

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78**

STATEMENT OF CASE BY THE LOCAL PLANNING AUTHORITY

APPEAL BY:
ROK Enterprises One Ltd

SITE:
The Grove Lawn Tennis Club, Cascade Avenue,
Muswell Hill, London, N10 3PS

Appeal Reference: APP/Y5420/W/24/3356480

London Borough of Haringey Reference: HGY/2023/0733

Case Officer: Josh Parker

Date: 09/04/25



1.0 INTRODUCTION

- 1.1 This is the Statement of Case of the local planning authority, Haringey Council, in respect of this appeal by ROK Enterprises One Ltd against the Council's decision to refuse planning permission for the proposed development set out above below:

"Redevelopment of site including conversion of existing pavilion into 1.no residential dwelling and erection of 8.no residential dwellings, associated landscaping and cycle storage"

- 1.2 The appeal is against the decision of 31st May 2024 (ref HGY/2023/0733) to refuse planning permission for the following reasons:

1. The proposed development would result in the permanent loss of a community sports facility and open space which is considered to be important to the social vitality of the area and the applicant has failed to demonstrate that it is not viable to continue the existing use, an alternative community use nor has the applicant sought to re-provide an equivalent quality facility in the locality. The proposal conflicts with London Plan Policies S1 and S5, Local Plan Policies SP15, SP16 and DM49 and paragraphs 92, 93 and 99 of the National Planning Policy Framework.
2. The proposed development by reason of its siting, scale and bulk would introduce a dominant and discordant form of development, detrimental to the verdant, open and spacious qualities of the site and its spatial relationship with surrounding buildings, overall street scene and the contribution the site makes to the special interest of the Rookfield Conservation Area , contrary to Policies D3 and HC1 of the London Plan 2021, Policy SP11 of Haringey's Local Plan Strategic Policies (2017) and Policies DM1 and DM7 of the Haringey Development Management DPD (2017).
3. By virtue of the close relationship of the rear windows of the dwelling in the converted pavilion and the rear garden of no.10 The Chine and no.37 Cascade Avenue, the proposed development would result in the actual or perceived overlooking and loss of privacy to the neighbours at no.10 and no.37 and a poor quality living environment for the future occupant of the building contrary to London Plan Policies D3 and D6 and DPD Policies DM1 and DM7.
4. Due to the scale of the proposed buildings their close relationship with the flank windows and rear gardens of no.10 The Chine and no. 37 Cascade Avenue and the rear gardens of no. 59 and no 67 Etheldene Avenue, the proposal is considered to result in unacceptable outlook and overbearing impacts on these neighbours contrary to London Plan Policies D3 and D6 and DPD Policies DM1 and DM7.

5. In the absence of a legal agreement to secure a financial contribution towards the carbon offset fund and a S106 monitoring fee the development would fail to achieve net zero-carbon contrary to London Plan Policy S12, Local Plan Policy SP4 and DPD Policy DM21.

1.3 A Statement of Common Ground, covering agreed matters of fact and positions between the LPA and Appellant has been agreed.

2.0 THE APPEAL SITE AND ITS SURROUNDINGS

2.1 A description of the appeal site and its surroundings is set out in the Officer's report with further details in relation to the character and appearance of the site and that of the Rookfield Conservation Area provided further on in this statement.

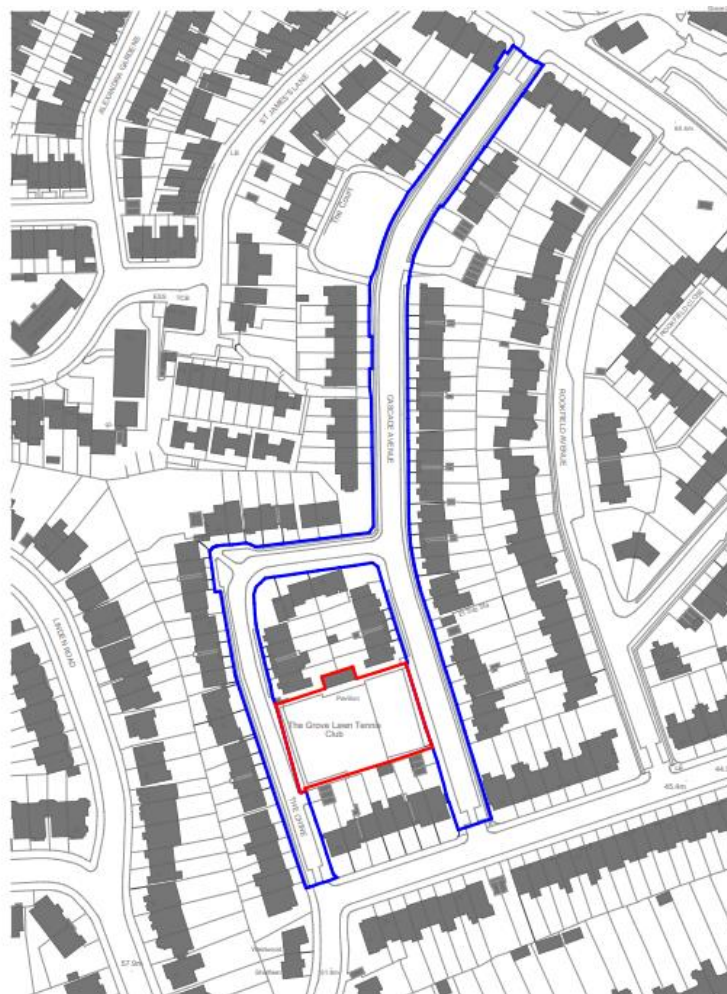


Figure 1: Site Location Plan

3.0 THE PROPOSED DEVELOPMENT & PRE-APPLICATION ADVICE

The Proposal

- 3.1 As explained in the Officer's report the scheme here subject to this appeal is for redevelopment of the tennis club in the Rookfield Estate. This would comprise the conversion of the existing pavilion into a residential dwelling and the erection of a terrace of 4 dwellings fronting Cascade Avenue and a terrace of 4 dwellings fronting Collins Court. The dwellings would include integral cycle stores with no on-site vehicle parking.
- 3.2 The proposed new dwellings would be four storeys in height including a basement level and rooms in the roof. The new buildings are orientated to front onto The Chine and Cascade Avenue, with ridge lines that reflect the topography of the streets. The dwellings would have modest front gardens and stepped rear gardens. The buildings would be of Arts and Craft style, to be constructed in red brick in Flemish bond with lime mortar, plain red clay tiled roof with simply designed chimney stacks. The windows and doors are proposed to be painted timber.



Figure 2: Front & Rear Elevations - Cascade Avenue

Pre-application advice

3.3 Council Officers have given pre-application advice in respect of developing this site, through a series of meetings and a formal pre-application response under reference PRE/2021/0100. A summary of the written feedback in relation to the last meeting from Officers is set out below, with the full extent of advice provided in Appendix A.

- The site meets the definition of open space set out the Development Management DPD and the development would result in its complete loss to residential use;
- The Rookfield Estate is of special architectural and historic interest as a remarkably well-preserved residential estate, strongly informed by its distinctive topography and by the vision of the suburban Garden City;
- Substantial development of this site, such as that proposed, would deprive this part of the conservation area from its open, leafy, undeveloped character as experienced in street views but also in views enjoyed from surrounding rear gardens and balconies;
- A negative impact would arise on such a well-preserved heritage asset such as the Rookfield Conservation Area, thus leading to less than substantial harm to its significance that is not outweighed by the modest public benefit arising from 9 new residential units, none of which are affordable housing.

