.32 For the reasons above the scheme here is considered acceptable in design and heritage terms with the conservation area left preserved/ unharmed, with their justification to demonstrate this position. A number of conditions are being imposed in relation to details and materials, essential to ensuring the replacement building is of high quality.

Standard & quality of accommodation

- 4.33 London Plan (2021) 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 government's 2015 'Technical housing standards - nationally described space standard' (NDSS) is also relevant.
- 4.34 In assessing the proposal against these requirements, the proposed house would remain as a single-family dwelling replacing the original large property. This would adequately accord with the minimum size requirements. The

minimum standards prescribed for individual rooms are set out within The London Housing Design Guide. The 3x ensuite bedrooms would also adequately conform to these standards as shown in the floor plans.

- 4.35 The new dwelling would still have a substantial rear garden as well as a front garden, thereby retaining adequate amenity space in proportion to the house.

Inclusive access

- 4.36 London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used easily and with dignity by all. London Plan Policy D7 require that 10% of new housing is wheelchair accessible and that the remaining 90% is easily adaptable for residents who are wheelchair users.
- 4.37 In this case the dwelling would be compliant with Part M4(2). A WC will also be provided on the ground floor just off the main hallway, which will be suitable for ambulant disabled users. A condition is attached to secure this.

Impact on the amenity of adjoining occupiers

- 4.38 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.
- 4.39 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.
- 4.40 The proposed footprint is broadly the same as the existing but in a slightly different position. Due to the distance between the host site and the neighbouring properties no new amenity issues would arise. The window arrangement in the new building would mainly remain the same. A new rear dormer would be introduced along with some roof-lights on the sides. This is a standard development for most houses and would have very little impact from an amenity point of view.

- 4.41 It is accepted that there will be some degree of inconvenience/disturbance associated with construction, however such impacts will not be significant. It is important to highlight that also there would be no justification for refusing planning permission on this basis as this is not a material planning consideration, with rather the Control of Pollution Act 1974 providing safeguards in respect of construction site noise.
- 4.42 Overall, it can be demonstrated that there will be no adverse infringements on the amenity of neighbouring occupiers.

Trees and landscaping

- 4.43 London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals. DM Policy (2017) DM1 'Delivering High Quality Design' states that the Council will expect development proposals to respond to trees on and close to the site.
- 4.44 The three trees at the rear of the site will be retained. With the low-level hedges not having high amenity value they would be removed, thereby increasing the usable space in the garden. As part of the landscaping plans for the site new low level hedges would be planted both at the front and the rear. There are 4x trees located outside the site including a Ginko tree located on the street, it has been outlined in the Arboricultural Method Statement that all trees would be protected during the construction stage. A condition is being imposed to secure that all necessary safeguards for the trees during construction is fully implemented.

Parking and Transportation

- 4.45 Local Plan (2017) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DM Policy (2017) DM31 'Sustainable Transport'.
- 4.46 The subject site has a PTAL rating of 3, which is a moderate score, however, Highgate Underground station is only 9-10 minutes' walk from the house. Highgate station provides connectivity to London's underground and overground train network. The site is also within 4-8 minutes from 6 different

bus services. The site is located within the Highgate CPZ, which restricts parking to permit holders only Monday-Friday 10am-12pm.

- 4.47 As this is an application for a replacement dwelling, transport and parking demands will be very low and/or very similar to the existing, as such meaning there is no consequential impact for on-street parking conditions or for the highway network. It is noted that there are two vehicular crossovers at this property at present. The submitted proposal only shows that the southernmost of the two is to be retained. As such one of these crossovers will be removed as secured by way of a planning condition.
- 4.48 In terms of cycle parking 2x on-site cycle spaces are to be provided behind the off-street parking within the enclosed private side garden, with this considered an acceptable arrangement.
- 4.49 A condition is to be imposed for the developer to provide a Construction Management Plan (CMP) in detail and scope that is proportional to the size of the development for approval by the LPA. The statement would need to provide details on how the demolition/construction would be carried out, and how the impacts on the public highway and adjacent neighbours will be minimised and managed. It would also need to include details of how materials and plants would be taken to and from the site, and what temporary parking suspension or other arrangements are proposed to service to construction.

