



Officer Report

Application Number:	HGY/2023/0724
Application Type:	Full planning permission
Address:	Rear of 11 Wolseley Road, London N8 (facing Clifton Road)
Proposal:	Demolition of existing building and front boundary wall, with excavation into the site to construct a part sunken new dwelling, arranged over 3 floors, along with the erection of new boundary walls and landscaping in relation to the site, which sits adjacent to No 45 Clifton Road and to the rear of No 11 Wolseley Road (AMENDED DESCRIPTION & AMENDED PLANS).
Case Officer:	Mercy Oruwari
Valid Date:	14/03/2023
Applicant:	Mr David Scheinmann
Agent:	Mr Cassion Castle

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

- 1.1 This is an application for the demolition of the existing building on site and front boundary wall and for the construction of a new dwelling arranged over 3 floors with associated excavation into the site, along with the erection of new boundary walls and associated landscaping and planting.
- 1.2 The application has been amended from that submitted, namely by reducing the footprint of the building as well as by way of removing a basement floor. By virtue of such changes additional space for planting within the site has been achieved.

Site and Surroundings

- 1.3 The application site is located at the junction of Wolseley Road and Clifton Road and comprises of a rectangular shaped site. The site was the former rear garden of No 11 Wolseley Road but was acquired by No 13 when the main house was converted into flats, approximately 30 years ago. At present part of the site is occupied by a brick building served by a crossover. The lawful use of this building is residential accommodation with the building in its current appearance as visible on Google Streetview adapted approximately 10 years ago. The property has been available on Airbnb since 2018 and a review from January 2019 specifies it was self-contained at that time. The site contains a number of trees, however none of these are covered by way of a TPO.
- 1.4 Clifton Road has an entirely residential character with generous well planted front gardens. The street scene is generally composed of large two-storey/ three-storey red-brick Edwardian dwellings, either semi-detached or linked to form a terrace. The character of the northern section of Clifton Road is defined by its topography as it rises steeply to the north with its highest point near to No. 37. The character of Wolseley Road is also wholly residential with Victorian Villas and semi-detached Edwardian dwellings. Due to the topography to the southern side of Wolseley Road, houses here sit well above street level.
- 1.5 Both Clifton Road and Wolseley Road fall within Crouch End Conservation Area, initially designated in 1974 and subsequently extended in 1976 and twice more in the 1990s to reach its current boundaries. The conservation area includes the town centre commercial area and residential areas surrounding, with the residential elements comprise a wide range of domestic styles of architecture prevalent in the latter years of the nineteenth century and early twentieth century, when the majority of the development to this area took place.

Relevant Planning and Enforcement history

- 1.6 The most relevant planning history in relation to the site is as follows:
- HGY/1991/0275 - Erection of 3 storey, two bedroom house. Withdrawn
ENF/2023/0323 – Conversion of garage to short-term let/temporary sleeping accommodation. Immune (4+ years)

2. CONSULTATION RESPONSE CONSULTATION RESPONSE

- 2.1 The following were consulted on the planning application:
- LBH Design Officer - Based on revised scheme raises no objection.

- LBH Conservation Officer – Based on revised scheme raises no objection. Ask for conditions to be imposed.
- LBH Building Control – Based on revised scheme raises no objection.
- LBH Arboricultural Officer – Based on revised scheme raises no objection, subject to conditions.
- LBH Waste Management- No objection
- LBH Transportation Group - No objection/ subject to conditions
- Thames Water - No objection/ subject to an informative

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: 92 (some of these includes multiple responses from the same representatives in relation to the consultation and initial/revised scheme).

- Objecting: 87
- Supporting: 2
- Representation: 3

- 3.2 The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

Procedural issues

- No initial consultation/notification letters due to postal issues;
- Inadequate and misleading Information;
- Updated plans and information for re-consultation were inadequate and misleading;
- Supporting documents are out of date;
- Plans incorrectly labelled (e.g., a terrace as a bedroom);
- Confusing labelling of floors in plans;
- 3D image does not accurately reflect the street's appearance;
- Discrepancies in drawings;
- Inconsistencies in tree and hedge descriptions;
- Application should be decided by the planning committee;
- Amended plan should be treated as a new application;
- Building elevations: no eastern and southern elevation provided;

Principle of development

- Inappropriate garden land development;
- Replacing an unauthorised garage is inappropriate;
- Current building was a garage and was transformed into a studio and then into a two bed Airbnb use since September 2019 without planning permission;
- Continual residential use of existing building in terms of the 4 year rule brought into question due to Airbnb use;
- Applications to expand the garage have previously been rejected – 1974 & 1991;
- Scheme is not going to address housing needs of the borough;