4.0 RELEVANT PLANNING HISTORY

4.1 No applications for this site have been submitted other than a number of applications made for tree works.

5.0 LEGISLATIVE & PLANNING POLICY FRAMEWORK

5.1 The statutory development plan for the borough consists of the London Plan (2021) as well as the Haringey Local Plan Strategic Policies (2017) (the Local Plan) and the Haringey Development Management Development Plan Document (DMDPD) (2017). The National Planning Policy Framework (2024) is also a material consideration carrying significant weight in considering this appeal. The relevant policies are outlined below:

National Planning Policy Framework (2024) (amended on 7 February 2025)

5.2 The National Planning Policy Framework (NPPF) was last updated in December 2024. This version of the National Planning Policy Framework was amended on 7 February 2025 to correct cross-references from footnotes 7 and 8 and amend the end of the first sentence of paragraph 155 to make its intent clear. For the avoidance of doubt the amendment to paragraph 155 is not intended to constitute a change to the policy set out in the Framework as published on 12 December 2024.

5.3 The most relevant chapters are:

- Section 2 - Achieving sustainable development
- Section 4 - Decision-making

- Section 5 - Delivering a sufficient supply of homes
- Section 6 - Building a strong, competitive economy
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding
- Section 16 - Conserving and enhancing the historic environment

London Plan (2024)

5.4 The following London Plan policies are relevant in the determination of this appeal:

- D1 'London's Form, Character and Capacity for Growth'
- D3 'Optimising Site Capacity Through the Design-led Approach'
- D4 'Delivering Good Design'
- D5 'Inclusive Design'
- D6 'Housing Quality and Standards'
- D7 'Accessible Housing'
- D8 'Public Realm'
- D11 'Safety, Security and Resilience to Emergency' -
- D12 'Fire Safety'
- D14 'Noise'
- H1 'Increasing Housing Supply'
- H12 'Small Sites'
- H10 'Housing Size Mix'
- Policy G5 'Urban Greening'
- G6 'Biodiversity and Access to Nature'
- HC1 'Heritage conservation and growth'
- G7 'Trees and Woodlands'
- S1 'Developing London's social infrastructure'
- S5 'Sports and recreation facilities'
- SI2 'Minimising Greenhouse Gas'
- SI3 'Energy Infrastructure'
- SI4 'Managing Heat Risk'
- SI5 'Water Infrastructure'
- T3 'Transport Capacity, Connectivity and Safeguarding'
- T5 'Cycling'
- T6 'Car Parking'

Local Plan Policies

5.5 The following is a list of the policies considered relevant to this Appeal in relation to the Local Plan and DMDPD.

- Policy SP1 'Managing growth';

- Policy SP2 'Housing';
 - Policy SP4 'Working towards a low carbon Haringey';
 - Policy SP7 'Transport';
 - Policy SP11 'Design';
 - Policy SP12 'Conservation';
 - Policy SP13 'Open space and biodiversity';
 - Policy SP14 'Health and wellbeing';
 - Policy SP15 'Culture and Leisure';
 - Policy SP16 'Community Facilities'
-
- Policy DM1 'Delivering high quality design';
 - Policy DM2 'Accessible and safe environments';
 - Policy DM7 'Development on infill, backland and garden land sites'
 - Policy DM9 'Management of the historic environment';
 - Policy DM10 'Housing supply';
 - Policy DM11 'Housing mix';
 - Policy DM12 'Housing design and quality';
 - Policy DM19 'Nature conservation';
 - Policy DM20 'Open space and green grid';
 - Policy DM21 'Sustainable design, layout and construction';
 - Policy DM31 'Sustainable transport';
 - Policy DM48 'The use of planning obligations';
 - Policy DM49 'Managing the provision and quality of community infrastructure'.

Legislation

- 5.6 Planning applications are required to be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).
- 5.7 S66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- 5.8 S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 5.9 The Wildlife and Countryside Act 1981 (as amended) is also relevant in terms of protecting wildlife and nature, including specific species.

6.0 THE COUNCIL'S CASE

- 6.1 The main issues and matters relating to the reasons for refusal are set out and discussed below.

RfR 1: Loss of a community sports facility and open space

Policy context

- 6.2 The protection of community facilities, open space, sports and recreational land is a key policy of the NPPF which carries significant weight in determining this appeal. As reflected below relevant London and local plan policies which resist the loss of such facilities are consistent with the Framework and should similarly carry weight.
- 6.3 The NPPF (2024) highlights key criteria for protecting sports facilities, in paragraph 104. It outlines three conditions where the loss of such facilities might be acceptable: (1) if an assessment shows they are surplus to requirements, (2) if equivalent or better replacements are provided in terms of quality and quantity in a suitable location, or (3) if the development provides alternative sports or recreational benefits that outweigh the loss.
- 6.4 Section 8 of the NPPF, "Promoting Healthy and Safe Communities," emphasises the role of sport and recreation in fostering healthy, inclusive communities. It advises that planning policies should support healthy lifestyles by providing accessible sports facilities, green spaces, and encouraging walking and cycling. Paragraph 103 reinforces that planning decisions should be based on up-to-date assessments of the needs for open spaces, sport, and recreation.
- 6.5 Policy S5 of the London Plan also addresses the protection of sports and recreation facilities, aligning with the NPPF. It states that these spaces should be retained unless they are deemed surplus to requirements, can be replaced by better alternatives, or the proposed development offers greater benefits through alternative recreational provisions. These criteria ensure that sports facilities continue to serve community needs effectively.
- 6.6 Paragraph 96 of the NPPF sets out that planning policies and decisions should aim to achieve, inclusive and safe places which promote social interaction and enable and support healthy lifestyles. Paragraph 98 advises that planning policies and decisions should guard against unnecessary loss of valued facilities and services. Paragraph 104 states that existing open space, sport and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown the open space or land to be surplus to requirements or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location or the development is for an alternative sport and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.

- 6.7 London Plan Policy S1 states that development proposals that would result in the loss of social infrastructure in an area of defined need will only be permitted where there is a realistic proposal for re-provision that continue to serve the needs of the neighbourhood and wider community or the loss is part of a wider public service transformation plan. The policy continues to set out that redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered, unless the loss is part of a wider public service transformation.
- 6.8 Policy S5 seeks to ensure that there is sufficient supply of good quality sports and recreational facilities by, among other things, retaining existing sports and recreation land and facilities for sports and recreation unless and assessment has been undertaken that clearly shows the sports and recreation land or facilities to be surplus to requirements (for the existing or alternative sports and recreation provision) at the local and sub-regional level or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location or the development is for alternative sport and recreation provision, the benefit of which clearly outweigh the loss of the current or former use.
- 6.9 Local Plan Policy SP13 seeks to protect and enhance existing open space. Policy DM20 of the Haringey Local Plan Development Management DPD (2017) states that development that protects and enhances Haringey's open space will be supported and requires no net loss in open space.
- 6.10 Policy DM49 seeks to protect existing social and community facilities unless a replacement facility is provided which meets the needs of the community. Paragraph B of Policy DM49 states that where proposals may result in the loss of a community facility, evidence will be required to show the facility is no longer required in its current state; the loss would not result in a shortfall in provision of that use; and the existing facility is not viable in its current use and there is no demand for any other suitable community use on the site. Paragraph C of Policy DM49 adds that the evidence should also provide relevant accounts and marketing information demonstrating that the premises has been marketed for use as a community facility for a reasonable length of time (minimum 12 months) and that no suitable user has been/or is likely to be found.