Energy and sustainability

- 4.50 The London Plan sets out detailed policies in relation to energy efficiency, renewable energy, climate change and water resources. Local Plan Policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions through on-site renewable energy generation.
- 4.51 DPD Policy DM21 also requires new development to consider and implement sustainable design, layout and construction techniques, with proposals required to apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements.
- 4.52 An Energy & Sustainability Statement produced by 'The PES' (dated 6th July 2023) has been submitted as part of the planning application. The Statement outlines that the development would achieve an 86% reduction in carbon emissions over the baseline requirements within Building Regulations Approved

Document Part L1A. The development can further achieve 'zero carbon' through an offset payment in line with the London Plan guidance. The development achieves improvements in build fabric and improvements in regulated emissions through the adoption of very high standards of insulation, heat pump driven heating and hot water systems and roof mounted PV array.

- 4.53 Conditions are being imposed requiring the development to be implemented in accordance with the Energy Strategy and supporting information, and for the air house heat pump and roof mounted PV arrays to be implemented before occupation. A carbon offset contribution of £1,065.00 is also being secured to ensure the development is 'zero carbon'. Subject to compliance with these conditions, the development is acceptable in terms of energy.
- 4.54 In terms of PV arrays the number and their location is influenced by orientation and as well the need to protect the character and appearance of the conservation area and as such the number shown is considered acceptable. In terms of the heat pump this will be housed in a structure at the back of the garden and a condition is imposed to restrict the noise level of this equipment, so as to safeguard amenity.
- 4.55 In terms of the 'Cooling Hierarchy' mindful of the scope of this application one house (a minor application), which falls well below the threshold of a major development for which policies SI 2, and SI 4 of the London Plan 2021 are expressly written to address, there is no policy basis to require more information, as such meaning what is submitted is viewed to be proportionate.
- 4.56 In terms of embodied carbon, which it is noted is raised as a concern in the objections received, as this is a minor application (replacing one house) unlike major applications, it is therefore pointed currently there is no policy basis to formally consider/ assess loss of embodied carbon, with rather the focus in relation to such applications being on operational emissions. As however set out above a requisite evidence base has been submitted supporting reasons for demolition here.
- 4.57 In terms of broader issues of sustainability, the scheme is viewed to be sustainable in terms of its location and access to public transport and facilities and measures to provide a landscape setting for this replacement dwelling. As per a condition-imposed, water consumption will be minimised with the requirement to provide a water butt on site. Details of hard and soft landscaping have been submitted which show additional planting for the front and rear garden spaces as well as showing details of surfaces (rear lawn area, permeable pavers) which will facilitate water infiltration.

- 4.58 As such, it is considered that this proposal, a minor application, would comply with relevant policies and is acceptable in terms of sustainable design and energy efficiency, subject to appropriate conditions to achieve the above as imposed.

Waste and recycling

- 4.59 DM DPD Policy DM4 requires proposals to sustainably manage waste that arises from development during the design, construction and occupation phases. All proposals should make on-site provision for general waste, the separation of recyclable materials and organic material. Adequate internal and external storage space should be provided to manage the volume of waste arising from the site. Accessible and safe access to on-site storage facilities both for occupiers and collection operatives should be supplied.
- 4.60 This is a small development for a replacement dwelling within largely the same footprint of the original house. Overall, the refuse arrangements would be identical to the existing house. The location of the refuse storage was originally within the front garden, this has however been revised with the storage being relocated to sit behind the retained parking space. The storage would be built into the new enclosing wall behind red western slatted timber doors to conceal it from any public viewing point. The arrangements would be adequate and acceptable for a property of this size.

Other

- 4.61 It is noted that concerns are raised about the foundations for such a new house and their potential impact on the water flow of Cholmeley Brook and other water courses in the area and possible diversion. The present buildings have been in place over a long period, albeit likely with shallow foundations while it is accepted that the replacement house here will involve deeper foundations or piles foundations, detail which will need to be developed for the detailed design stage of this project.
- 4.62 Given however the pattern of development here of houses within large plots and gaps between buildings, there is no evidence to show that deeper foundations over and above the current would create a 'dam' effect or cause water to disperse or affect the hydrology of the area. As such this application could not be refused on such grounds however in developing the foundation design for this new house reasonable measures may need to be taken to facilitate ground water movement, a matter considered at building control stage.