Design & heritage

- Replacing a garage with a large multi-storey building is disproportionate to the plot size;
- Design, windows, and materials do not match the nearby Victorian and Edwardian buildings;
- Unsympathetic, inconsistent and out of character with the street and the conservation area;
- Building lacks a sloping roof, unlike the area's character;
- Property is not set back like others on the road;
- Front wall should be repaired to match the conservation area;
- Materials and lack of a soft frontage make it look institutional rather than domestic;
- Incompatible front balcony;
- Front-facing balcony is out of character;
- Much of the building is underground, with amenity space on the roof of the basement;
- Filling in the rear garden increases density and alters the street's appearance;
- Building should be subservient to the main structure;
- Replacing a detractor building with a larger one is still out of character;
- Approval of large development on a corner garden here in replace of an existing garage in a conservation area will set a precedence;

Impact on neighbouring amenity

- Development is large and overbearing;
- Overlooking and impacts privacy to No 11, No 45, and No 19 Wolseley Road;
- Loss of light and overshadowing to No 11 and No 45;
- Neighbours will face challenges during excavation;

Environmental/ sustainability/ flood risk issues

- Biodiversity compliance / the application avoids compliance with 2024 Biodiversity Net Gain requirements;
- No surface water drainage / lack of garden means no ground for surface water drainage;
- Loss of overgrown hedges/ trees on site that act as a buffer separating the two long row of houses Wolseley Road/Clifton Road;
- Loss of mature trees and porous land, harming biodiversity and flood resilience;
- Loss of trees, vegetation, and wildlife due to excavation;
- Ecological survey /no survey conducted on the existing garden;
- Proposal requires removing most of the garden, contrary to policy;
- 67% of the plot is being built on as such representing overdevelopment;
- Lack of pavement trees;

Basement works

- Impacts on natural drainage and structural stability;
- Threat to foundations of neighbouring properties from basement works;
- Historical subsidence issues in the area/ namely ongoing shrink-swell subsidence issues during summer months/ underpinning to neighbouring houses;
- BIA incorrectly claims neighbouring properties lack lower ground levels;
- Basement does not seem to align with the London Plan policy D10 (Basement Development) which says that the Mayor supports boroughs in restricting large scale basement excavations;
- Basement should not have habitable accommodation due to flooding issues;
- Lower part of the building is completely submerged and is lower than No 45;
- Any development should be kept above ground level;
- Majority of the plot to be excavated, violating the 50% rule / only 33% green pockets remaining;
- Concrete usage/ basement construction requires significant concrete, contradicting Haringey's 2041 net-zero emissions targets;

Transport, parking and construction

- Building works may impact road safety, especially near a school;
- No off-street parking available, exacerbating parking stress;
- Potential traffic issues due to construction;
- Construction may affect the W5 bus route;
- Concerns about impact on disabled parking during and after construction;

Non planning issues

- Concerns about the impact on rental properties and need for compensation.

4. MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of the development;
2. Design and appearance;
3. Standard & quality of accommodation;
4. Inclusive access and fire safety;
5. Impact on neighbouring amenity;
6. Construction works;
7. Trees and landscaping;
8. Parking & transport
9. Energy & sustainability;
10. Waste and recycling.

Principle of development

Supply of housing

- 4.2 Providing additional residential units is consistent in respect of Government, London and local plan policies in respect of increasing housing supply and higher levels of density in relation to accessible locations, with both the 2023 National Planning Policy Framework (NPPF) and London Plan putting particular emphasis on 'small site' development.
- 4.3 Paragraph 73 of the NPPF (July 2023) recognises the importance small and medium sized sites can make in meeting the housing requirement of an area, with these often built-out relatively quickly. Chapter 11 supports the effective use of land. Paragraph 135c seeks to secure development which is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 4.4 The London Plan (2021) sets out housing targets for London over the coming decade, setting a 10-year housing target (2019/20 - 2028/29) for Haringey of 15,920, equating to 1,592 dwellings per annum. Policy H1 of the London Plan 'Increasing housing supply' states that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites.
- 4.5 Policy H2 of the London Plan states that planning decisions should support well-designed new homes on small sites, to significantly increase the contribution of small sites to meeting London's housing needs and to support those wishing to

bring forward custom led housing. Specifically, the policy outlines a clear presumption in favour of development proposals for small sites such as this (below 0.25 hectares in size) and states that these should play a much greater role in housing delivery.

- 4.6 The London Plan in table 4.2 sets a minimum target to deliver 2,600 homes from small sites in Haringey over a 10-year period. It notes that local character evolves over time and will need to change in appropriate locations to accommodate more housing on small sites.
- 4.7 Taking account of the above, the provision of an additional dwelling in this location is considered acceptable in principle, subject to addressing other material planning considerations, as discussed further on in this report.