Background to the courts and clubhouse

- 6.11 The tennis court site (courts and clubhouse) has been part of the Rookfield estate (also known as the Rookfield Garden Village) for over 120 years. The estate was designed, developed and laid out by the Collins family of architect builders in the early years of the last century. William Jefferies Collins worked with his two sons William Brannan and Herbert.
- 6.12 By 1911 the Collins family had decided that the estate should include some tennis courts and in that year, they submitted plans to build a clubhouse. At that time the

construction of a permanent clubhouse was extremely unusual. Most tennis clubs were then essentially moveable, renting land on short leases and owning wooden pavilions that could be transported to new grounds if the club decided to move to different courts. The existing Clubhouse was built in 1912, and in that year WJ Collins advertised the courts available to rent, proudly mentioning its “brick-built clubhouse”. Kelly’s Street Directory lists the Tennis Courts as ‘The Rookfield Lawn Tennis Club’ in 1912 with H Collins as Secretary.

- 6.13 This is no doubt Herbert Collins who was the architect of the earliest houses built on the Rookfield Garden Village. He resided at 31 Rookfield Avenue between 1909 -1922 and is listed as the Secretary of the Rookfield Lawn Tennis Club until 1923. In 1924 the Wesleyan Lawn Tennis Club with GF Copeland as Secretary is listed as active on the site. By 1930 the Tennis Club had changed to being called The Chine Lawn Tennis Club with F Fish as Secretary. Sometime later the active occupier and operator was known as the Grove Lawn Tennis Club.
- 6.14 In the late 1950’s and early 1960’s the Grove Club was thriving, recruiting tennis and social members from outside the Rookfield Estate, offering not just tennis but a range of social activities: dancing, bridge, darts, table tennis, social events, and drinks offered in a licensed bar.
- 6.15 When management was arranged through a local gym and leisure centre, it remained available and used by residents via a lease to the residents granted by descendants of the developer family.
- 6.16 At the conclusion of that lease in 2011 the then owner locked the gates and prevented access to the site and the freehold was sold to the current owner. As is evident to the Council, a local resident’s association have pressed for access to the courts, deploying continuing arguments with owners to provide access. The value of this space to the community was evidenced in information submitted to the Council and led to the award of ACV status in October 2014, with this later renewed in October 2024 (discussed further below with copy attached in Appendix B).

Current conditions/ closure of courts and clubhouse

- 6.17 As reflected above, the site's historical and recreational value is important to the character of this estate and community who live within it.
- 6.18 While it is acknowledged that this facility, comprising of three tennis courts and a clubhouse, has not been in use since approximately 2007, the introduction of residential development would result in its permanent loss. The fact that the facility has remained unused for many years does not indicate a lack of interest or demand for tennis or alternative sports use.
- 6.19 While the conditions of the grounds and pavilion have suffered due to prolonged vacancy and lack of maintenance, such conditions do not inhibit refurbishment to bring the building and courts back to a usable and valuable condition. In terms of the

brick-built clubhouse this is of sound structural condition and of reasonable size to support various daytime functions, including commercial activities, classes (like yoga), and other community-focused events in the community, and so hence the application site being listed as an ACV.



Figure 3: Current conditions of courts and pavilion building

- 6.20 The removal of public access to the site has arguably contributed to the decline in the conditions of this site. However, it is argued that such conditions should not frame the planning judgment in respect of its future use, as evidenced above this was a highly used facility and is within a ward where there is active use of community and sports facilities.

Marketing and community interest

- 6.21 As outlined in the Officer's report, a marketing letter from Savills was submitted with this application. It indicates that the site was marketed between March 23, 2021, and June 6, 2022, for Use Class E purposes. However, this does not align with the site's established lawful use.
- 6.22 As also outlined in the Officer's report the marketing exercise is considered flawed because it was limited to Savills' website, with no sales board erected at the site. There was no evidence of marketing on sports-related websites or magazines, and the site was marketed for lease only. It is also pointed out that part of the marketing period coincided with the third national lockdown, a time of reduced business activity.
- 6.23 Consequently, the LPA believes that the marketing effort fails to demonstrate that the site was actively marketed for at least one year before the application submission, as is required in relation to Policy DM49. Despite the limited marketing campaign as outlined in the Officer's report, interest was registered by three parties. However, the report submitted to the LPA provides little information on why these expressions of interest were discounted.

Assessment of demand

- 6.24 The appellant has submitted a 'Loss of Existing Use Assessment' prepared by JLL. However, the LPA argues that this assessment falls short of what is expected in a robust needs analysis. Specifically, there has been no consultation with the Lawn Tennis Association (LTA), and the assessment does not adequately consider future demand or growth.
- 6.25 The assessment primarily evaluates local needs by referencing the availability of other community facilities in the area. It lists tennis clubs within approximately a 2 km radius of the site, noting that new members are being accepted at Wood Vale Lawn Tennis Club, Hanley, Georgians, Priory Park, Muswell Hill Methodist, Cherry Wood, Stormont, and Coolhurst.
- 6.26 Additionally, the report suggests that there are sufficient parks, educational facilities, healthcare centers, community centers, and places of worship in proximity to the site and infers that maintaining this facility may jeopardise the ongoing use of existing facilities and that the cost of conversion to alternative community use would be prohibitive.
- 6.27 However, the assessment lacks an estimation of demand for tennis court space or alternative community uses at local or regional levels. It does not provide information on the capacity of existing facilities and the costs associated with their use. There is no comparison of membership rates with local, regional, and national trends, nor does the assessment evaluate whether existing facilities provide comparable offerings to those of the application site.
- 6.28 As such, the Council does not believe that the 'Loss of Existing Use Assessment' demonstrates that this facility is surplus to requirements for tennis, alternative sports, or other community recreational purposes. Historically, due to its relatively small size, this facility likely functioned differently from the larger tennis clubs in the area, potentially making it more appealing to certain players. Furthermore, while other clubs may be accepting new members, availability at peak times could be limited, restricting access for some individuals.
- 6.29 While it is appreciated that the LTA (a non- statutory consultee) did not initially comment on this planning application, they have since provided comments to the LPA in relation to demand for tennis in the area and in turn outline their objection to the loss of these tennis courts (See Appendix C). Their objection is based on strong evidence of tennis demand in the area based on analysis of a catchment area within a 20-minute drive of these three courts, where there is a population of 683,867.
- 6.30 Based on data from a YouGov survey, it is estimated that approximately 20% of this population would be interested in playing tennis if local facilities were available, which equates to a total tennis demand of 118,821 people. This figure the LTA explains has been further being refined using Periscope reporting, to ensure the analysis takes account of relevant age groups and demographics specific to the sport.

