

Objection to planning application HGY/2023/3298

<https://londonboroughofharingey.my.site.com/pr/s/planning-application/a0iTu0000001Hy5IAE/hgy20233298>

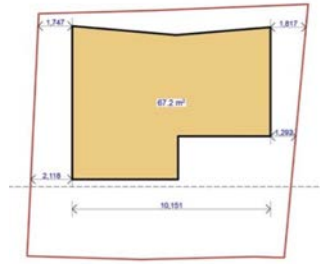
Objection from: Peter Walsham, 60 Church Crescent, London N10 3NE

- Planning Officers at Haringey Council provided advice to the developer as part of a pre-application consultations in 2020/21. Many pieces of key advice have not been followed, in particular *"The frontage of the proposed dwelling should be set back and set in from side boundaries ... The contemporary block like appearance and articulated building frontage is not favoured as a design solution and a more compact form is desirable."*
- The unacceptably close proximity and overbearing size to neighbouring properties would create an objectionable sense of enclosure for residents in 13+ flats at 168 & 170 Muswell Hill Road and 47 Church Crescent, who oppose the scheme.
- Shadowing of the rear garden at 170 Muswell Hill Rd and severe reduction in winter sunlight entering living spaces in the lower flats at 47 Church Crescent would be especially detrimental.
- There is very considerable local opposition to the cramming of an infill house onto the small site. Over 90 objections were received to prior application HGY/2022/2449 from the same developer, which extensively support the points raised in this document. The vast majority of the prior objections are therefore still extremely relevant to the new application HGY/2023/3298 and should be included in the consideration.
- The application gives no detail or assessment on the impact to the trees bordering the site, from the foundations, drainage or other construction works .
- The application is woefully lacking in sufficient information. The submitted documents include highly inappropriate incorrect and misleading representations of the project, including a Heritage Statement and Energy & Sustainability Assessment for a different application, which is harmful to the proper assessment of the application.
- The extremely terse Design & Access Statement mainly comprises of four cited precedents. None of the four are in any way suitable comparisons for HGY/2023/3298. The inability of the application to cite fitting precedents is in itself evidence of the inappropriateness of the application to the Conservation Area.
- Houses squeezed into such plots would not be in keeping with the existing historical plot layout and form, having far smaller garden amenity and insufficient outdoor space and natural vegetation.
- The proposed house would not preserve or enhance the character and appearance of the conservation area, and there are no demonstrable benefits that outweigh the harm caused.
- Its an unavoidable physical reality that given by the size and location of the plot, and requirements of the Conservation Area, it is very unlikely that any design of a 3 bedroom family house could incorporate the required private, usable and practical amenity space that might be afforded at the side or rear, and be sufficiently set back and subordinate to its surroundings.
- Net loss of 2 parking spaces in already congested roads of St Luke's CPZ. The 2 spaces are currently in regular use, and have been continuously by residents of 172 Muswell Hill Rd since at least 2004 (including by the applicant himself, Darren Johnston). The single provided space in the scheme would be for the new house.
- There is precedent with HGY/2016/0431 that such infill applications squeezed into former back garden land between period terraces should be refused in Muswell Hill Conservation Area, due to the harm caused and inappropriate use of such a site.
- Within the Muswell Hill Conservation Area it would be detrimental to the character of the area to allow developers to split up gardens on such street junctions of Victorian / Edwardian properties for new infill dwellinghouses. Such over-developments would materially alter the character of the street scene, by increasing the density of buildings of an overbearing size that obstruct street level views onto the rear garden treelines.

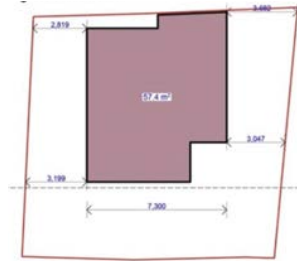
Pre-Application Advice Disregarded

Planning Officers at Haringey Council provided advice to the developer as part of a pre-application consultations in 2020/21. Among the many pieces of advice that have not been followed with the new application, the following comment from the Planning Officers is particularly relevant:

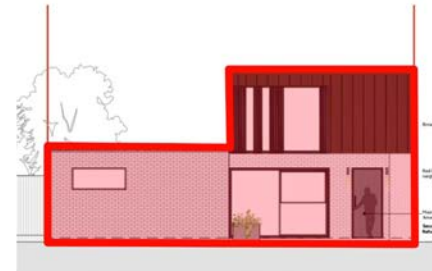
“The frontage of the proposed dwelling should be set back and set in from side boundaries so-as to maintain the sense of openness and transition between the two sites currently provided. The contemporary block like appearance and articulated building frontage is not favoured as a design solution and a more compact form is desirable. The designs should draw on the best character of this part of Church Crescent, rather than responding to the rear of Muswell Hill Road and should be a subordinate form.”



