



Officer Report

Application Number:	HGY/2024/0806
Application Type:	Full planning permission
Address:	41 Sheldon Avenue, Hornsey, London, N6 4JP
Proposal:	Demolition and erection of replacement larger dwelling with basement, swimming pool and associated plant equipment to rear garden, and all ancillary works including landscaping, boundary treatments and access.
Case Officer:	Nathan Keyte
Valid Date:	21/03/2024
Applicant:	Mark Tognolini and Eva Stengaard
Agent:	Mr Stuart Minty

1. PROPOSED DEVELOPMENT

This is an application for the demolition of the existing house and the erection of a new two-storey detached house with pool, basement and loft areas. New front boundary treatment and associated landscaping are to be provided on site with a rear garden structure proposed to house a pool and plant. As discussed further on in this report the scheme has been amended from that submitted.

2. SITE AND SURROUNDINGS

The application site comprises a large two storey, detached dwelling house located on the eastern side of Sheldon Avenue. Sheldon Avenue is a long residential road which runs in between Hampstead Lane and Aylmer Road. The road lies within the Bishops Sub-Area of the Highgate Conservation Area. Sheldon Avenue has a fairly uniform appearance characterised by Arts and Crafts houses, largely developed by Copper and Quennell. The building at no. 41 Sheldon Avenue was designed by Walter Quennell, rather than the renowned architect C H B Quennell. The surrounding area is wholly residential in character, with the Highgate Golf Club to the rear/ west.

The site is located within Highgate conservation area and does not fall within the curtilage of a listed building. TPOs apply to the front and rear of the site.

A visit was made to the site 19 September 2023, with the assessment further informed by photos provided with the application and publicly available imagery.

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

The most recent planning history in relation to the site is as follows.

OLD/1962/0807,

Address: 41, Sheldon Avenue, N6

Proposal: Demolition of existing house & erection of new house with double garage.,

Received Date:

Valid Date:

Decision Date: 7 November 1962

Decision: Approve with Conditions

HGY/2005/2216,

Address: 41, Sheldon Avenue, London, N6, London

Proposal: Erection of single storey rear conservatory extension.,

Received Date: 1 December 2005

Valid Date: 1 December 2005

Decision Date: 25 January 2006

Decision: Approve with Conditions

There is no planning enforcement history in relation to the site.

4. Consultation Response

The responses below were received following consultation on the application:

Internal:

LBH Conservation Officer: Raises an objection to the demolition of the house, stating no sound justification for the loss of the original house has been provided, and thus negatively impacting on the legibility of the original urban development and architectural design of the area. The proposal is stated as being incongruous scale and massing with those of the original house and other best preserved original houses along Sheldon Avenue. Less than substantial harm is considered to be caused. The house is stated as being a positive contributor, and the proposal will partially close off

the modest gap with neighbouring house located at no. 39 and reduce visual gaps with no. 41 also. Changes have been made to the design during the application process, however:

The mitigation of impact has generated in the best case a neutral new building to avoid detracting from the established character of the site within its conservation area, but the unjustified loss of a positive, original building to be replaced with a new neutral building, leads to loss of heritage value, loss of significance and therefore heritage harm.

It is certainly acknowledged that the front and rear elevations of the latest design proposal, although stylistically different appear individually more harmonious than in previous versions of the proposal; however, the heritage value and significance of the original building as contributor to the historic value and significance of its conservation area is incomparable to the total lack of heritage value of the new building, and this heritage value will be lost with the demolition of the existing house.

LBH Transportation Team: No objection subject to conditions requiring submission of a detailed construction logistics plan. Pedestrian visibility splays should also be provided either side of the vehicle accesses.

LBH Carbon Management: Original objections have since been overcome following the provision of additional information, subject to conditions.

LBH Arboricultural Team: An Arboricultural report has been carried out by John Cromar's Arboricultural Company Ltd and is dated 7th March 2024. The report has been carried out to British Standard 5837: 2012- Trees in relation to design, demolition and construction- Recommendations. I concur with much of the report including the tree category classifications.

The Birch tree T14 category U when viewed from the west appears to have good form however, when viewed from the east the crown is sparse with decline and dieback. Birch trees are fast growing short lived species.

Trees T5,6,8, and 12 appear to be weaker understory insignificant trees.

T14 is to be replaced. We would like to know with what species and size. Re placement planting for the loss of trees will need to be confirmed. T1 Tulip category B tree's root protection area (RPA) has been off set in the drawing Tree Value Assessment. I am not sure why the RPA has been offset? Please can we have clarification to the reasoning.

I assume minor encroachment within the RPA (0.11%) is for the ASHP system. However, we have the pool, shower, and seating area that needs to be accounted for within the

RPA that was formally a non-static area. Until the above concerns are addressed, I cannot approve the proposal.