- 6.31 Of the estimated demand, it is viewed that approximately 8% could be expected to convert into actual participants, which equates to a penetration rate of 9,581 players. This estimate aligns with conversion rates typically seen in the fitness and sports industry.
- 6.32 In more detail within this 20-minute radius, 48.5% of the population falls within the key tennis-playing age range of 20 to 49 years. Additionally, 56.5% of the population falls within IMD 1-5, an important socioeconomic consideration for accessibility and community engagement in this sport. As such the LTA argues that such demographic analysis supports the case for retaining these courts.
- 6.33 The LTA equally outlines that nationally tennis participation is strong having increased since the COVID-19 pandemic. They outline that according to internal insights, 3,799,391 children have played tennis in the past year, with monthly child participation having reached a record 1,572,034 players, while weekly participation has returned to its all-time high of 635,838 as of April 2024. Adult participation figures are also strong with 5.6 million people having played tennis in the past year, 2.6 million participating in the past month, and over a million playing on a weekly basis.
- 6.34 Given this data, the LTA's objection to the loss of these courts is viewed to be well-founded, with such figures showing a strong and growing demand for tennis in the local area.

Local interest

- 6.35 The LPA argues that there is strong community interest in retaining the site, as evidenced by numerous representations made in response to this planning application. Additionally, as noted above, the site has been designated an Asset of Community Value (ACV) twice, initially in 2014 and again in 2024, demonstrating ongoing interest and support for its retention as a tennis facility.
- 6.36 Given the strong community interest, it is plausible that this facility could be purchased and reinstated as a tennis club.
- 6.37 In terms of the ACV listing the ACV nomination included evidence that there is an active interest in the site for sporting and community uses as of August 2024. This is as follows:
- a) a consortium keen to acquire the land to use it in conjunction with the residents' association for the increasingly popular sport of padel
 - b) a tennis enthusiast and former British tennis No.4 now running a successful global online tennis platform. This party has stated that if there was an opportunity to retain and rebuild the club and courts and turn it into a hub for the community, he would be extremely keen to discuss this and be involved in the project with a number of potential investors.

- c) The Chine and Cascade Avenue Residents Association have put forward a proposal for a community club based on an affordable lease to the current owners, ROK Ltd., via their agents Savill's, but brought no response.

6.38 It is evident that there is interest in viable alternative community and sporting uses and therefore sports and recreation is not surplus to requirements.

Analysis of deprivation

6.39 In terms of the analysis and commentary on deprivation and in turn the benefits put forward for providing housing on this site, as set out in the 'Existing Use Assessment', this is viewed to be inaccurate and misleading. While deprivation levels are higher in the eastern areas of Haringey Borough where over half of the Lower Super Output Areas (LSOAs) fall within the 20% most deprived in the country, the western areas, including Highgate, Fortis Green, Muswell Hill, Alexandra, and Crouch End, have no LSOAs in that category (Source: Haringey Council: Haringey at a Glance, December 2024).

Summary

6.40 Given the above, the Council does not believe that there is insufficient evidence to demonstrate that there is no current need for this tennis facility and therefore it cannot be considered surplus to requirements, regardless of its present condition, as such in conflicts with the forementioned policies in both the NPPF, London Plan, and Haringey Local Plan Redevelopment of housing would result in the permanent loss of a community sports facility and open space, which is important to both the history and character of the Rookfield Estate and local community.

6.41 Furthermore, due to the absence of a proper marketing exercise, the appellant has not demonstrated that the site is unviable for continued tennis use or an alternative community use as is required in line with the policies outlined above. Additionally, as no equivalent or higher-quality facility is being provided in the locality in replace of this loss the development is contrary to policy.

RfR 2: Harm to verdant and open qualities of the site, streetscene and contribution to the special interest of Rookfield Conservation Area

6.42 The second reason for refusal, relating to design and heritage issues, sets out how the scale and bulk of the proposed development would introduce a dominant and discordant form of development, detrimental to the verdant, open, and spacious qualities of the site and its surrounding spatial relationships. This is viewed to cause harm to the special interest of the Rookfield Conservation Area. This reason for refusal cited the following policies: Policies D3 and HC1 of the London Plan 2021, Policy SP11 of Haringey's Local Plan Strategic Policies (2017), and Policies DM1 and DM7 of the Haringey Development Management DPD (2017). However, in error Policy SP12 of the Local Plan and Policy DM9 were omitted but are however referenced in paragraph 5.23 of the Officer's report.

- 6.43 The wording of these policies, as discussed in the Officer's report, are not repeated here, other than to emphasise that they require the highest standard of design and a design-led approach to determine the most appropriate form of development that responds to a site's context.
- 6.44 In addition to these policies, and for the purposes of this appeal, paragraphs 131-141 of Section 12 'Achieving Well-Designed Places' of the NPPF are highlighted. These emphasise the need for developments to contribute positively to an area's overall character, reflecting local context, including materials, architectural style, and layout, to ensure harmony with the surroundings.
- 6.45 Equally, Chapter 16 of the NPPF and its associated paragraphs are highlighted, as they set out the framework for conserving and enhancing the historic environment, in specific the assessment of heritage significance, potential harm from development, and how to balance harm with public benefits. The relevant paragraphs are discussed below in the context of the identified harm caused to this heritage asset, with this harm also weighed against the public benefits of the proposed development.

Affected Heritage assets

- 6.46 The appeal site lies within the Rookfield Conservation Area and within 300m of several locally listed buildings including 108, 110 and 112 St Jame's Lane, Grove Lodge and the Victoria Stakes PH and two Grade II Listed Buildings Given the intervening built form and underlying topography and it is considered that the proposed development would only affect the significance of the Rookfield Conservation Area.
- 6.47 The Rookfield Conservation Area was designated on 26th March 1976, and most of the estate is also covered by an Article 4 Direction Area. The Article 4 Direction Area is designed to help ensure that the original design of the Estate, including its detailing is maintained as it is sensitive to change.
- 6.48 The reason for refusal on heritage grounds was: "The proposed development by reason of its siting, scale and bulk would introduce a dominant and discordant form of development, detrimental to the verdant, open and spacious qualities of the site and its spatial relationship with surrounding buildings, overall street scene and the contribution the site makes to the special interest of the Rookfield Conservation Area".
- 6.49 The LPA contend that the Appeal site contributes to the special interest of the Rookfield Conservation Area and that the proposed development would fail to preserve or enhance the character and appearance of the Conservation Area, and would cause less than substantial harm to the significance of this designated heritage asset, to the high end of this spectrum.