In 2020/21 Haringey advised against this design in a pre-application consultation due to its footprint and contemporary design



The 2022 application HGY/2022/2449 was withdrawn by the developer after 14 months in Nov 2023



The new application HGY/2023/3298 with an even worse footprint & design than previously proposed

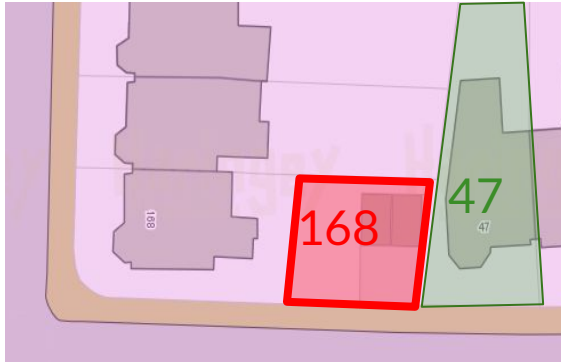
Façade is Not Set Back

It is not set back from the façades, and reaches all the way to the front boundary contrary to pre-application advice in 2020/21
"The façade should be set behind the front elevation of Church Crescent."



Enclosing and Overbearing Aspect for 47 Church Crescent

The following photos are of views and light in flats at 47 Church Crescent that would have significant detrimental impact from the proposed application.



Harm to All Neighbouring Properties



"Policy D6 Housing quality and standards - D

The design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space."

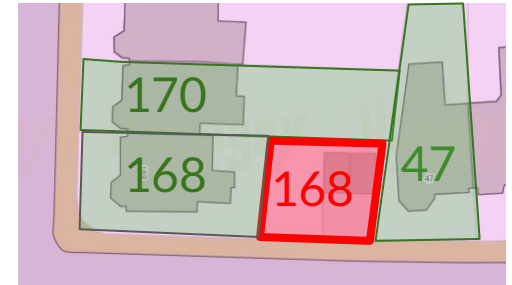


"POLICY DM12: HOUSING DESIGN & QUALITY - A
All new housing and residential extensions must be of a high quality, taking account of the privacy and amenity of neighbouring uses (see Policy DM1) and are required to meet or exceed the minimum internal and external space standards of the London Plan and the Mayor's Housing SPG."

"2.10 The design and layout of buildings must enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing."

Objections from immediate neighbours to the site

- "I have to object to the proposed building works, as last time. I live on the ground floor directly next to the site with windows overlooking it directly. A build of this sort will remove all access to natural light that I currently have along the whole inside of my flat. The proposed building also lies in front of our building and the rest of the street so it is not in keeping with the style of our street. All the other flats in our building next to the site will also be hugely affected. Our light, open access point to our garden will effectively become a dark alleyway, making our whole building more vulnerable. I'm very concerned about the mental wellbeing of all of us that live surrounding this site, that is frankly far too small for a property of this type. Not just for the building process but more for the long lasting effects of losing light and openness in the spaces that we live in."
- "I must object, I live directly on the corner of Muswell Hill road and church crescent on the first floor and both my bedroom windows will be overshadowed by the building. I will lose both light and privacy."



Objections to HGY/2022/2449 Should be Included in Consideration

Over 90 objections were received in October 2023 to the prior application HGY/2022/2449 by the same developer. The vast majority of those objections are still of extreme relevance to the new application HGY/2023/3298, and therefore should be included in the consideration.