[Officer comment: the agent has since responded to address the points raised; the points incorporated into the assessment below].

LBH Building Control: No objection to the BIA report.

External:

7) Thames Water: No objection but suggested some informative.

Local representations

The application has been publicised by way of 1 site notice displayed in the vicinity of the site, public notices and letters. A second round of consultation was had following receipt of amended plans and information relating to carbon management/circular economy. 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: 6

Objecting: 4

Supporting: 2

Objections material to planning:

- Proposed dwelling would result in significant reduction in openness which is part of the special character of the conservation area. Other buildings cited within the submitted documents already approved/ demolished were largely in the northern section of Sheldon Avenue and generally not of any special interest.
- Impact on neighbouring amenity due to large building close proximity to boundary, with resulting enclosing and overbearing impacts, and loss of light to rear garden.
- Impacts of noise from proposed plant machinery, requesting a noise assessment to be submitted to ensure machinery not result in unacceptable noise impacts. [Officer comment: a plant noise impact assessment was submitted with the application, concluding that predicted noise levels would be below the level at which no effects are observed to occur.]

The following local groups/societies made representations:

- Highgate Neighbourhood Forum

Concerns raised regarding loss of mature trees and replacement with immature trees. More consideration should be given to improving habitat and biodiversity. Also requested that the Tree Officer make a site visit to check the status and state of the two listed TPO trees, TPO/2014/0678 and TPO/2014/2066, and assess the possibility of putting a TPO on the silver birch T14.

- Highgate Conservation Area Advisory Committee
Following changes made to the originally submitted scheme, the HCAAC welcomed the changes. Railings introduced to each side of the property were noted as being height, and spikes were suggested to be removed and painted green to be acceptable. Concerns were also noted with regard to resulting impacts of the proposed rear extension on neighbours, the basement impact assessment to be independently reviewed, and where native trees are to be removed, these to be replaced by mature native replacements. Encroachment into neighbour RPAs also noted, and additional loss of trees to be avoided.
- The Highgate Society
Application should be refused due to loss of gaps, the large size of the building, and impacts on neighbouring amenity due (in part) to the extension of rear building line. The Basement Impact Assessment is also suggested to be independently assessed.

5. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and heritage;
2. Basement development;
3. Standard and quality of residential accommodation;
4. Impact on neighbouring amenity;
5. Transport considerations;
6. Trees, landscaping & biodiversity and
7. Energy and sustainability.

Design and heritage

Existing house

The submitted Heritage Appraisal states that records reveal that the house on site the site was built in 1928 is not an original C.H.B. Quennell building, but rather one designed by his brother. The house is a large, detached building consisting of two storeys and roof space with broadly neo-Georgian appearance though with Arts and

Crafts influences stated by the LPA Conservation Officer. The house is stated as being constructed of red/brown brick laid to Flemish bond, with a symmetrical front façade with a centrally located front door. Windows are typically timber casements subdivided into smaller panes. The roof contains three front dormers and two rear dormers, with the chimney stack on the southern (side) elevation. Later additions to the host building include a single storey garage to the south of the dwelling and a glass conservatory to the rear of the dwelling.

While the Conservation Officer considers this building a positive contributor to the area, it is not specifically identified in the adopted character area appraisal, which rather broadly states that "most of the existing buildings contribute to the homogenous character of the subarea."

The Applicant's heritage assessment acknowledges that the building adds minor value to the streetscape but suggests this is due more to its cumulative aesthetic impact alongside other properties rather than its individual qualities.

Detailed design of replacement house

The proposed replacement house aims to introduce a sympathetically designed, sustainable, high-quality home that aligns with principles of the circular economy and a whole-life carbon assessments as considered in the design of the scheme.

The design has been revised from that originally submitted to incorporate elements to better integrate the building into the street context. The design of the house is that of a main two-storey volume matching that of the existing, with recessed side wings to either side as such having a symmetrical composition. Other design changes introduced include:

- Front bay windows replaced with casement windows of the same proportion and Arts and Crafts style as used at the rear
- Walls between front and rear gardens reduced in height and separated from the side boundaries with gates
- Enriched brickwork detailing to the retained chimneys
- Window added to ground floor north wing to create asymmetry at street level
- Updated proposed landscaping including Yew hedging and multistem tree to better illustrate the visual impact of the boundary railings
- Corbelled brick pilasters added to the corners of the main house referencing the Arts and Crafts buildings along Sheldon Avenue
- First-floor terrace windows revised from circular to rectilinear.
- Glazing style to the kitchen and pavilion revised to sprung arches and darker brickwork to reference the Arts and Crafts style of the main house
- Quenell Tripartite bay window added to ground and lower ground floor

- Dormers lowered and roofscape detail enhanced

Following further feedback from the Conservation Officer, the design was again amended to reintroduce bays at ground floor level. These are a welcomed change, as the resulting front elevation is now more respectful of the proportions, design and materiality of the original house. This change also serves in part to make the composition of the main two-storey form less dominant.