Infill/ garden land development

- 4.8 The local plan has a specific policy on backland, infill, and garden land development. Policy DM7 of the Development Management DPD states that there will be a presumption against the loss of garden land but equally the subtext of the policy outlines that for the Council to meet its housing needs, optimising existing built sites it may be necessary, but importantly such development should be of "sensitive design in order not to detract from the character of the street scene, the architectural integrity and scale of adjacent buildings or from residential amenity". Part B of the policy outlines a number of criteria that should be met in relation to infill development, as set out below.
- a) 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;
 - b) Provide a site specific and creative response to the built and natural features of the area;
 - c) Where appropriate, repair or re-provide street frontages and provide additional passive surveillance and increased security;
 - d) Safeguard privacy, amenity, and ensure no loss of security for adjoining houses and rear gardens;
 - e) Retain and provide adequate amenity space for existing and new occupants;
 - f) Incorporate at least one street frontage or be ancillary to the host dwelling and the adjacent houses/terraces; and
 - g) Not result in 'gated' developments that prevent access which would normally be provided by a publicly accessible street.
- 4.9 The site here currently consists of a historic garage building which has been converted into accommodation with this space currently used for short term

lets. In terms of Land Registry this former garage structure and garden area forms a separate plot since 2006. The use of the converted garage which has a floorspace of 80 sqm has been in use for more than 4 years and therefore in planning land use terms has become established.

- 4.10 As reflected above the main house at No 11, the garage building to the rear and garden area beyond historically formed one plot, however with the conversion of the main house the garden has been severed from the original dwellinghouse. As also noted above the plot in question subject to this application site has a former garage building which has been converted and is equally severed from the original house on this site. As such the plot of land forming part of this application is in part previously developed land with the rest (majority) forming garden space up until recently connected with the garden to the rear of No 13.
- 4.11 As such the proposal here in land use terms constitutes garden land and part previously developed land development. This however in it itself does not mean it is contrary to Policy DM7, as rather as set out above some garden land development subject to certain criteria being met can be considered acceptable. In the case here the loss of the garden land in terms of amenity and quality of accommodation to No 13 is not significant. This dwelling will retain a large and functional shaped rear garden and there is no loss of amenity space in connection with the current flats to No 11.
- 4.12 It is noted that a number of objections are raised on this point with figures/ percentages cited in respect of the new building's footprint relative to that of the site, as well as concerns about the approval of a house here being a precedent for other such developments in the area.
- 4.13 As per the amended plan submitted it is accepted the footprint of the new house covers a large portion of this small plot with cut out spaces created to the front and rear as well as a green roof over the single storey element of the building to allow for some planting on site.
- 4.14 It is therefore accepted that there is some loss of garden land as a result of this development, however taking account of the specific circumstances of the site, the manner in which the bulk of the main house is sited within the rear corner, as well as the policy imperatives to allow for sensitive infill developments on small sites, there are specific grounds in this case to support the introduction of an infill house here.
- 4.15 As discussed further below in this report Officers consider that the introduction of a building of a subordinate nature to its neighbours, is an acceptable

treatment to this historic corner plot site, with such a proposal also not adversely affecting neighbouring amenity. Importantly the dwelling would have a street frontage with the dwelling equally contained behind a high front wall as per the current building on site.

- 4.16 As such the proposal is considered acceptable in principle but must be assessed against other material planning considerations, as discussed below.

Design and heritage

Policy overview

- 4.17 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.
- 4.18 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.
- 4.19 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.
- 4.20 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.

Detailed design

- 4.21 The proposed development is for a detached house of asymmetric appearance sitting in the back corner of the site. The siting, mass and orientation of the proposed dwelling has followed a design-led approach that has responded to the site's context.
- 4.22 As per the amended plans the house would consist of a 3-storey volume sitting in the back corner of the site with a single storey element to the side and front. The visible components of the house given the high front boundary wall would be part of the ground floor and the first floor which is broken down in terms of volume compared to the ground floor. As per existing site conditions the enclosure of the site with a high brick boundary wall and part use of a ground floor element sitting next to the back edge of the pavement, would serve to reinforce the current nature of the site.
- 4.23 It is noted the mass to this dwelling and form would not replicate the predominant height or design of properties on either Wolseley Road or Clifton Road, rather as explained above it would be detached and lower in height to both such neighbouring properties and of a contemporary appearance as opposed to being a pastiche of the older-style dwellings in the area. This approach is considered to be acceptable given the nature of this site.
- 4.24 The newly built red brick wall fronting the site, on the pavement, would stand at the same height as the existing. Visually it would be an improvement. Both the upper and lower parts of the house would also be in red brick with a combination of smooth and textured brickwork. The single storey element, forming part of the ground floor would have a clerestory window. On the roof of the top floor a smaller rooflight would be installed along with PV panels. The windows installed around the new building would be powdered coated metal.
- 4.25 To ensure that the development is of high quality and complements its surroundings, a number of matters relating to the detailed design of the building and the site remain to be agreed. These include external materials, further detail of the front boundary wall, which are secured by way of a planning condition.
- 4.26 The amended scheme includes 3 cut-out areas around the building for the purposes of providing planting on site as well as to serve as amenity space and a means to provide light to the interiors of the dwelling. A medium sized area at the rear would be provided. This space would be overlooked by the lower ground floor bedroom and living room area. The smallest space on the front

left side would be overlooked by one side of the dining area. The space can be accessed from a gate from the street which leads to an entrance to the building via the living room area. The spaces to the front right side would be divided into two sections by the walkway connecting the gate and main front door. This space would be overlooked from the other side of the dining area, the hallway, and the kitchen.