An example of such an objection is that received from the Muswell Hill & Fortis Green Association, which included the following points, also extremely relevant to HGY/2023/3298:

“The principle objection to the proposal is that constitutes town cramming 'ie the provision of an infill house on a small site which can only be developed by causing a reduction to the quality of life currently enjoyed by the residents in nearby homes. Detailed objections on this point have been raised by those who would be affected e.g. loss of privacy and sense of enclosure etc.”

“the appearance of the proposed house would not be compatible with the character of the area (e.g. the extensive use of glazing on the front elevation)and that it may actually erode the established character which the Council should be seeking to preserve”

“it is essentially a corner plot and so is visible from a large area of the public realm 'special care should always be taken in such cases”

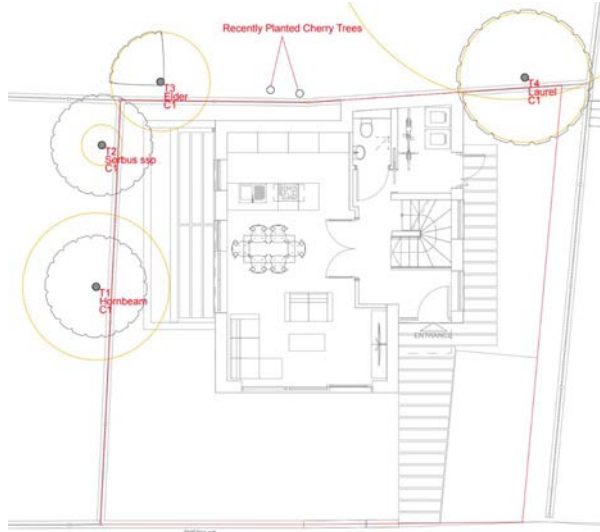
“The application should be refused in order to protect the character of the area and the residential amenity currently enjoyed by existing nearby residents in Church Crescent and Muswell Hill Road.”

No Consideration to the Preservation of Trees

The application HGY/2023/3298 includes a historical tree report (“Arboricultural and Planning Integration Report”) from March 2022 but does not include an impact assessment on the trees. The trees are not marked on the plans, and no mention is given to affected root protection areas from the foundations, drainage and other works.

This disregards the pre-planning advice *“Any trees on site and in neighbouring sites should be detailed in the formal submission. The site is within a conservation area, so any loss of trees should be avoided. Any works to trees should be detailed in the application.”*

Location of trees shown on drawings from Planning Application HGY/2022/2449.



Overlay of location of trees on HGY/2023/3298, which contains no details of risk to the existing trees.



Heritage Statement is Unfit for Purpose

The Heritage Statement is for a prior Planning Application HGY/2022/2449 and has not been adapted for the submission of HGY/2023/3298. It therefore contains numerous inaccuracies.

Not only are many sections incorrect and misleading representations of HGY/2023/3298, such as the descriptions and images of the plans, but many of the statements would be contrary arguments for the approval of HGY/2023/3298. For example, the plans are of a contemporary design that does not have *“a gabled façade on the frontage, which is consistent in style and design”*.



Land to the rear of
168 Muswell Hill Road
Muswell Hill
London N10

London Borough of Haringey
Heritage statement

June 2022



Fig 16 Proposed front elevation (GZ, dwg_18, June 2022)

5.1.3 The proposal comprises the **preservation of the trees currently present around the site and the greening of the frontage**, with a small frontage wall dividing it from the street. A parking bay paved with permeable materials would also be located in front of the street towards West.

6.2.2 The new development proposes to **re-introduce a front garden with a low boundary wall, and a treeline on the frontage**. Although some of the space would be reserved to a parking bay, the renovation of the street frontage could positively affect the surrounding area by reinstating a traditional feature. The active use of the front garden would be limited to the presence of a sliding door on the south elevation, giving access the space. Although slightly uncharacteristic for the area, where front gardens have a more ornamental or functional use, the active nature of the front garden would not have a real impact on the street scene and its use would be beneficial for the building's residents.

6.2.3 The site lies right in front of the Friends' Meeting House which represents an important landmark for the local community. This was built in 1926 to the designs of the Quaker architect Fred Rowntree. Over the years the building faced a substantial degree of change, and the original appearance is not preserved. Nevertheless, it is important that the new proposal doesn't determine a harm to the visual value of the place, which is highly considered by the local community. **The new building would present a gabled façade on the frontage, which is consistent in style and design with the Friends' Meeting House, therefore it would not be uncharacteristic of the area.**

6.2.4 The presence of a West wing, although not typical of the local architecture, **would be mitigated by the adoption of a pitched gabled roof**, which appears to be consistent with the general architectural designs of the area.