The design preserves the original form of the front façade, with its visual profile and prominence maintained by virtue of the side wings having lower ridge heights and being setback 3m from the front façade, thereby serving to ensure these features are subordinate in nature.

Furthermore, the footprint of the replacement maintains the large setback from the back edge of the pavement as such maintaining the current building line. Materials will be used to match the existing façade, with materials re-used where possible.

A number of objections and responses have raised the point of gaps between buildings, as well as the overall size of the proposed building. The documents submitted contains an analysis of gaps between buildings of the street, from no. 23 to no. 43 (odd). The analysis indicates that the proposed gaps for the building at no. 41 Sheldon Avenue, being a minimum of 1.5m and a maximum of 4.6m at ground level, and a minimum of 4.6m at first floor level at the side extensions, are consistent with the existing pattern of the street. Therefore, while a reduction in width of gaps between buildings is acknowledged to result from the proposed development, the resulting gaps will be consistent with the existing street context.

The site coverage of the proposed building in the context of the street has also been analysed, with the average of the sites at No.s 31-43 (odd) being 26%, and the proposed development having a coverage of approximately 22%.

The front boundary treatment proposed is considered acceptable. As detailed in the submission this will consist of 1m high brick dwarf walls and piers with soldier course and metal rails. These details including the height of the wall is judged acceptable so as to maintain openness to the front of the site, as advocated in HNP policy.

Changes to landscaping to the front of the site is proposed, including removal of hedging and 13m silver birch tree (T14 on the plans). The submitted Arboricultural report has confirmed that the silver birch tree is not a TPO tree, and is near dead, with less than 10 years of life. Replacement tree and hedging is proposed, and where the large trees at the front of the property, notably TPO tree T13 in the north-eastern section of the site will be retained. Sufficient landscaping is retained/ proposed to maintain a verdant and landscaping setting to this house.

As a result of the design now put forward, and taking account of the context of the street, the proposed replacement dwelling is considered to be sensitive to the qualities of the original building and this street/ this part of the conservation area. As such, the design qualities of the replacement house are considered to be acceptable in design terms.

Impact on the character and appearance of the conservation area

The National Planning Policy Framework (NPPF) emphasises the need to conserve heritage assets in a manner appropriate to their significance. As such it is necessary to identify and assess the particular significance of any heritage assets and consider the extent to which a proposed development may cause harm to this significance. As per paragraph 208 of the NPPF, which applies here, "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

As discussed above the proposed replacement building is designed to restore qualities associated with the original house, meaning the new dwelling here post development can equally make a modest but positive contribution to the streetscape.

In response to feedback and discussions with the Conservation Officer, revisions were made to the design of the replacement house to ensure it sits better within the plot and reflects the qualities of the original house. These revisions include replacing front bay windows with Arts and Crafts-style casement windows, adding enriched brickwork on the chimneys, incorporating an asymmetrical window, and including corbelled brick pilasters that reference local Arts and Crafts traditions. The resulting front façade would closely resemble that of the existing building. Bricks from the current building are to be reused where physically salvaged, and any additional bricks needed will need to match the existing in terms of dimensions, colour, and pointing etc. A condition will be imposed to secure the reuse of bricks and to ensure that additional bricks and mortar match existing materials.

It is however acknowledged that the replacement house differs from the existing structure due to the addition of side wings, which represent a change that requires consideration in terms of their impact on the character and appearance of the conservation area (heritage asset).

Regarding the side wings, the height, scale, and massing of these elements have been designed to be subordinate and are well set back and partially screened by vegetation. Visualisations have been produced to test the visual impact of this additional volume within the context of the street. As existing and the proposed details of the landscaping

to the frontage, maintaining generous planting and screening along the side boundaries with neighbouring sites will help to soften the impact of the recessed wings.

According to guidance in Paragraph 12.3.9 of the Highgate Conservation Area Appraisal and Management Plan (CAAMP), side extensions should be set back from the main building by at least 1 meter, with a minimum gap of 1.5 meters to the side boundary for extensions over one story. Here, the gap between the side wall and the boundary with No. 39 will be 1.5 meters, and the gap with No. 43 will also be 1.5 meters. Although this proposal is for a new build rather than side extensions, the design meets CAAMP's identified guidelines for spacing, as making it difficult to argue that it would cause harm in planning terms.