The Rookfield Conservation Area

- 6.50 The Rookfield Conservation Area covers the Rookfield Estate which was developed by the Collins family between 1901 and 1934. The significance of the Rookfield Conservation Area lies primarily in its architectural and historic interest. The LPA contend that the appeal site is considered to positively contribute to both the architectural and historic interest of the Rookfield Conservation Area.
- 6.51 The Rookfield Conservation Area illustrates how the Garden City Movement was adapted to existing cities in the form of garden sub-urbs and, specifically for Rookfield, how this was applied in the context of speculative development aimed at the middle classes.
- 6.52 The land which the Rookfield estate occupies was brought by W.J.Collins, a speculative builder who had already developed a large area of Muswell Hill by the end of the C19. Elements of the earlier phases of the Rookfield Estate have similarities to the Collin's previous development at Fortismere. Fortismere has narrow long runs of houses set in a grid system, with trees set into hard landscaped streets.
- 6.53 Elements of this previous can still be seen in these earlier phases, including the setting out of Etheldene Avenue, which has the same layout and urban grain, with hard landscaped pavements. The houses have a different character with Queen Anne style buildings, in long terraces with narrow frontages. These are the parts of the Conservation Area which are not covered by the article 4 direction area.
- 6.54 After 1906 the development of the rest of the Rookfield Estate was left over to be chiefly developed by his sons, Herbert and William (W.B.Collins), who radically changed the design of the estate. Although only Herbert qualified formally as an architect, W.B.Collins was a highly accomplished designer. Paragraphs 9-12 of the Conservation comments on the original application titled "Heritage Impact Assessment on behalf of London Borough of Haringey for proposed redevelopment at: The Grove Lawn Tennis Club, Cascade Avenue, N10 3PS" sets out the background of Herbert & W.B.Collins and how this influenced their designs in Rookfield, This document is included in Appendix D.
- 6.55 The two brothers introduced the Arts and Crafts style, and elements of garden suburb planning into the company's repertoire. Herbert was involved in the group which set up Welwyn Garden City, becoming a director of the Welwyn Garden City Company in 1924 and the design for Rookfield from both brothers appears to have been heavily influenced by these emerging town planning principles.
- 6.56 The post-1906 parts of the estate are significantly different show influences from the Garden City movement, with a different urban grain and pattern of development. The streets have a high degree of verdancy, with housing designed around open green spaces. The character of the private roads is quiet and suburban, with

pavements set in grassed verges with retained mature trees, low clinker walls and well planted front gardens.

- 6.57 Though the houses have different type of architecture which borrows its form and features more from the free English vernacular and the arts and crafts movements, they remain harmonious. The buildings are of a consistent high-quality design which remain predominantly intact, with the later sections including several set architectural pieces around open green areas.
- 6.58 The estate has altered very little since it was finalised in 1934, and the design remains predominantly intact. Most of the alterations which have occurred since 1934 have related to the infilling of WWII bomb damage, and small-scale extensions. The aerial photograph taken in 1938, Figure 4, shows the estate and demonstrates how little the estate has changed.



Figure 4: Aerial photograph of Rookfield Estate taken in 1938, the Rookfield Conservation Area boundary shown approximately in red.

- 6.59 Accordingly, the Rookfield Estate is a remarkably preserved vision of a suburb in the city designed along the town planning principles of the late 19th and early 20th centuries, contextualised to suit the underlying topography and the existing mature trees which were part of the former Avenue Estate.
- 6.60 The overall composition of the estate and architectural design is considered to have a strong aesthetic and design value, the original design has matured into a residential environment of considerable charm and architectural interest. This architectural and historic interest is considered to positively contribute to the significance of the Rookfield Conservation Area.

Appeal site

- 6.61 In relation to the Appeal site, the tennis courts are a designed opened space which was an original part of the estates design, granted consent in 1911. The tennis courts at Rookfield form a large proportion of the outdoor communal space in the estate and like the other open spaces, has been integrated into the design of the streets and the surrounding buildings.
- 6.62 Along the Chine and Cascade Avenue, the pavement is set in generous grass verges, and trees are located within front gardens, or open areas of greenery. However, the pavement does not continue alongside the tennis courts, stopping outside No 10 The Chine and 33 Cascade Avenue. The area adjacent to the road instead is given over to mature trees and other soft landscaping. When viewed from the north on both streets this subtle transition is further marked by pyramid roofed outbuildings which create a visual stop. These are the only buildings in the estate which break forward of the main residential building line, Figures 5, and 6.



Figure 5: Outbuilding on Cascade Avenue, which provides a visual stop to the pavement and mirrors the on The Chine.



Figure 6: Outbuilding on The Chine. The pavement lies beneath the currently overgrown hedge.

- 6.63 These pyramid roofed outbuildings form the end of a long brick retaining wall outbuilding is one end of a large brick retaining wall which joins the two, with the tennis pavilion at its centre. The pavilion, retaining wall and outbuildings were built as one building. The pavilion is recessed into the residential gardens to the north, forming the boundary to both 10 The Chine and 33 Cascade Avenue. The pavilion is modest in scale itself but was designed to be a prominent building, flanked by flush high brick walls with the distinctive outbuildings bookending this wide structure. The open space occupied by the tennis courts are set at a lower level emphasising the structure when viewed from the south.
- 6.64 Additionally, 74 Etheldene Avenue, 4 The Chine (formerly 88 Etheldene Avenue), finalised in 1911, and 50 Cascade Avenue all have balconies which would have overlooked the courts, when the houses were built, which were set out as 6 courts

in 1911. Balconies are not a feature which is found anywhere else on the estate. See Figure 7.

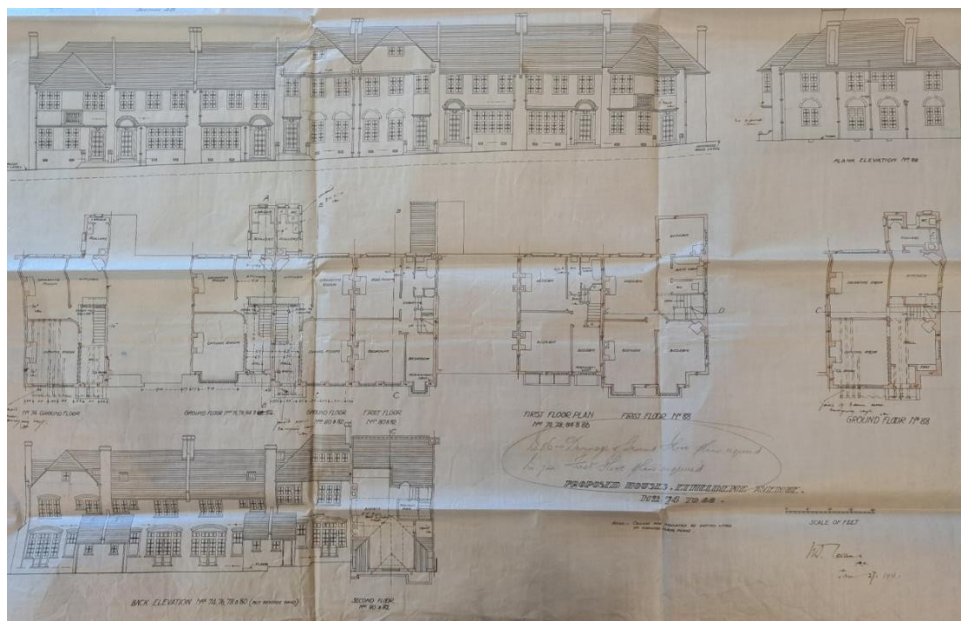


Figure 7 Original designs for 74-88 Etheldene Avenue, dated 1911, Bruce Castle Museum & Archives ref: 6265



Figure 8: Diagram showing the development of the courts & associated features

- 6.65 The choice of tennis with its associations with the aspiring middle classes, rather than other facilities such as allotments, speaks to the intended target market of the estate. The development was designed to be marketed at the middle-classes which can be seen from the advertisements at the time, see Figure 9. Tennis was an aspirational sport was highly fashionable during the early C20 and would have been appealing as a facility to the middle classes which Rookfield Estate was designed for.