7.1.2 **The architecture of the new building will blend well within the surrounding setting**; however, the following recommendations should be taken into consideration.

7.1.3 One of the key elements to consider is the appearance of the frontage and its relationship with to the street. **The house will be set back from the pavement by a front garden; however, it is essential to include in the proposal a low boundary wall and to increase the greening of the frontage** in order to better seclude the view of the amenities and the lightwell from the public street.

Energy & Sustainability Assessment is Unfit for Purpose

The Energy & Sustainability Assessment is for a prior Planning Application HGY/2022/2449 and has not been adapted for the submission of HGY/2023/3298.

This can easily be seen by the inclusion of a “Basement floor” in the calculation workings.

It therefore a highly inappropriate incorrect and misleading representation of HGY/2023/3298.



ENERGY & SUSTAINABILITY ASSESSMENT

CHURCH CRESCENT

PROPERTY ADDRESS
MUSWELL HILL,
LONDON,
N10 3NQ

DATE
July 2022

PREPARED BY
EAL Consult



EAL Consult is a part of Energy Assessors London Ltd. Registered in England 5079365 VAT Registration No. 942704035
www.ealconsult.com 020 8930 1668

EAL CONSULT
Assessor: Mark Simons
17 Dobree Avenue
LONDON
NW10 2AD
0208 930 5668

Project Information
Building type Detached house
Reference
Date 30 June 2022
Email NONE Project Church Crescent
Muswell Hill
LONDON
N10 3NQ

SAP 2012 worksheet for New dwelling as designed - calculation of energy ratings

1. Overall dwelling dimensions

	Area (m ²)	Average Storey height (m)	Volume (m ³)	
Basement floor	40.54	2.47	100.13	(3a)
Ground floor (1)	41.61	2.77	115.26	(3b)
First floor	31.88	2.20	70.14	(3c)
	114.03		285.53	(4)
				(5)

JPA Designer Version 6.03a - SAP Version 9.52
Licensed to Energy Assessors London Ltd
W:\EAL\Virtual\PC\SAP\Church Crescent\Church-Crescent_JOP
Approval of JPA Designer by BRE applies only to the software, data is not subject to quality control procedures, users are themselves responsible for the accuracy of the data. The results of the calculation should not be accepted without first checking the input data.

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Precedents Cited are Not Comparable

The extremely terse Design & Access Statement mainly comprises of four cited precedents.

None of the four are in any way suitable comparisons for HGY/2023/3298. The inability of the application to cite fitting precedents is in itself evidence of the inappropriateness of the application to the Conservation Area.

This is further evidence of the lack of professional standards, care and diligence in preparation of the application.

Design

The proposed house would be of modern appearance, and would be similar to the other recent houses approved and erected at the following addresses within the Borough :-

1. 1A, Woodside Avenue, N6 4SP – 1NE/0014/1689/A [previously known as land rear of 24, Great North Road, N6 4LU]
2. 12a, Coppetts Road, N10 1NN – HGY/2016/0942.
3. 104, Park Avenue South, N8 8LS – HGY/2004/2239.
4. 92, Stapleton Hall Road, N4 4QA – HGY/2014/0697.

This would appear to refer to HGY/2014/1977

- It is not in a Conservation Area
- On a site largely hidden from the public street scene and backing onto railway tracks

HGY/2016/094 is set back considerably on the site, as opposed to HGY/2023/3298 which sits in front of the neighbouring facades all the way to the pavement boundary.

- “The amended proposal is also set further back on the site and has been moved further away from the side elevation of the existing house in order to maintain views and retain the general openness to the side of the existing house to take into account the Inspector’s concerns.”

HGY/2004/2239 is not for a new house, and should be disregarded in its entirety.

- “Demolition of existing side extension and erection of new single storey side extension.”

HGY/2014/0697 is on a site completely hidden from the public street scene, and backing onto railway tracks.

- “This is a low density form of development, not visible from the streetscene.”