Additionally, the planning submission has carefully analysed and documented the gaps between buildings on this road. As such while maintaining characteristic gaps between buildings is important for the streetscape and the character and appearance of this area, the revised scheme has taken reasonable steps to address these considerations in line with policy and the spatial pattern of development of this road.

Overall, while the replacement dwelling will be larger than the existing building, its appearance would effectively resemble an extended version of the current structure. With the use of high-quality materials, workmanship, and landscaping, the new building can sit comfortably within the plot, harmonise with the road, and make a modest but positive contribution to the character and appearance of the conservation area.

Consequently, it is concluded that there would be no significant harm caused to the character or appearance of the conservation area, with it pointed out that this test pertains to the conservation area as a whole rather than a specific part of it. The minor harm that may arise (such as loss of some historic fabric or the narrowing of gaps) would amount to "less than substantial harm" as per NPPF, and this can be in part mitigated by reusing salvaged materials.

As tested in updated Energy Reports, and as discussed further below, the proposed development would result in an energy-efficient building. These improvements in energy efficiency offer a public benefit that, even if modest, is sufficient to outweigh the identified harm associated with the demolition. Specifically improving the standard and efficiency of housing stock in the borough, even if private, can in planning terms amount to a public benefit.

In considering this application, it is recognised that there are differences of opinion between the Conservation Officer and the Planning Officer regarding the impact on the character and appearance of the conservation area. However, decisions on such

applications are guided by planning policy and comparable appeal decisions, which provide a framework and reference for evaluating similar issues, as such measuring differences of opinions can occur.

In the circumstances of this case the replacement dwelling is viewed to be acceptable in design and heritage terms, with special attention have been given to the desirability of preserving or enhancing the character and appearance of the conservation area, in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the policies outlined above.

Basement development

DPD policy DM18 ('Residential Basement Development and Light Wells') requires householder extensions for basement development to demonstrate that a proposal will not adversely affect the structural stability of the application building and neighbouring buildings; does not increase flood risk to the property and nearby properties; avoids harm to the established character of the surrounding area and not to adversely impact the amenity of adjoining properties or the local natural and historic environment. Policy DM24 outlines the requirement of new development to manage and reduce surface water runoff.

The supporting text specifies that in established residential areas basements are an increasingly popular way of gaining additional space in homes but that it is important that such development is carried out in a way that does not harm the amenity of neighbours, compromise the structural stability of adjoining properties, increase flood risk and that where appropriate, applicants will need to submit specific information to demonstrate that such issues have been addressed.

Policy DH7 of the Highgate Neighbourhood Plan (2017) requires impact assessments to be submitted with basement development where there is evidence that there may be problems with drainage or flooding and to show there are no adverse effect from such development on the structural stability of adjacent properties or associated potential damage. It specifically talks about there being no possibility of irreparable damage to the local water regime both in terms of ground water diversion and surface water flooding and that construction should not be allowed where there is evidence that damage to neighbouring properties would exceed Burland Scale 1.

London Plan 2021 policy relates more specifically to large-scale basement development but in paragraph 3.10.6 it outlines and recognises that small-scale basement excavations, where they are appropriately designed and constructed, can contribute to the efficient use of land, and provide extra living space. Paragraph 3.10.5 equally highlights the need to manage sensitively through the planning application process potential impacts on the local environment and residential amenity.

A Basement Impact Assessment (BIA) has been submitted in support of the proposed development. The BIA report advises an appropriate design and standard construction and materials for the basement development to maintain the integrity of neighbouring structures and surrounding land.

The report includes an assessment of damage to neighbouring structures, with these being either very slight or negligible. As stated within the report, 'Building damage categories Negligible to Very Slight are widely considered to cause only aesthetic damage to buildings such that structural instability is highly unlikely to occur. All of the sensitive structures have been assessed to have a damage category of 'Negligible' to 'Very Slight', such that these structures are considered to fall within acceptable limits.' There is no evidence to counter the findings of this specialist study. The proposed basement element of the proposal will therefore not have a significant detrimental impact on the amenity of the neighbouring properties in terms of structural integrity or increasing surface water run-off, as confirmed by the submitted Sustainable Drainage Systems Report.

The structural integrity of the proposed basement will need to satisfy building regulations and separate permission would be required. The proposed development would also be subject to party wall agreements with adjoining neighbours.

Furthermore, the BIA has been reviewed by Council's Building Control team and who have raised no concerns, noting that a full structural check will be carried out on submission of a Building Control Application. The provision of basement accommodation is therefore considered to be acceptable in terms of policy DM18 subject to appropriate condition to ensure satisfactory construction.