- 4.27 The scheme also includes a green roof over the single storey living room and dining area. The final details for both the landscaping elements and the green roof are to be secured by way of planning conditions.
- 4.28 As reflected above it is noted the proposal has given rise to a large number of representations, including concerns about the design of the scheme. However, as discussed above taking account of the current characteristics of this site, the design approach being pursued as well as the existence of some other infill houses on corners sites within Crouch End, the proposal here is considered to be acceptable in spatial and design terms. Specifically, the scheme here is seeking to be subordinate and subservient in relation to the nearest properties and discrete in the streetscene by virtue of its siting behind a high front wall.

Impact on the conservation area

- 4.29 In terms of impact on the character and appearance of the conservation area, as reflected above a contemporary design solution is viewed to be acceptable, with this offering a contrast to the different developments nearby and with this preferable to a pastiche/reinvention of the Victorian/ Edwardian housing stock in the area. The proposed palette of materials in terms of brick and its colour would serve to respect the character of the area and integrate the development into its surroundings.
- 4.30 Taking account of the nature of this site, the height of the proposed dwelling in relation to neighbouring buildings, the scale and height proposed would be compatible in context. As set out above some of the volume to this building would be in part concealed by a high wall sitting next to the back edge of the pavement.
- 4.31 It is accepted the replacement building here on site relative to the current building and current conditions of the site, will have some impact on the sense of openness afforded by the site and space for planting etc, however as discussed above the height and volume of the building is carefully sited within the site as well as articulated and subordinate in relation to these nearest corner buildings.

- 4.32 The scheme as amended also provides for space for planting within the courtyard spaces to the front of the building. As discussed further on in this report the trees on site are not viewed to be of high amenity value, specifically to meet the requisite criteria to be protected by way of TPO, however it is accepted that the existence of vegetation here above the height of the current wall provides a green edge to the site. In the case here the conifer trees at the very back of the site, are in fact viewed to be overly large for this site.
- 4.33 As such accepting that there will be a reduction in the greenery afforded by this site, however this in itself is not viewed to equate to harm to the character and appearance of the conservation area, as the site post development and when the landscaping is established will still have vegetation sitting above the line of the boundary wall as such serving to in part soften the appearance of the additional building volume in the background.
- 4.34 Consequently, in both spatial and visual terms the proposal would not have any significant impact on the character and appearance of the conservation area. As such the effect here is to leave the conservation area unharmed / preserved.

Standard & quality of accommodation

- 4.35 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.
- 4.36 In assessing the proposal against these requirements, the proposed unit would accord with the minimum unit size requirements. The minimum standards prescribed for individual rooms are set out within The London Housing Design Guide and the proposed rooms conform to these standards as shown on the floor plans with the dwelling meeting the minimum requirement as follows:
- 4.37 The development will provide a single residential unit with 5x bedrooms. The size of the unit would adequately meet the minimum area standards as required by the London Plan for a 3-storey dwelling (220.5 m²). Two of the bedrooms exceed the standard for double/twin rooms (15+ m²), and the other 3 exceed the space standards for single rooms. (10-11 m²). On the lowest level of the house there would be a lounge/dining area and a separate snug/kitchen. There

would also be a separate WC, utility room, and one of the five bedrooms on this level. The two upper levels would accommodate the remaining four bedrooms, and bathroom/ensuites.

- 4.38 The proposed dwelling would be dual aspect with habitable rooms benefiting from good levels of natural light and outlook, in particular the open plan living/ dining room/ kitchen which will also be served by clerestory window. The amenity space for the property would consist of three-courtyard spaces and while small the combined size of these spaces would provide a total amenity space in excess of London plan standards.
- 4.39 As such, the proposed development would provide a good standard of accommodation for the future occupiers of this unit.

Inclusive access

- 4.40 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.
- 4.41 In this particular case the dwelling would be compliant with Part M4(2). A WC will also be provided on the ground floor close to the entrance, which will be suitable for ambulant disabled use. A condition is attached to secure this. The proposal is therefore acceptable in regard to the policies outlined above.

Impact on the amenity of adjoining occupiers

- 4.42 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.
- 4.43 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.

- 4.44 As explained above the building bulk and envelope is subordinate in nature in terms of both neighbouring properties at No 11 Wolseley Road and 45 Clifton Road. The bulk of the proposed building would sit within the shadow of the flank wall of No 45 Clifton Road.