Precedent for Refusal

A similar application HGY/2016/0431 in the Muswell Hill Conservation Area was rejected for reasons relevant to the application opposed here

<https://publicregister.haringey.gov.uk/pr/s/planning-application/a0i8d000002GFqwAAG/hgy20160431>

“The proposed two storey dwelling, by reason of its scale, location, design and prominence on the street scene, would be incongruous addition and result in overdevelopment of the site, detrimental to the character and appearance of neighbouring buildings, street scene and the Muswell Hill Conservation Area, contrary to policies 3.5, 7.4, 7.6 and 7.8 of the London Plan 2015, Saved Policies CSV5 and UD3 of the Haringey Unitary Development Plan 2006, policies SP11 and SP12 of the Haringey Local Plan 2013, and draft policies DM1 and DM12 of Haringey’s Development Management DPD.”

“The proposed two storey dwelling, by reason of its scale and proximity to the rear of properties on Dukes Avenue, would have an overbearing presence that detrimentally impacts on the amenity of neighbouring occupiers, contrary to policies 3.5 and 7.6 of the London Plan 2015, Saved Policy UD3 of the Haringey Unitary Development Plan 2006, and draft policies DM1 and DM12 of the Haringey Development Management DPD.”



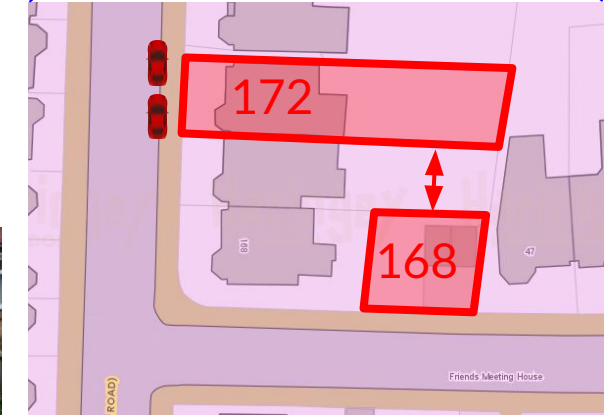
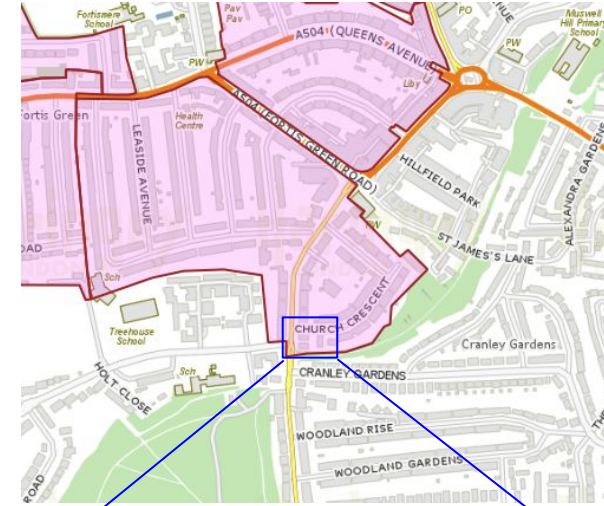
Net Loss of Parking

It is understood that ever since the applicant Darren Johnston purchased the site in 2004 while residing at 172 Muswell Hill Rd, and it has been in regular and continuous use as parking spaces for residents in that house for 18 years since 2004.

172 Muswell Hill Rd does not have its own off-road parking, and therefore would need to park elsewhere in St Luke's CPZ. There would be a net loss of 2 spaces an additional stress on on-street parking in the already very congested St Luke's CPZ.

None of the application documents, including the Transport Statement, adequately address the pre-application advice to include detail on the existing use of the site:

"More information is required on the existing use of the site, in specific which buildings the garages were / are associated with. It appears as though there is parking in front of the garages even if these are not currently occupied."



History within the Conservation Area

The proposed infill plot was carved out from the original freehold of a period house and garden.

The Design & Access Statement describes it as an “empty gap”, where in fact it is a key feature of the Conservation Area that should be protected.