Standard and quality of residential accommodation

London Plan 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 gross internal area would meet the London Plan minima to offer a satisfactory and generous living environment for occupiers of the dwelling house. It is noted that the floor to ceiling height shown on the submitted drawing for ground of the proposed floor would be over 2.5 metres. Overall, the scheme would result in good standard

residential accommodation with dual aspect, good floor to ceiling height, outlook from habitable room, natural ventilation, privacy and light level.

The proposal would also result in provision of adequate private outdoor amenity space, which useable, private, and practical and meets the minimum required standards stipulated within the London Plan Policy. Regarding the basement and light levels, the proposed basement floor plan indicates that no bedrooms or main living rooms will be located on that level.

Impact on neighbouring amenity

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.

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.

With regards to the property to the south at no. 39 Sheldon Avenue, the proposal will result in a two storey portion of the building extending approximately 3.6m beyond the rear two storey building line of no. 39, and with a separation distance between the buildings of 2.8m. Impacts from dominance and a sense of enclosure are mitigated by the ground levels between the two properties, with the proposed eaves located 1.9m below that of no. 39 Sheldon Avenue. The proposed building will not infringe the 45 degree BRE line measured in plan view with the glazing at no. 39, which is noted to the south of the subject site, and this in addition to the building separation and lower ground height will avoid adverse impacts relating to sunlight/ daylight on the property of no. 39.

Regarding no. 41 Sheldon Avenue to the north, the property is located at a lower ground level to the subject site by approximately 0.7m. A rear extension was granted to the property of no. 43 under HGY/2014/2790, and since been implemented, with an outdoor living area noted. The proposed two storey elements will extend to the rear building line of this extension. The proposed single storey family room rear extension will extend approximately 7.5m beyond the adjoining building line, set 1.6m to 2.8m off the side boundary, and approximately 3.1m above existing ground levels of the subject site, and approximately 1.5m above the roofline of the rear extension at no. 43.

The proposed plant room/ pergola, located on the boundary, will have a height of 2m above ground levels and will be relatively open structure. The boundary treatment between the properties is currently a high brick wall, and high hedging/ vegetation.

While it is acknowledged that the proposed family room extension will be visible from and extend beyond the existing single storey rear building line of the adjoining property at no. 43, the setback from the boundary will act to mitigate impacts from dominance and is considered acceptable in this context. Regarding daylight and sunlight, notwithstanding the degree of shading that is currently resulting from the large boundary hedge, noting the large area of glazing of the adjoining family room of no. 43, impacts from proposed built form on daylight/ sunlight will be acceptable.

With regards to potential enclosure, the two-storey portion of the proposed building will be in line with the adjoining rear single storey building line of no. 43. The proposed plant room/ building while located on the side boundary will be set back from the proposed family room by 1.8m and limited to 2m in height. The family room, as mentioned above, will be set back from the shared boundary. Considering these points, the height and form of the proposed development, and the large width and garden space of the property at no. 43, the proposal will not result in unacceptable enclosure of no. 43.

An objection received noted potential impacts of noise from the proposed plant room, and that a noise assessment should be provided. A noise impact assessment was submitted with the application, concluding that predicted noise levels would be below the level at which no effects are observed to occur. While a change from a boiler to air source heat pumps to provide pool heating has since been introduced, the setback of the plant room from habitable rooms of no. 43 will ensure acceptable level of residential amenity for no. 43 as relates to noise. A condition is proposed to ensure suitable noise levels are maintained.

With regards to privacy, there are no habitable side windows proposed at first floor level, with these serving dressing rooms and a mini kitchenette. The window looking south towards no. 39 will face a blank elevation of that building. The side windows to the north towards no. 43 however, while noting the separation distance between the buildings, will have a condition for obscure glazing to be proposed to ensure an acceptable level of privacy. With regards to the first-floor rear terrace, this will be positioned between the two wings of the building, limiting overlooking that may result, and will retain an acceptable level of overlook/ privacy.

Transport considerations

London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport,

walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

Local Plan 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, cycling, and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DPD Policy DM31 'Sustainable Transport'.

The site is located in an area with a public transport accessibility level (PTAL) rating of 0 indicative of poor accessibility to local public transport services. The site falls in Highgate station Outer CPZ, subject to on-street parking controls Monday to Friday 10:00 to 12:00.

The maximum car parking requirement as detailed in Policy T1 of the London Plan will be applied. The scheme has proposed providing 2 off street – clarified to be one in the proposed garage and one on the driveway. The arrangement is acceptable and meets the London Plan and Council's parking requirements.

A bike store is proposed to the side of the new dwelling to contain 4 bikes and meets the requirements of the London Plan.