Impact on light and outlook to No 45 and overshadowing

- 4.45 Specific concerns have been raised that the new house would have an adverse impact on the amenity of No 45 Clifton Road in terms of daylight/sunlight and overshadowing.
- 4.46 The building footprint would project a distance along the boundary with No 45 (approximately 2/3 of the depth to its flank wall). It is noted that there are two side windows along this section of the side elevation to No 45 which will be in part affected by the development. These are specifically secondary windows facing into the side alleyway space which provides access to the rear garden. Specifically, it is noted that the ground floor reception room to No 45 is served by a large bay window on its front elevation.
- 4.47 As a result of the building volume proposed in the rear corner of the application site, the building here will sit opposite one of these side windows, while in relation to the other window it will sit clear of this window. As a result of the existing boundary wall/ fence, high trees within the side, as well as the orientation in question, light to these windows are currently heavily restricted. As such the effects on ambient daylight levels reaching these windows would be negligible and would not contravene BRE Guidelines on Daylight & Sunlight 2022, taking account of number of windows serving the reception room to No 45 as well as guidance in respect of side windows.

Impact on privacy to No 45

- 4.48 Concerns were also raised regarding the potential overlooking issues for the front bay ground/first floor windows of No. 45 Clifton Road, nearest to the boundary of the host site. The concerns were regarding the close proximity of No. 45 Clifton Road's windows to the floor to ceiling southern bay window of the new master bedroom resulting in inter-overlooking. It is considered that this would not be the case as the floor levels to the bedroom bay window of the new building sits at a very different level to that of this neighbouring property.
- 4.49 This would be enough to minimise opportunities to overlook up or down into the neighbouring windows. It is also noted the glazing to the bay as per the

amended plan is set back further on this side of the bay splay and sits at both an angle in relation to the glazing at No 45 and at a different floor level compared to the floor levels of this neighbouring house. Additionally, it is pointed out that this arrangement of these two bay windows is like the other bays on the street and such is not an uncharacteristic arrangement in an urban area such as this.

Impact on privacy to Wolseley Road properties

- 4.50 In terms of impact on No 11 Wolseley Road the back wall of the main building would sit approximately 11.5m away from the upper floors of the new building. Because of the limited glazing on the rear elevation to No. 11, as well as the separation distance, the scheme would not adversely affect the amenity to the occupiers of this property.
- 4.51 In addition, the arrangement of the first-floor balcony has been revised in the way of squaring of the building to reposition the window of the single room to face the street rather than the rear of No. 11. The railing has been replaced with a high-level parapet to further obscure any potential overlooking.
- 4.52 Lastly, in relation to the loss of privacy to the properties/gardens to the rear of the development, the only window to be installed is a high-level window over the stairs which would have limited views if any. Therefore, there would be no clear overlooking directly facing towards Nos. 13-23 Wolseley Road and No. 45 Clifton Road. As such, the proposal would not result in overlooking or loss of privacy to neighbouring occupiers over and above the existing site circumstances from existing residential units within the locality.
- 4.53 Overall, it can be demonstrated that there will be no adverse infringements on the amenity of neighbouring occupiers.

Construction/ structural impact of works

- 4.54 As reflected above the main basement has been removed leaving the partially sunken level as the lowest floor to this building. Following the pavement level at the deepest point the building would sit 1.3m below this line. The removal of the main basement has reduced the need for substantial excavation works to be carried out and reduce the potential issues/impacts that could come with that scale of basement works.
- 4.55 While it is accepted there will still be some excavation to this site in connection with the works, these are not significant in planning terms. As with all projects that include a form of excavation the design and construction phase after the planning stage (pre-construction phase) will examine the methodology for

construction and structural engineering requirements in more detail. Specifically, it is pointed out that the structural integrity of the proposed excavation works here would need to satisfy building regulations. In addition, the necessary party-wall agreements with adjoining owners would also need to be in place prior to the commencement of works on site. As such other areas of legislation, as opposed to planning, provides safeguards to identify and control the nature and magnitude of the effect on neighbouring properties.

- 4.56 Providing the construction process is carried out with good workmanship and following well engineered construction, the risk of damage to neighbouring structures will be minimised and mitigated. In this instance a condition is being imposed to ensure that works are overseen by a suitably qualified engineer.

Trees, landscaping and biodiversity

- 4.57 London Plan Policy G7 mandates the retention of existing trees of value, with any necessary removal requiring adequate replacement. The policy further emphasizes the inclusion of new tree plantings, particularly those with large canopies, within development proposals. DM Policy (2017) DM1, 'Delivering High-Quality Design,' expects development proposals to appropriately respond to the presence of trees both on and near the site.
- 4.58 An Arboricultural Report and Impact Assessment, conducted by Ligna Consultancy and dated 24/07/2020, has been submitted with this application. Additionally, Ligna Consultancy has provided further commentary regarding the replacement tree planting to be secured on-site.
- 4.59 The Arboricultural Report has been carried out in accordance with British Standard 5837: 2012, concerning trees in relation to design, development, and construction. Despite being prepared in 2020, the report still provides the necessary information to assess the impact on trees associated with this application. The Council's Arboricultural Officer has also visited the site and reviewed the revised plans and information concerning tree and soft landscaping.
- 4.60 As detailed in the Arboricultural Report, the existing trees on site are proposed to be removed. These trees, including a laurel, a magnolia grandiflora, and a suppressed holly tree, have been categorized as low-quality. Specifically, these trees are classified as Category C, with two falling under the 'U' classification. The report notes a 4.5% incursion into the root protection area of T10, a Category B Eucalyptus tree located at the rear of No. 13 Wolseley Road. Given the minimal extent of this incursion and subject to the implementation of tree protection measures during and prior to construction, the well-being of this tree will not be compromised.