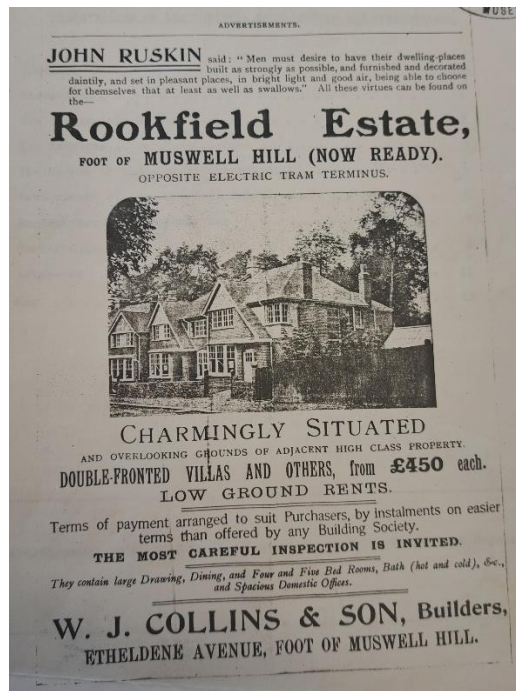


Figure 9 Sales advert for the Rookfield Estate

- 6.66 As a sport it also had links to the garden city and suburb movements, including the most notable example of Hampstead Garden Suburb, where aside from the courts designed into the central square, tennis courts were also provided for wealthier residents near their homes.¹ The provision of tennis courts was part of the vision to provide good quality housing for residents. Herbert Collins, responsible for the design of The Chine and Cascade Avenue, and the tennis courts, was involved in the tennis club after its construction, as he was the club secretary from 1912 till 1922 when he moved.²
- 6.67 Accordingly, the LPA maintains that the Appeal site positively contributes to the significance of the Rookfield Conservation Area. The choice of tennis courts, for one of the open spaces in the estate their siting the design of the pavilion, retaining wall and surrounding buildings, form an important part of the Collins brothers' original design of the Estate.
- 6.68 The courts, their landscaping and architectural treatment is a considered and designed piece of open space, one of the key principles of the Garden City Movement. The Appeal site forms part of the original design of the estate and has been integrated into the overall composition of the streets and the buildings including their architectural language and is considered to positively contribute to the special historic and architectural interest of the Rookfield Conservation Area.

Impact of the proposed development

¹ Hampstead Garden Suburb Conservation Area Character Appraisal, Barnet Borough Council 2010

² Kelly's Street Directory 1912-1922

6.69 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 states that:

"In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

6.70 As set out in detail above, the Appeal site positively contributes to the special historic and architectural interest of the Rookfield Conservation Area. The LPA argue that the loss of the open space and its use would cause harm to the significance of the Conservation Area.

6.71 The open space is a designed part of the estate an important aspect of the Garden City principles, and one attractively employed throughout the Rookfield Estate. The original design of the courts used architectural features and changes in the street pattern to emphasis the transition between residential and communal open space. The proposed infilling of the estate with residential buildings would result in the loss of the open space, would fundamentally alter the urban grain of the estate. These domestically scaled open spaces are a fundamental part of the character of the Estate and a part of the Garden city inspired design.

6.72 The loss of the open space would erode the design quality and intactness of the original estate and the ability to appreciate that open spaces were integrated throughout the estate. The proposed housing would also infill the building line, and remove the ability to view and appreciate the pavilion as part of an architectural set piece with the boundary walls and outbuildings. This would be considered to cause harm to the significance of the Conservation Area.

6.73 The use of this open space as tennis courts specifically has some additional historic interest. This is due to its status as an aspirational sport in the early C20, its connection with the vision of the garden city movement to provide suitable middle-class housing with sports facilities for exclusive use of residents, and its association with the Collins family. The loss of this use and its historic interest would cause some additional harm to the significance of the Conservation Area.

6.74 The design of the proposed housing is also considered to cause harm to the significance of the Conservation Area. Whilst the architectural features of the proposed buildings speak to the Free English Domestic style seen at the Rookfield Estate, the overall composition, their form, scale and siting, would be incongruous additions which lack the careful articulation of the existing housing.

6.75 This incongruity is fundamentally a result of the scale and mass of the proposed development, and the size and type of accommodation proposed. The scale of the 4 storey elevations in terms of the rear elevations is viewed to be inconsistent. Its verticality for example, would contrast with the horizontal emphasis seen in other buildings in the estate.

- 6.76 However, when viewed from the street, the out of proportion scale of the proposed buildings is most evident from the oversized, bulky and poorly detailed roof forms. The difference in pitch is conspicuous and they do not hide their mass well. The visible bulk of the roof forms is apparent in the 3D sketch contained on page 26 of the Appellant's originally submitted design and access statement. Whilst roof accommodation is found across the estate, these tend to be small in form with a standard roof pitch of below 40 degrees, the footprint of the second floor clearly presents difficulties in creating a successful and appropriate roof form.
- 6.77 The type and amount of accommodation has also resulted in a requirement for more windows on the first and second floors, that is consistent with the elevational design of the existing estate. The emphasis of the elevations on the front elevations on the centre of each terrace is anomalous. Whilst centralised garden accesses are a feature of the estate, these do not have windows or visible accommodation above them. The position of the central dormer and the brickwork oval window feature are out of keeping with the estate and, particularly the sole central dormer emphasises the incongruity of the roof form.
- 6.78 There are other aspects of the proposed design which would make it out of keeping with the existing estate on a more subtle level such as the difference in the access arrangements, with no continuous pavement or front gardens. However this is a response to maintain the existing mature trees, which is welcomed. This incongruity relates to the in-principle objection to the change of use from an open space to a residential development rather than the design itself.
- 6.79 The design of the proposed houses, particularly their scale and form, would make them incongruous and top-heavy additions. They would erode the consistency and design quality of the estate and would be considered to cause harm to the significance of the Rookfield Conservation Area.
- 6.80 Overall, the proposed development, the loss of the open space, the ability to view and appreciate the designed open space as part of the application of Garden City principles, the loss of the use of the tennis courts, and the design of the proposed development would be considered to cause harm to the significance of the Rookfield Conservation Area. Though the harm would fall within less than substantial harm, this is because substantial harm is a high test and the less than substantial harm caused would be towards the upper end of this spectrum.
- 6.81 The harm is considered to be at the high end of less than substantial harm as designing buildings around open space is a core principle of the Garden City Movement which has been employed to a high standard at Rookfield Estate, and the development would erode both the historic and architectural interest the Appeal Site positively contributes towards.