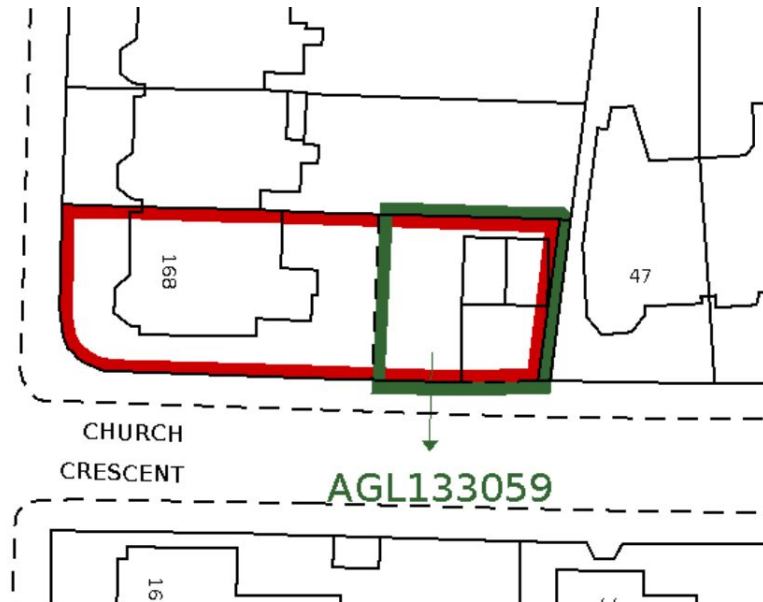


“SP11: DESIGN

Be of the highest standard of design that respects its local context and character and historic significance, to contribute to the creation and enhancement of Haringey's sense of place and identity.“

“SP12: CONSERVATION

The Council shall ensure the conservation of the historic significance of Haringey's heritage assets, their setting, and the wider historic environment. The borough's heritage assets include Statutory Listed Buildings, Conservation Areas, Registered Parks and Gardens, Archaeological Priority Areas, and other locally important heritage assets such as Locally Listed Buildings, Local Historic Green Spaces and Sites of Industrial Heritage Interest.“



Title absolute

- 1 (15.09.2004) PROPRIETOR: HYTECH DESIGNS LIMITED (Co. Regn. No. 03948891) of 172 Muswell Hill Road, London N10 3NG.
- 2 (15.09.2004) The price stated to have been paid on 27 May 2004 was £110,000.
- 3 (15.09.2004) A Transfer dated 27 May 2004 made between (1) Bannerchoice Investments Limited (Transferor) and (2) Hytech Designs Limited contains purchaser's personal covenant(s) details of which are set out in the schedule of personal covenants hereto.

Church Crescent was designed with a spacious feel to the layout incorporating natural breaks between the terraces.

The views onto the greenery of back gardens was a key feature of the original plans, and would be harmed by the proposal.



“2.81 Any development, including alterations to heritage assets or those affecting their setting, should preserve or enhance their character and appearance. As such this policy would also apply to all development within the immediate vicinity of a designated asset such as a conservation area or a listed building.”

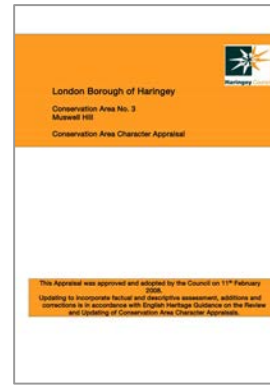
2.82 Within Conservation Areas, historic plot boundaries, street patterns, building and roof lines add to the townscape character of the areas. Proportion of windows, doors and chimney stacks add to the rhythm of street frontages. Other features such as front boundaries, landscaping and public realm also contribute to the character of the area. These are of equal, if not greater, importance as the buildings themselves. New development should therefore respect and respond to these established features in order to preserve or enhance the appearance of the respective conservation area. The success of new development would also depend on the appropriate use of materials and proportioning and design of windows and doors.”



As you turn into the street from Muswell Hill Rd, the street scene is characterized by a grand view of the west façade of 47 Church Crescent.

The terraces stand proud and detached from the adjoining streets. This first encounter with Church Crescent, would be significantly harmed by filling the natural tree lined break with a smaller two storey single detached dwelling.