- 4.61 While the loss of the existing tree canopy on-site is not ideal, the site conditions show that these trees are restricted due to the limited space available. Furthermore, given the category value of the trees in question, they are not eligible for protection under a Tree Preservation Order (TPO) and could be removed following the standard notification period provided to the Council.
- 4.62 To mitigate the loss of trees on-site, three new native trees will be planted as part of the development scheme —two Silver Birch (*Betula pendula*) and one Field Maple (*Acer campestre*). These species have been selected for their suitability in proximity to structures and their biodiversity value. The trees will be required to have a stem girth of 12-14cm (3 to 3.5m) when planted. This planting will provide an acceptable canopy cover on the site, creating a soft edge with vegetation visible above the brick boundary wall, similar to current conditions. The vegetation, along with the backdrop of trees in the adjoining gardens (i.e. No. 13), will help maintain and respect the sylvan character with these streets.
- 4.63 Regarding Mandatory Biodiversity Net Gain (BNG), which has been applicable to minor applications received from April 2024, this application was submitted prior to that date, and therefore, the submission of a BNG plan or metric is not a formal consideration in its determination. However, a statement regarding biodiversity value and tree canopy cover has been submitted, offering commentary on the landscape biodiversity value of the site both pre- and post-development.
- 4.64 The statement explains that the ground conditions on the site are heavily shaded due to the existing trees, particularly the conifers. It notes that the conifer trees have limited ecological value, being non-native in turn offering little habitat or food for local wildlife. Additionally, their high-water demand and dense shading are known to negatively affect soil conditions and overall ecosystem health.
- 4.65 As outlined by Ligna Consultancy, the development aims to enhance biodiversity by incorporating a green roof system on the lower area of roof and planting three native trees, as previously mentioned. The green roof will be intensive, with a deep soil layer to support a variety of plants, thus providing biodiversity value by creating habitats for various plant species and wildlife, supporting pollinators, reducing runoff, and offering aesthetic benefits in terms of outlook and the amenity of neighbouring properties. A condition will be imposed to secure the exact details of this green roof, range of plant species and to ensure its retention and maintenance in perpetuity.

- 4.66 In conclusion, while the removal of the existing vegetation will alter the site's current conditions, the proposed measures outlined, including the green roof and the planting of three native trees, will mitigate and outweigh this loss. Subject to the conditions discussed above, this application is considered acceptable in terms of trees, landscaping, and biodiversity.

Parking and Transportation

- 4.67 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'.
- 4.68 The subject site has a PTAL value of 2, which is considered poor access to public transport services. Within TfL's WEBCAT/PTAL walk distance criteria there are two bus services accessible from the site, within 2 to 6 minutes' walk. The site is approximately a 14-minute walk from Highgate Underground station, which is not included in the site's PTAL value as this exceeds the 12 minute/960 metre walk distance criteria to be included. However, in practice it is considered a reasonable walking distance for many people to access Underground services. The site is within the Crouch End 'B' CPZ which has operating hours of 2pm to 4pm Monday to Friday.
- 4.69 While no parking is provided with this development it is likely that future occupiers of the unit will use sustainable modes of transport for many of their day-to-day journeys. Moreover, the site would only result in an increase of 1 no. residential unit. As such, the proposed development would not result in a significant increase in on street parking demand that would warrant refusal of this application. In terms of cycle parking 2x on-site cycle spaces are to be provided behind the boundary wall within the enclosed private southern side front wall. This is considered an acceptable arrangement.
- 4.70 The existing crossover will not be required so this can be reinstated, and a full height kerb provided along with the associated footway works. This would enable another CPZ bay to be provided which could partly or fully mitigate the additional parking demand arising from the proposal. The applicant would need to meet all of the costs associated with both the physical works to reinstate the crossover and the legal/administrative costs for amending the CPZ orders and physically providing another CPZ parking bay. This would be secured by way of a planning condition.

- 4.71 A condition securing a construction management plan is also being imposed to secure details in respect of the management of the construction process, following appointment of a contractor and the detailed design of this scheme, so as to minimise impact on the highway network and on the amenity of adjacent neighbouring properties.