Public benefits and planning balance

- 6.82 The Appellant's statement of case sets out that they consider the Appeal site does not positively contribute to the character and appearance of the Conservation Area, it does not specify whether the existing site is considered to be harmful, or neutral. There is no full assessment of significance, and it appears to state that the condition of the courts, and its perimeter fencing, are contributing factors. The original submission documents have a more substantive assessment; however, this primarily appears to be based on the condition of the courts and the Appellant's view that the tennis courts did not form part of the design of the estate.
- 6.83 As set out above, the LPA considers the tennis courts to have been a designed part of the estate which has influenced its layout and architectural design. The appellant has not demonstrated any evidence that the tennis courts did not form part of the design of the estate. Contrary to paragraph 5 of the City Designer Response to the Heritage Impact Assessment prepared by Revive & Tailor on behalf of London Borough of Haringey, open space can contribute to the significance of a Conservation Area, as set out in Historic England's guidance document *Conservation Area Appraisal, Designation and Management*.³
- 6.84 The Appellant goes on to argue that the Appeal site could not contribute to the character and appearance of the Rookfield Conservation Area, as it is not a formally designed piece of green space, such as those seen at Hampstead Garden suburb central square. Hampstead Garden suburb is a much larger and grander development, whilst Rookfield is at a much smaller scale. However, the pyramid roof pavilions set in a high brick retaining wall as seen at the Appeal site bears similarities to the grade II listed great wall at Hampstead Garden Suburb.⁴ The smaller scale of the designed open space at the Appeal site when compared to the central square at Hampstead does not diminish the contribution it makes to the Rookfield Conservation Area through its high-quality and well detailed domestically scaled design, which is seen across the estate as a whole. The Appellant also fails to acknowledge that the tennis courts were also laid out in the residential areas of the Hampstead Garden Suburb, and these courts are considered to positively contribute to the significance of the Hampstead Garden Suburb Conservation Area.⁵
- 6.85 Regarding the condition of the site, it is accepted that the current condition of the tennis courts has suffered from a lack of maintenance and neglect. Whilst the owner of the site may be under no legal obligation to maintain the site, this does not negate the applicability of NPPF Paragraph 209, with reference to PPG paragraph 014 Reference ID: 18a-014-20190723.

³ Historic England *2019 Conservation Area Appraisal, Designation and Management Second edition, Historic England Advice Note 1* Swindon. Historic England

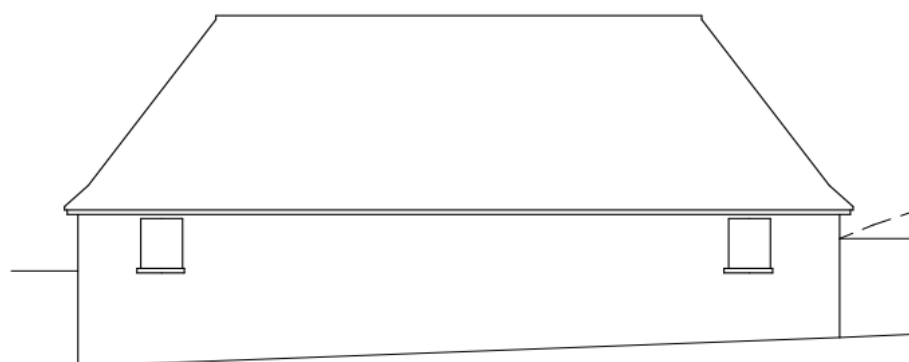
⁴ Historic England, The Great Wall List Entry: 1064890, <https://historicengland.org.uk/listing/the-list/list-entry/1064890?section=official-list-entry>

⁵ Hampstead Garden Suburb Conservation Area Character Appraisal, Barnet Borough Council 2010

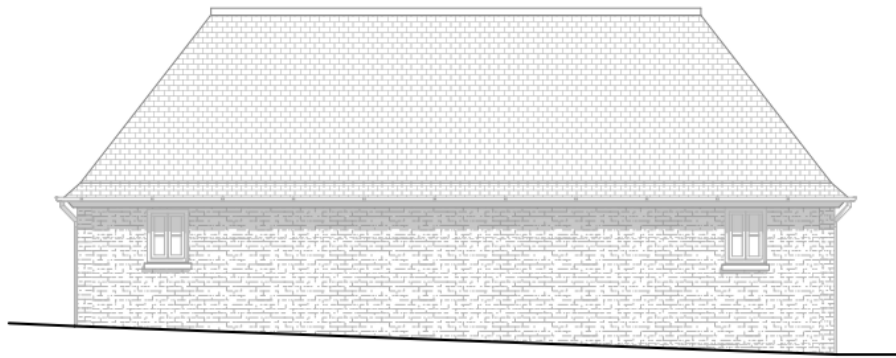
- 6.86 Paragraph 5.2 of the Appellant's 'Loss of Existing Use Assessment' says that no planned works or maintenance of the site has occurred since at least April 2021, and states that the site has not been maintained. No specific information has been given on any maintenance or works which had been carried out prior to this. The Appellant has not provided any evidence to suggest that its current condition, principally how untidy the site is, could not have been prevented by carrying out timely repairs and general maintenance. Accordingly, the LPA maintain that paragraph 209 of the NPPF is applicable.
- 6.87 Aside from the applicability of NPPF paragraph 209, though the condition of the courts has deteriorated, the design of the courts, and how they are integrated into the design of the estate remains appreciable. The north boundary brick wall, pavilion, and bookend buildings remain intact and appreciable, as does the change in street layout and retained landscaping, denoting its original outdoor communal use.

RfR 3: Perceived overlooking and loss of privacy ad amenity to neighbours at No. 10 The Chine and No. 37 Cascade Avenue & poor-quality living environment for the future occupant of the building

- 6.88 As discussed in the Officer's report in paragraph 5.47 the scheme involves the conversion of the existing single-storey tennis pavilion into a single-storey dwelling. The existing building, as experienced and seen from the rear gardens of No.10 The Chine and No.37 Cascade Avenue, has existing obscure glazed and non-opening windows directly on these boundaries.
- 6.89 As reflected in Figure 8 below the current window openings are proposed to be retained, and would serve as a bedroom window (secondary window) and bathroom window. As outlined in the Officer's report in the interest of preserving neighbouring privacy, a planning condition requiring obscured glazing and non-opening windows is viewed not to be sufficient to address the perceived overlooking and loss of privacy concerns.

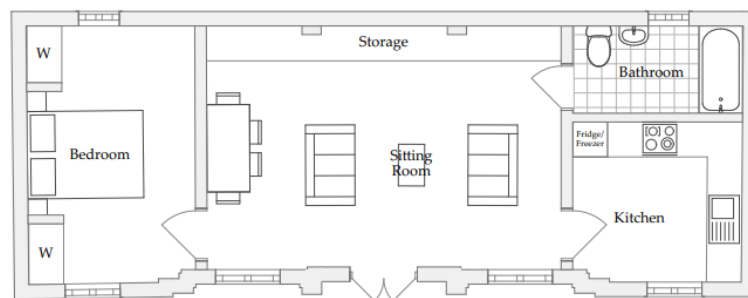


Existing Rear Elevation



Proposed Rear Elevation

Figure 10: Existing & proposed rear elevation to the Pavillion



Proposed Floor plan 1:100

Figure 11: Proposed ground floor plan



**Figure 12: Existing rear elevation to the pavillion as seen from garden of No No.37
Cascade Avenue**

- 6.90 Given the resulting use of this building will change from one being an infrequent and ancillary use to permanent residential use, the presence of such windows will have a greater consequential impact in relation to these adjoining properties, harming the pleasant enjoyment and amenity associated with such gardens and properties. In specific by having windows on this boundary serving residential use, while accepting they could be subject to obscure glazing and opening restrictions, this presents an uncomfortable arrangement due to perceived overlooking.
- 6.91 Equally the arrangement is also not viewed to be satisfactory for future occupiers of such a building, given vegetation and planting could be planted in such neighbouring gardens next to such windows restricting their intended use in terms of providing light. As set out in the Officer's report it is argued that the building would be single aspect and would lack simple ventilation and would only benefit from sunlight from the unobscured southern facing windows and openings, as such amounting to a poor standard of accommodation.
- 6.92 While appreciating this matter could potentially be overcome by removing such windows and installing rooflights instead, the arrangement as currently shown is viewed to be harmful to amenity and in conflict with Policies D3 and D6 of the London Plan as well as local policies DM1 and DM7, as set out in the Officer's report. Such points outlined above are reinforced by Paragraph 135(f) of the NPPF which requires new development to ensure a high standard of amenity for both existing and future users, as well as Paragraph 131 which seeks the creation of high-quality buildings.