Conclusion

- 4.63 As amended the position, scale and design detail of the proposed replacement dwelling is considered to be acceptable. The character and appearance of the area will be left preserved. The proposal will not cause unacceptable harm to the living conditions/ amenity of neighbouring residents.
- 4.64 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

5. CIL APPLICABLE

- 5.1 Based on the information given on the plans, the Mayoral CIL charge will be £4,779.63 (69sqm x £69.27) and the Haringey CIL charge will be £29,149.05 (69sqm x £422.45 (Indexation included)). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative is to be attached advising the applicant of this charge and in the case here it is noted that a Self Build Exemption Claim Form has been submitted.

6. RECOMMENDATION

GRANT PERMISSION subject to conditions

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development shall be completed in accordance with the approved plans as listed above except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

3. No above ground development shall take place on site until samples of the materials to be used in the construction of the external surfaces, including a sample panels of brickwork, demonstrating the colour, texture, face bond and pointing brick panel, of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of Highgate Conservation Area is preserved, consistent with Policies SP11 & SP12 of the Haringey Local Plan (2017) and Policies DM1 and DM9 of The Development Management DPD (2017).

4. No works for the insertion of windows, rooflights and doors shall be carried out on the site until details of the proposed windows, rooflight and doors including details of materials and finish and details at a scale of 1:10 or 1:20 of the proposed including the cills, reveals, jambs, lintels and glazing bars, have been submitted to and agreed in writing by the Local Planning Authority, and the work shall then be carried out in accordance with those details.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of Highgate Conservation Area is preserved, consistent with Policies SP11 & SP12 of the Haringey Local Plan (2017) and Policies DM1 and DM9 of The Development Management DPD (2017).

5. No facing brickwork shall be carried out on the site until details, including drawings at a scale of 1:5 or 1:10 of the i) brickwork quoins, ii) decorative brickwork to the chimney stacks and iii) brickwork detailing to the parapet, have been submitted to and agreed in writing by the Local Planning Authority, and the work shall then be carried out in accordance with those details.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of Highgate Conservation Area is preserved, consistent with Policies SP11 & SP12 of the Haringey Local Plan (2017) and Policies DM1 and DM9 of The Development Management DPD (2017).

6. No works for the installation of the roof shall be carried out on the site until details of the timber brackets and soffit of the overhanging eaves have been submitted to and agreed in writing by the Local Planning Authority, and the work shall then be carried out in accordance with those details.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of Highgate Conservation Area is preserved, consistent with Policies SP11 & SP12 of the Haringey Local Plan (2017) and Policies DM1 and DM9 of The Development Management DPD (2017).

7. The hard and soft landscaping hereby approved, including the proposed boundary treatments, shall be implemented prior to first occupation of the dwelling, in accordance with the approved Site Plan 797/105 D.

All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. If any planting is removed, dies, become severely damaged or diseased within five years of completion of the development, the planting shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

8. No works for the installation of the bin/ plant/ store enclosures shall be carried until samples of the materials to be used demonstrating the colour, texture have been submitted to and agreed in writing by the Local Planning Authority, and the work shall then be carried out in accordance with those details.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of Highgate Conservation Area is preserved, consistent with Policies SP11 & SP12 of the Haringey Local Plan (2017) and Policies DM1 and DM9 of The Development Management DPD (2017).

9. The development hereby approved shall take place in complete accordance with the Arboricultural Impact Assessment, Arboricultural Survey with reference to BS 5837 2012, Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), the details of the specification and position of protection measures and techniques to be adopted for the protection of both the trees within the site and on the street from damage during the course of any activity related to the development, including foundation design, shall be maintained and

implemented accordingly unless subsequently approved in writing by the Local Planning Authority.

Reason: In order to ensure the safety and well-being of the trees on the site during constructional works that are to remain after building works are completed consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

10. The development hereby approved shall be carried out in complete accordance with the Bat Survey and mitigation measures outlined.

Reason: In the interests of protecting habitat of protected species.

11. The approved refuse and recycling store and covered and secure cycle store facilities shall be provided in full and made available for use by the residential occupants of the dwelling prior to the first occupation of the residential unit hereby approved and shall be retained as such in perpetuity.

Reason: In order to protect the amenities of the locality and to comply with Policy DM4 of The Development Management DPD 2017 and Policy SI7 of the London Plan 2021 and to promote sustainable modes of transport in accordance with policy T5 of the London Plan 2021 and Policy SP7 of the Haringey Local Plan 2017.