Energy and sustainability

- 4.72 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.
- 4.73 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.
- 4.74 An Energy Statement produced by Achieve Green has been submitted as part of the planning application. The statement, in addition to the other plans, drawings and supporting information have been reviewed by a Carbon Management Officer. The development would achieve a 79% reduction in carbon emissions over the baseline requirements within Building Regulations Approved Document Part L1A. The Energy Report concludes that air source heat pump (ASHP) and a 3.3kWp solar photovoltaic (PV) panels are the most viable options to deliver the Be Green requirement.
- 4.75 The development will further achieve 'zero carbon' through an offset payment (£2,850) in line with the London Plan guidance. The new dwelling would be designed with energy efficiency solutions incorporated into its construction, including solid wide cavity brickwork, double or triple glazing to reduce heat loss and maximise light penetration.
- 4.76 Conditions are being imposed requiring the development to be implemented in accordance with the Energy Statement for details of the air source heat pump, PV arrays and living roof to be submitted and approved prior to the commencement of development on site. The conditions imposed in respect of energy and sustainability have been adapted to meet the relevant legal tests, ensuring they are precise, relevant, enforceable, and achievable. These adjustments have been made to accurately reflect the nature of the proposed

scheme, recognising that it involves the construction of a replacement dwelling rather than a block of flats

- 4.77 In terms of broader issues of sustainability, the scheme is sustainable in terms of it in part being previously developed land, its location and access to public transport, and proximity to a town centre and other facilities. A condition is being imposed requiring a water butt to be provided on site, recognising that the amount of run off from the roof of the building will be minimised with the provision of an intensive green roof on the lower building form, which as discussed above will provide benefits in terms of biodiversity.
- 4.78 As such, it is considered that this proposal, a minor application, would comply with relevant policies and to be acceptable in terms of sustainable design and energy efficiency, subject to appropriate conditions to achieve the above as being imposed.

Waste and recycling

- 4.79 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.
- 4.80 As per the detail submitted 3 x 240 litre wheelie bins would be stored inside the high front boundary wall to the front of the site. As per the other houses on this street the bins here will need to be deposited on the kerbside for collection.
- 4.81 As such in terms of waste and recycling the scheme here provides acceptable arrangements.

Conclusion

- 4.82 As per the amended plans the position, scale, mass, detail and alignment of the proposed dwelling is considered to be acceptable. The scheme is designed to be subordinate and subservient in relation to the nearest properties and discrete in the streetscene by virtue of its siting behind a high front wall. The character and appearance of the area is not viewed to be harmed and rather left preserved. The proposal will not cause unacceptable harm to the living conditions/ amenity of neighbouring residents.

- 4.83 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 £9,697.80 (140sqm x £69.27) and the Haringey CIL charge will be £59,143 (140sqm x £422.45). This will be collected by Haringey after the scheme is 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.

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

1803/P/E01; 1803/P/E02; 1803/P/E03; 1803/P/E04; 1803/P/E05; 1803/P/E06; 1803/P/E07; 1803/P/P102; 1803/P/P103; 1803/P/P104; 1803/P/P105; 1803/P/P200; 1803/P/P201; 1803/P/P202; 1803/P/P203; 1803/P/P204; 1803/P/P300; 1803/P/P301 & 1803/P/P302.

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

3. No above ground works shall take place until the following details of the buildings/ structures hereby permitted have been submitted to and approved in writing by the Local Planning Authority:
 - a. particulars and samples of the materials to be used on the external faces of the building and front boundary wall;
 - b. details of the elevations of the development (elevations, plans and cross-sections at scale 1:20) as well as typical details of the fenestration and entrances as well as detail of front boundary wall and gates;

- c. details and locations of down pipes, rainwater pipes or foul pipes and all external vents.

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of Fortis Green Conservation Area is preserved, consistent with Policies SP11 & SP12 of the Haringey Local Plan (2017) and Policies DM1, DM9 & DM12 of The Development Management DPD (2017).

- 4. Notwithstanding the detail submitted as part of the planning application no development above ground shall take place until final details of both hard and soft landscape works, and tree planting have been submitted to and approved in writing by the local planning authority. The trees to be planted shall have a minimum stem girth of 12-14cm.

The approved detail shall thereafter be carried out and implemented in strict accordance with the approved details, including landscaping in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner).

Any trees or plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority.

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.

- 5. Prior to the commencement of the above ground works full details of a biodiverse, substrate-based extensive living roof, including maintenance plan, shall be submitted to and approved by the Local Planning Authority.

The approved living roofs shall be provided before the development is first occupied and shall be retained thereafter for the lifetime of the development in accordance with the approved management arrangements.

Reason: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity and supports the water retention on site during rainfall. In accordance with Policies G1, G5, G6, SI1 and SI2 of the London Plan (2021) and Policies SP4, SP5, SP11 and SP13 of the Haringey Local Plan (2017).

6. Notwithstanding the Arboricultural Impact Assessment submitted prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of protection measures and techniques to be adopted for the protection of trees from damage during the course of any activity related to the development, including foundation design, shall be submitted to the Local Planning Authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) and thereafter implemented accordingly.

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.