The submitted drawings indicate a designated refuse area to be located adjacent to the bike store and will be secured. This arrangement is considered suitably sited so that it is within reach for occupiers however will require to be put out for collection.

Trees, landscaping and biodiversity

London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

DPD Policy DM1 requires proposals demonstrate how landscaping and planting are integrated into a development as a whole, responding to trees on and close to the site. There are a number of large, mature trees located in the front and rear garden of the site.

London Plan Policy G6 calls for development proposals to manage impacts on biodiversity and to aim to secure net biodiversity gain. Local Plan Policy SP13 states that all development must protect and improve sites of biodiversity and nature

conservation. In addition, Policy DM19 makes clear that development on sites adjacent to internationally designated sites should protect and enhance their ecological value and Policy DM20 supports the implementation of a London Green Grid.

An Arboricultural Impact Assessment provided by the applicant concludes the proposals will not have any significant impact on either the retained trees or wider landscape subject to suitable mitigation measures. Five trees are proposed for removal. While a larger tree (silver birch) is proposed to be removed towards the front of the site, the submitted report indicates this tree is in poor condition and will not last another 10 years.

Replacement planting for the silver birch tree to be removed is proposed to be a cherry tree, with additional smaller ornamental multistems to replace trees removed in the rear garden.

The location of the pool and other excavations have been located largely outside of the RPA of the adjoining tree at No. 43. It was raised whether there may be potential impact on the trees to remain from the proximity to chemicals associated with the pool. It has since been clarified that the water treatment strategy for the pool is a low-level chlorine system, also using UV for disinfection. The resultant chlorine levels will be <1ppm. This can be compared to UK drinking water which is about 0.7ppm and that this level of chlorination is unlikely to have significant impact on vegetation. It should also be noted that the landscape design places the pool within a basin to separate it from the majority of planting, and all of the larger trees. This structure to the design provides further protection against and effect of the pool.

Large hedging will also be removed from the rear garden on the side boundaries, with some hedging and small trees proposed as part of the landscaping works.

The Council's Tree Officer has reviewed the submitted report and is satisfied with measures proposed and as such proposal would not have a detrimental impact on the retained trees and wider landscape.

With regards to biodiversity, mandatory Biodiversity Net Gain (BNG) 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. Notwithstanding this, the site benefits from a large rear garden with space for planting and trees and therefore supporting biodiversity. In terms of biodiversity the Agent in the response to queries on sustainability matters has confirmed that planting to be undertaken on-site will include both native and non-native species, including pollinator friendly planting to attract bees, butterflies and other insects. As also discussed further below a blue/ green roof is being secured over the flat roof wing to the rear of the site.

As such and subject to the conditions imposed the development here is considered acceptable in terms of trees, landscaping and biodiversity.

Energy and sustainability

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. 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.

The application is supported by the following documents as updated.

- Energy Statement prepared by Edward Pearce (dated May 2024, rev 04)
- Revised Sustainability Statement included in DAS by Marek Wojciechowski Architects (dated May 2024)
- Sustainability Summary by Carbon Plan Engineering (dated June 2024)
 - a. Circular Economy Statement by Carbon Plan Engineering (rev A)
 - b. Pre-Redevelopment Audit by Carbon Plan Engineering (rev A)
 - c. Pre-Demolition Audit by Carbon Plan Engineering (rev A)
 - d. Whole Life Carbon Assessment by Carbon Plan Engineering (rev A)
- Landscape plan SHA-JSD-B-00-DR-L-1101 rev H prepared by James Smith Landscape & Garden Design Ltd
- A Written Response to Carbon Management (dated May 2024)

Energy

The development now achieves a higher reduction of 83% carbon dioxide emissions on site and is a higher percentage change in carbon dioxide due to an increase in baseline carbon dioxide emission and revised calculations with there being no change in the proposed fabric efficiency measures. On-site savings have been sought to outweigh the associated demolition and the fact the size of the resulting here will be higher than those of an average dwelling.

The increase in on-site regulated carbon emissions to 83%, in specific addresses providing pool heating from air source heat pumps rather than boilers. A heat recovery

VRV system and solar photovoltaic (PV) panels will be installed to deliver the Be Green requirements on site. The development can further achieve 'zero carbon' through an offset payment in line with the London Plan guidance, which in the case here would amount to £9,291.00 and which is to be secured by way of a Grampian condition.

Demolition & circular economy

In considering new buildings application, specifically major applications assessed in relation to the 2021 London Plan, applicants are required to submit a Circular Economy Statement as well as Energy Statement to demonstrate how energy use, carbon emissions and material demands are minimised, such policies do not extend to householder applications.