The façade of the proposed building would be an incongruous distraction from the otherwise period architecture of neighbouring buildings. The roof heights, rather than starting tall and uniform in height on the North side, would be damaged by the perception of a half height building sunk into the ground.



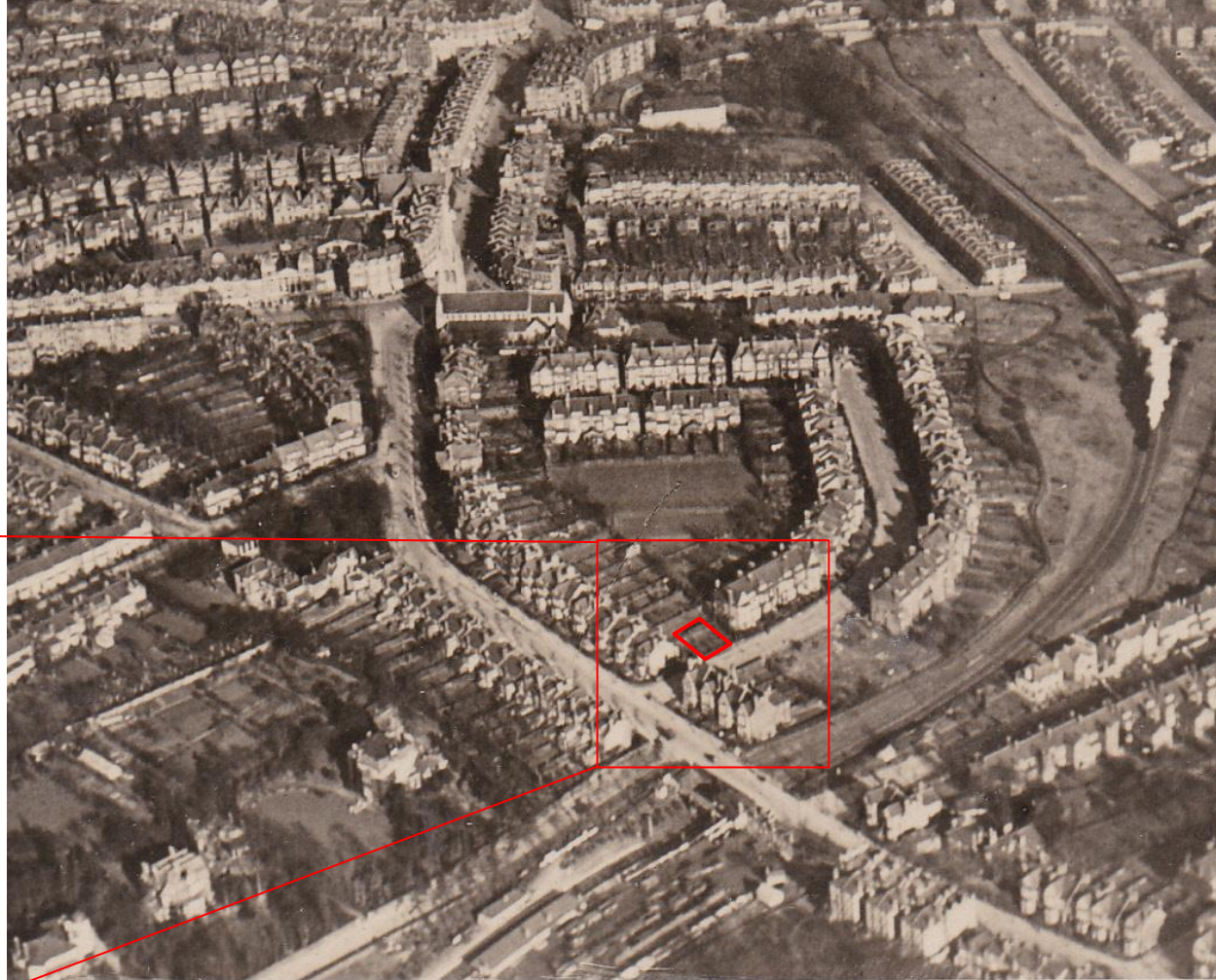
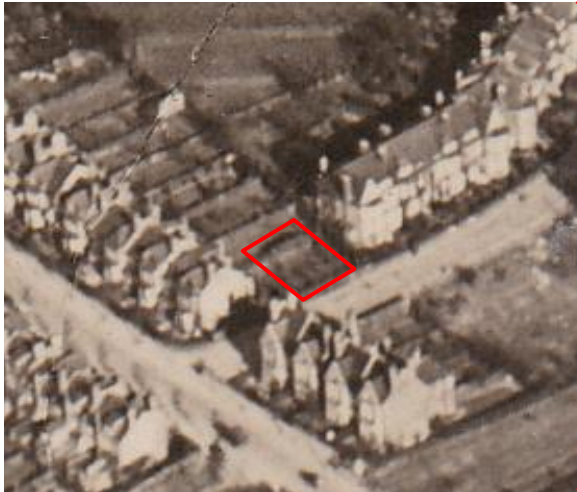
“7.30 Church Crescent is a quieter, narrower residential street of two parts, the southern part steeply sloping and curved in its alignment...”