7. Notwithstanding the construction management plan submitted, no construction shall take place, other than site clearance, until a construction management plan for the proposed development has been submitted to and approved in writing by Local Planning Authority. The plan shall provide the following details:
 - I. A programme of works (including measures for traffic management);
 - II. Vehicle routing and if any reversing manoeuvres 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 a 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 Wheel cleaning / wash facilities to prevent mud, or dust from migrating on to the adjacent highway;

- VII Measures taken to ensure continued and safe access and movement for users of the pathway to front of the site on Wolseley Road;
- VIII Contact details for the Site Supervisor responsible for on-site works;

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.

8. The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement/ lower ground floor construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith and retained for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area.

9. The development shall be constructed in accordance with the Energy Statement by Archieve Green and Energy Test (dated 21 February 2023), ensuring a reduction of 79% carbon dioxide emissions on site over the 2021 Building Regulations Part L, based on high fabric efficiencies, an air source heat pump (ASHP), and a minimum 3.3 kWp solar photovoltaic (PV) array with further details in respect of the following first being submitted to and approved by the Local Planning Authority,
 - Fabric efficiencies to achieve at least a 13% reduction in SAP10 carbon factors, with details on thermal bridging.
 - Location, specification, and efficiency of ASHPs.
 - Specification, efficiency, and plans of the Mechanical Ventilation and Heat Recovery (MVHR) system.

- Details of the PV array, including number, angle, orientation, type, efficiency, overheating prevention, and peak output (kWp).
- Specifications of any additional carbon-reducing equipment.

The approved details shall be implemented prior to first operation and maintained for the lifetime of the development. The solar PV arrays and ASHP must be operational before the first occupation of the relevant block.

Reason: To ensure the development reduces its carbon emissions, in line with the Energy Hierarchy, London Plan (2021) Policy SI2, and Local Plan (2017) Policies SP4 and DM22.

10. 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 £2,850.00 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.

11. Prior to above ground construction, a statement shall be submitted to and approved by the Local Planning Authority to demonstrate how the overheating risk has been minimised and mitigated on site in line with the London Plan Cooling Hierarchy. Details and specification of the mitigation measures shall be provided in support of this statement.

Reason: In the interest of reducing the impacts of climate change and mitigation of overheating risk, in accordance with London Plan (2021) Policy SI4, and Local Plan (2017) Policies SP4 and DM21.

12. The dwelling hereby approved shall not be occupied until details of the location of a water butt of at least 120L internal capacity to be installed to intercept rainwater draining from the roof of each dwelling has been submitted to and approved in writing by the Local Planning Authority and subsequently provided at each dwelling. The approved facilities shall be retained.

Reason: To reduce the risk of flooding and demand for water, increase the level of sustainability of the development and in line with Haringey Local Plan Policy SP5, DM21, DM24 and DM25.

13. The dwellings hereby approved shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently in accordance with the NPPF

14. The noise level from the operation of the air source heat pump thereafter 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(s) 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.

15. 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.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site.

17. Notwithstanding the provisions of the Town and Country Planning General Permitted Development (England) Order 2015, or any Order revoking or re-enacting that Order, no outbuilding shall be erected and no extensions or alterations to the dwelling house hereby approved, including the insertion of or alterations to windows and doors, hereby approved shall be carried out without

the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent overdevelopment of the site by controlling proposed extensions and alterations consistent with Policy D6 of the London Plan 2021 and Policy DM1 of The Development Management DPD 2017.

18. Prior to the first 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 on Clifton Road.

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: Naming & Numbering

The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

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: Party Wall Act

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

INFORMATIVE: Community Infrastructure Levy

The applicant is advised that the proposed development will be liable for the Mayor

of London and Haringey CIL. Based on the information given on the plans, the Mayoral CIL charge will be £9,697.80 (140sqm x £69.27) and the Haringey CIL charge will be £59,143 (140sqm x £422.45 (Indexation included)). This will be collected by Haringey after the scheme is 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.

Note: The CIL rates published by the Mayor and Haringey in their respective Charging Schedules have been inflated in accordance with the CIL regulations by the inflation factor as published on-line.

INFORMATIVE: Need for Dilapidation survey

The applicant may be liable under Sections 131 and 133 of the Highways Act 1980 to pay for damage to the publicly maintained highway if caused as a result of the building works hereby approved. The applicant is, therefore, required that before the commencement of the works hereby approved to contact the Council's Highway Department regarding the preparation of a site dilapidation survey and photographs of the footway and carriageway around (Insert Road). This survey will be used as a basis for assessing the amount of damage caused to the publicly maintained highway caused by building works.

INFORMATIVE: Secure by Design

You are advised to review the Crime Prevention Officer's recommendations in developing the detailed design for this scheme, in relation to the following issues: external residential and individual entrance Door-sets, ground floor and accessible windows, bin lighting, storage, boundaries, climbing aids. See comments publish on the Council's planning portal in relation to this application.

INFORMATIVE: Biodiverse /extensive living roof

The living roof must be planted with native flowering species that provide amenity and biodiversity value at different times of year. Plants must be grown and sourced from the UK and all soils and compost used must be peat-free, to reduce the impact on climate change.