While the application here is a minor application a 'Circular Economy Statement' has been submitted. This report explains that material will be re-used on site where possible. Brick and roof tiles will be reused on site if in good condition, otherwise will be fully recycled, with a minimum of 20% of the building materials to be reused or recycled materials.

Equally a Lifecycle Carbon Assessment (LCA) considering embodied carbon has been submitted, which has considered embodied carbon with the new building compared to the existing.

Overheating

The information submitted with the application considers overheating to be a low risk. Measures have been incorporated to reduce the future occupant's cooling demands. In the case here the VRV system to be installed will provide simultaneous heating and cooling and when in cooling mode, there will be an efficiency gain for hot water production. Given such information and bearing in mind this is a minor application as opposed to a major application no further overheating mitigation requirements are required to be shown a planning stage with rather a Dynamic Overheating Assessment having to be produced at Building Regulation Stage to meeting the requirements of Part O.

Broader sustainability

In terms of broader issues of sustainability, the scheme is sustainable in terms of it in part being previously developed land and a large rear garden as well as landscaped garden retained. In the rear garden a living green roof as well as a blue roof, further details of which are being secured by way of a planning condition. A water butt of 200-210L capacity is proposed to capture water from the main house roof. Bat boxes, brick boxes for sparrow and swift, bee bricks have been proposed

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.

Conclusion

The proposed replacement house here as amended is considered to be acceptable in design and heritage terms. There would be no harm caused to the character and appearance of the conservation area not harm to the amenity, privacy and living conditions of neighbouring properties.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

7. CIL APPLICABLE

Based on the information given on the plans, the existing GIA is 309.6 sqm and the proposed is 870.8 sqm, i.e. an increase of 561.2 sqm. The Mayoral CIL charge will be £38,874.32 (561.2sqm x £69.27) and the Haringey CIL charge will be £237,078.94 (561.2sqm x £422.45 (Indexation included)). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

8. RECOMMENDATION

GRANT PERMISSION subject to conditions:

1. The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 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, other than where those details are altered pursuant to the conditions of this planning permission.

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

3. Prior to the commencement of the above ground works the following details shall be submitted to, and approved in writing by, the Local Planning Authority or made available to view on site:
 - A brick sample panel (minimum 1 sq.m) constructed on site from reclaimed brick showing bond and mortar pointing to be used;
 - Material specification and material samples of any additional bricks to be used in the construction of the new building and new front wall;
 - Material specification and material samples of new roof tiles to be used;
 - Detailed drawings at a scale of 1:20 and material specification of proposed dormers to both front and rear elevations;
 - Detail drawings of new window types to scale 1:10 and related material specification;
 - Detail design drawings to scale 1:10 and material specification of new pedestrian gate and front vehicle gates.

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 the Highgate 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 details hereby approved and the approved tree protection measures, which seek to protect and minimise the loss of established landscaping features to this site, details of new landscape planting and hardsurfacing to the site shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme/ detail as approved shall be carried out in the first planting season following the completion of the development.

Any trees, shrubs or plants that die within a period of five years from the completion of the development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity consistent with Policy D4 of the London Plan 2021, Policy Planning Officer Delegated Report SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

5. Notwithstanding the plans hereby approved and prior to above-ground construction, details of the proposed extensive green and blue roof must be submitted to and approved in writing by the Local Planning Authority. The living roof should enhance biodiversity and amenity with flowering species suited to seasonal variations. The submission shall include:
 - a) Layout identifying the living roof area, including substrate levels (120-180mm) and varied substrate depths.
 - b) Details on invertebrate structures, providing a minimum of one feature per 30m², including substrate mounds, semi-buried log piles, and other habitat elements.
 - c) Information on the seed spread and density of native wildflowers and herbs, ensuring diversity beyond Sedum and accommodating sunlight/shade variations.
 - d) Details of blue roof build-up, water attenuation, and feasibility for on-site rainwater collection.
 - e) A section showing the build-up of the blue roof and confirmation of the water attenuation properties, and feasibility of collecting the rainwater and using this on site.

The extensive green and blue roof shall thereafter be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

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. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

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. The development hereby approved shall be constructed in accordance with the 12434 Energy Statement (41 Sheldon Avenue) Final by Base Energy (dated Sept 2024) delivering a minimum 80% improvement on carbon emissions over 2021 Building Regulations Part L, with high fabric efficiencies, air source heat pumps (ASHPs) for the dwelling and swimming pool, and a minimum 5.3 kWp solar photovoltaic (PV) array.