12. The residential unit hereby approved shall be designed to meet Part M4 (2) 'accessible and adaptable dwellings' of the Building Regulations 2015 (formerly Lifetime Homes Standard) unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure that the proposed development meets the Council's Standards in relation to the provision of accessible and adaptable dwellings.

13. No development shall take place until a Construction Management Plan, to include details of:

- I. A programme of works (including measures for traffic management);
- II. Vehicle routing and if any reversing maneuvers on public highway land is required, provision for the management of their movement by a qualified and certificated banksman;
- III. Storage of plant and materials used in constructing the development;
- IV. Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure;

- V. The erection and maintenance of security hoarding where appropriate;
- VI. Measures taken to ensure continued and safe access and movement for users of the road and pedestrian walkway of Cholmeley Crescent and the connecting roads Cholmeley Park and Causton Road and vice versa;
- VII. Wheel cleaning / wash facilities to prevent mud, or dust from migrating on to the adjacent highway;

have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained during the demolition and construction period.

Reason: 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.

14. Prior to the first occupation of the dwelling hereby approved the sustainability measures identified within the approved Energy & Sustainability Statement produced by 'The PES' (dated 6th July 2023) securing a reduction in CO2 emissions equivalent to 86% of the baseline through the installation of heat pump driven heating and hot water systems and roof mounted PV array shall be implemented in full prior to the first occupation of the dwelling hereby approved and retained thereafter into perpetuity, unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2, and Local Plan Policy SP4 and DM22.

15. Prior to the occupation of the dwelling hereby approved a Unilateral Undertaking or equivalent mechanism shall be completed and submitted to the Local Planning Authority securing a payment of ££1,065.00 to fund offsetting the remaining carbon emissions from this development.

Reason: In the interest of climate change and to help achieve zero carbon development across the borough and in compliance with Local Plan Policies SP4 and DM21.

16. The noise level from the operation of the air source heat pump hereby approved must not exceed 42dB LAeq (5 min) at 1 metre from the window of a habitable room on the façade of any neighbouring residential property. If, in the opinion

of the Local Planning Authority the proposed air source heat pump result in any noise nuisance to the occupant of any neighbouring dwelling the Applicant shall install noise mitigation measures in agreement with the Planning Authority.

Reason: In order to protect the amenities of nearby residential occupiers consistent with Policy D14 of the London Plan 2021 and Policies DM1 and DM23 of The Development Management DPD 2017.

17. Prior to the occupation of the development hereby the developer shall have entered into an agreement with the local highway authority under Section 278 of the Highways Act 1980 to remove the necessary section of redundant crossover across the footway and to reinstate the public footpath at this location

Reason: In order to ensure that the proposed development does not prejudice the free flow of vehicular and pedestrian traffic or the conditions of general safety of the highway and the amenity of the area.

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.

INFORMATIVE: Adjacent garage

Appropriate measures shall be taken to ensure the adjacent garage remain structurally stable throughout the implementation of the development hereby approved.

INFORMATIVE: Community Infrastructure Levy

In this particular case the application is accompanied by a 'Self Build Exemption Claim Form (Form 7 - Part 1)' to qualify for self build exemption. Within 6 months of completion of the development hereby permitted the applicant must submit a 'Self Build Exemption Claim Form: Part 2' together with the following appropriate supporting evidence:

- Proof of completion (Building control compliance/completion certificate)
- Proof of ownership (title and deeds)
- Proof of occupation of the dwelling (Council tax certificate, and two further proofs of evidence e.g. utility bill, electoral roll, bank statement)

And one of the following:

- An approved claim for a VAT refund for DIY house builders
- A self-build warranty
- An approved self-build mortgage

Failure to submit the appropriate form and evidence within six months of completion of the development will result in the withdrawal of the exemption and the need for payment of the full charge amounts (Mayoral and Local CIL).

If however personal circumstances change and the applicant decides to dispose of the property before the three year occupancy limit expires then they must notify the charging authority (Haringey Council) as the full charge amounts would apply: £4,779.63 (69sqm x £69.27) and the Haringey CIL charge will be £29,149.05 (69sqm x £422.45 (Indexation included)). Failure to notify the charging authority will result in enforcement action and surcharges would become payable. Further details in respect of CIL are available on Council's website.