“7.31 The buildings in Church Crescent are generally consistent in character and appearance, mostly being two storeys with an attic storey...”

**“POSITIVE CONTRIBUTION
BUILDINGS 47 Church Crescent“**



The original layout of Muswell Hill Conservation Area has well proportioned spacing between terrace rows which would be interrupted by such incremental degradation by infills.



AIR VIEW OF MUSWELL HILL, ST. JAMES CHURCH AND BRIDGE

Green sightlines at street level would be blocked by over-development of historical Victorian / Edwardian gardens in Conservation Area corner plots.



Green spaces and sightlines between terraces are a key feature of the period architecture in Muswell Hill Conservation Area.



168 Muswell Hill Rd & 47 Church Crescent

Grove Ave &
Dukes Ave
Junction



Cranbourne Rd &
Rosebury Rd
Junction



Kings Ave &
Queens Ave
Junction



Rosebury Rd &
Dukes Ave
Junction



Garden such as can be seen at 166 Muswell Hill Road could be threatened by a precedent set at the rear of 168, as developers conceive of similar projects.



The north end of Church Crescent is also vulnerable to a precedent set on splitting a freehold and developing a garden plot into a dwelling-house.



Many other sites in Muswell Hill Conservation Area would be put at risk if a precedent is set, and developers are allowed to build new infill houses on corner plots.



The proposal blocks views of trees and green sightlines from the street level, and causes harm to neighbouring properties by creating an unacceptable sense of enclosure.

The scale is inconsistent with the existing terraces, and the view onto the façade at 47 that greets you is blocked.

The streetscene of largely unaltered period frontages you see as you enter the street would be damaged by an incongruous smaller and different form, with modern glazing at odds with all the other properties.



“POLICY DM7: DEVELOPMENT ON INFILL BACKLAND AND GARDEN LAND SITES - B Development proposals for infill, backland and garden land should meet the requirements of Policies DM1 and DM2 and must: Relate appropriately and sensitively to the surrounding area as well as the established street scene, ensuring good access and where possible, retaining existing through routes;”

“POLICY DM1: DELIVERING HIGH QUALITY DESIGN - B Development proposals should relate positively to their locality, having regard to: Building heights; Form, scale & massing prevailing around the site; Urban grain, and the framework of routes and spaces connecting locally and more widely; Maintaining a sense of enclosure and, where appropriate, following existing building lines; Rhythm of any neighbouring or local regular plot and building widths; Active, lively frontages to the public realm; and”





The London Plan

March 2021

https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf



London Borough of Haringey

Conservation Area No. 3 Muswell Hill - Conservation Area Character Appraisal

11th February 2008

https://www.haringey.gov.uk/sites/haringeygovuk/files/muswell_hill_character_appraisal-2_0.pdf



Haringey's Development Management DPD

Adopted July 2017

https://www.haringey.gov.uk/sites/haringeygovuk/files/final_haringey_dmp_dtp_online.pdf



Haringey's Local Plan

Strategic Policies 2013- 2016

March 2013

https://www.haringey.gov.uk/sites/haringeygovuk/files/final_haringey_local_plan_2017_online.pdf



Haringey's Local Plan

Preferred Option - Development Management Policies

February 2015

https://www.haringey.gov.uk/sites/haringeygovuk/files/development_management_dpd_final_lc060215.pdf