(a) Prior to above ground construction, details of the Energy Strategy shall be submitted to and approved by the Local Planning Authority. This must include:

- Confirmation of the necessary fabric efficiencies to achieve a minimum 24% reduction;
- Details to reduce thermal bridging;
- Location, specification and efficiency of the proposed ASHPs (Coefficient of Performance, Seasonal Coefficient of Performance, and the Seasonal Performance Factor), with plans showing the ASHP pipework and noise and visual mitigation measures;
- Specification and efficiency of the proposed Mechanical Ventilation and Heat Recovery (MVHR), with plans showing the rigid MVHR ducting and location of the unit, with the potential to increase the scope of the ventilation to the entire dwelling;
- Details of the PV, demonstrating the roof area has been maximised to meet Policy SP4 target of a 20% reduction in emissions from energy generation, with the following details: a roof plan; the number, angle, orientation, type, and efficiency level of the PVs; how overheating of the panels will be minimised; their peak output (kWp); inverter capacity; and how the energy will be used on-site before exporting to the grid;
- Specification of any additional equipment installed to reduce carbon emissions, if relevant.

The development shall be carried out strictly in accordance with the details so approved prior to first operation and shall be maintained and retained for the lifetime of the development.

(b) The solar PV arrays and air source heat pump must be installed and brought into use prior to first occupation. Evidence that the solar PV arrays have been

installed correctly and are operational shall be submitted to and approved by the Local Planning Authority, including photographs of the solar array, heat pump system, installer confirmation, an energy generation statement for the period that the solar PV array has been installed, and a Microgeneration Certification Scheme certificate.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2, and Local Plan (2017) Policies SP4 and DM22.

8. 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 £9,291.00 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.

9. Prior to occupation, details of the location of a water butt of at least 440L internal capacity to be installed to intercept rainwater draining from the roof should be submitted to and approved in writing by the Local Planning Authority and subsequently provided. 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.

10. Prior to commencement of the development hereby approved, a Demolition Management Plan (DMP) and Construction Logistics Management Plan (CLMP) shall be submitted to and approved in writing by the Local Planning Authority. The DMP and CLMP shall detail the programme of works and provide details in respect of: the construction traffic movements, material/plant storage areas and details of necessary suspended car parking spaces. Thereafter, the development shall be implemented in line with the approved details throughout the project 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) and with Policy DM1 of The Development Management DPD (2017).

11. No development shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed, and such appointment confirmed in writing to the local planning authority, to supervise the construction works throughout their duration. In the event that the appointed engineer ceases to perform that role for whatever reason before the construction works are completed, those works will cease until a replacement chartered engineer of the afore-described qualification has been appointed, and such appointment confirmed in writing to the local planning authority, to supervise their completion. At no time shall any construction work take place unless an engineer is at that time currently appointed and their appointment has been notified to the local planning authority in accordance with this condition.

Reason: To ensure that the proposed development would have no undue impact on the structural integrity of adjoining and neighbouring buildings, in accordance with Policy DM18 of the Haringey Development Management DPD 2017.

12. No development shall be carried out until such time as the person carrying out the work is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To mitigate the impact of construction work upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy, in accordance with Policy DM18 of the Haringey Development Management DPD 2017.

13. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london>. Reason: To protect local air quality and comply with Policy SI1 of the London Plan and the GLA NRMM LEZ.

14. The residential unit hereby approved shall be designed to meet Part M4 (1) '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.

15. The noise level from the operation of the air source heat pumps hereby approved must not exceed 42dB LAeq (5 min) at 1 metre from the window of a habitable room on the façade of any neighbouring residential property. If, in the opinion of the Local Planning Authority the proposed air source heat pump result in any noise nuisance to the occupant of any neighbouring dwelling the Applicant shall install noise mitigation measures in agreement with the Planning Authority.

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

16. The fenestration at the first-floor level on the northern (side) facade of the building shall be in obscure glazing and shall be non-opening fixed to 1.7m in height and thereafter retained in perpetuity.

Reason: In order to protect the privacy and amenity of adjacent and neighbouring properties.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no extensions shall be built and no new window or door openings inserted into any elevation of the buildings (other than that development expressly authorised by this planning permission), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality.

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: Community Infrastructure Levy

The Mayoral CIL charge will be £38,874.32 (561.2sqm x £69.27) and the Haringey CIL charge will be £237,078.94 (561.2sqm x £422.45 (Indexation included)). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

INFORMATIVE: Bats and birds

Bats and birds are protected under the Wildlife & Countryside Act 1981 and the Countryside and Rights of Way Act 2000, it is an offence to deliberately or recklessly disturb them or damage their roosts or habitat. Therefore, close inspection should be undertaken prior to the commencement of works to determine if any bats or birds reside on site. No works should occur while birds are nesting which may be at any time between the month of March to September inclusive; if bats are present works should cease until the applicant has obtained further advice from Natural England on 0845 601 4523 or email wildlife@naturalengland.org.uk.

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.