RfR 4: Harm to outlook and overbearing impacts to neighbouring properties

- 6.93 As set out in paragraph 5.49 of the Officer's report due to the scale of the proposed buildings, their close relationship with the flank windows and rear gardens of No 10 The Chine and No 37 Cascade Avenue and the rear gardens of No 59 and No 67 Etheldene Avenue, the proposal is considered to result in harm to amenity in terms of impact on conditions of outlook and overbearing impacts.
- 6.94 Mindful of the character of this planned estate of low density two-storey housing compared to the somewhat more dominant scale associated with the proposed development, namely the bulky flank elevations, in views from these neighbouring properties such a development would impinge upon the level of amenity currently enjoyed by occupiers.
- 6.95 In specific, taking account of the level differences between this development and properties in the terrace of No 59 and 67 Etheldene Avenue which would face the sides of this development it would be readily apparent and bulky, particularly at roof level, rising above the line of trees and vegetation within these adjoining gardens to these Etheldene Avenue properties.



Figure 13: Relationship between application site and Etheldene Avenue properties (to south) and No 10 The Chine (L) and No 37 Cascade Avenue (R)

- 6.96 Subsequently this, due to the associated bulk of the scheme and specific relationship here in terms of level differences, and the level of amenity currently enjoyed by residents, the development here would have an unacceptable impact on neighbouring amenity, in terms of being overbearing and negatively affecting outlook, contrary to the policies cited in the decision notice and the Officer's report. Such matters can be appreciated by visiting some of these adjoining gardens before or following the proceedings of this appeal hearing.

RfR 5: Planning Obligation

- 6.97 RfR5 was included, as without a suitable planning obligation, the proposals would be unacceptable in planning policy terms. As agreed in the Statement of Common Ground this reason for refusal can be overcome through a suitable S.106 agreement between the Appellant and the Council to secure the following:

- Shared ownership status of the pavilion dwelling
- Carbon offset contribution of £9,975.00
- £5,000.00 towards the monitoring of the Construction Management and Logistics Plan submitted prior to the commencement of development
- Contractor required to sign up to the 'Considerate Constructors Scheme' Code of Practice

Monitoring Contribution:

- 5% of total value of contributions
- £500.00 per non-financial contribution

6.98 As such the LPA view this reason for refusal could be resolved before the hearing.

7.0 OTHER CONSIDERATIONS

Housing Land Supply

7.1 As per an Annual Monitoring Report to be published imminently and before this planning hearing the Council will be in a position to demonstrate a five-year supply of deliverable housing sites. As such paragraph 11(d) of the NPPF, the 'tilted planning balance' is not viewed to be engaged here.

7.2 Notwithstanding this point, the Council does not believe that the sustainable development material consideration in paragraph 11(d) of the NPPF should be afforded much weight as the provision of 9 dwellings, including 1 affordable home, with the retention of trees and additional planting, does not significantly and demonstrably outweigh the harm resulting from the development: (1) building on sports and recreational land (NPPF 104); the harm caused to designated heritage asset (NPPF 202) and harm to amenity to neighbouring occupiers (NPPF 135(f)).

Planning conditions

7.3 A list of suggested conditions (should the Appeal be allowed) is set out in Appendix E.

7.4 The standard condition requiring the development to be carried out in accordance with the approved plans should be imposed and additionally, conditions relating to materials, detailing, and landscaping are outlined. Conditions addressing tree protection, as well as safeguarding ecology and biodiversity in line with comments in the Officer's report, are put forward.

7.5 Furthermore, a condition concerning flood management, the methodology for constructing the basement, and associated safeguards with basement works would be required. Given the relative scale of the development and its proximity to neighbouring properties, standard construction related conditions should be imposed.

7.6 A range of conditions covering energy efficiency and sustainability measures should also be imposed to conform with policy. A condition removing permitted development rights in line with the existing Article 4 Direction covering the estate is put forward. Finally, conditions securing obscure, part-fixed, and fully fixed windows

would need to be imposed if consent were given so as to protect neighbouring amenity.

Hearing proceedings

- 7.7 At present, the Council envisage a number of Officers being at the hearing to present and respond to questions in respect of this Statement of Case, reflective of the fact that this has been prepared in collaboration with Development Management, Conservation and Planning Policy Officers and that in due course to facilitate the smooth running of the hearing we can confirm who will be attending and speaking.
- 7.8 Equally a venue has been secured for the hearing with relevant parties to be advised as well as those who may wish to attend (i.e. members of the public).

8.0 CONCLUSION

- 8.1 For the reasons set out in the Council's delegated Officer's report and expanded on in the above Statement of Case, the proposed scheme is considered unacceptable, and it is respectfully requested that this appeal be dismissed.
- 8.2 The development would result in the permanent loss of a valued sports facility and open space, which has formed an integral part of the Rookfield Estate for over a century. This site has demonstrable historic, social, and community value, reinforced by its status as an Asset of Community Value, and overall, it is viewed that there is insufficient evidence to suggest that the facility is surplus to requirement. The limited marketing exercise and the inadequate needs assessment fail to demonstrate that realistic options for continued sports or community use have been fully explored and exhausted.
- 8.3 Furthermore, the proposed development would cause a mid to high level of less than substantial harm to the character and appearance of the Rookfield Estate Conservation Area. Specifically, the loss of this purpose designed open space would undermine one of the Garden Suburb principles that underpin the estate's original design and heritage significance. The scale, massing and architectural detailing of the proposed buildings would also appear incongruous within a carefully composed and historically sensitive context. The harm is viewed to be further compounded by design features that are inconsistent with the established pattern and detailing of surrounding housing.
- 8.4 In addition, the proposal raises concerns regarding the impact on neighbouring amenity, particularly in relation to loss of privacy and overbearing built form, as well as concerns in relation to the standard of accommodation associated with the converted pavilion building.
- 8.5 The public benefits of the scheme have been considered, but these are not judged to outweigh the less than substantial harm identified to the significance of The Rookfield Estate Conservation Area, in terms of the permanent loss of a valued sports

facility and open space and harm to its character in terms of this scheme, which is viewed to be inconsistent with the established pattern and design detailing of surrounding housing.

- 8.6 Accordingly, the proposal conflicts with adopted national, London and local planning policies, as well as the "statutory test" related to heritage, as set out above, and as such the appeal should not be allowed.

APPENDICES:

- A. Pre-application Advice Ref: PRE/2021/0100
- B. Asset of Community Value (2024)
- C. Correspondence between the LTA and LPA dated 04/04/25
- D. Heritage Impact Assessment on behalf of London Borough of Haringey for proposed redevelopment at: The Grove Lawn Tennis Club, Cascade Avenue, N10 3PS
- E. List of suggested planning conditions

APPENDIX A:

PRE-APPLICATION ADVICE REF: PRE/2021/0100



Pre-application planning advice note

Council reference: PRE/2021/0100

Site address: The Grove Lawn Tennis Club, Cascade Avenue, N10 3PS

Proposal: Demolition of existing pavilion building and erection of 9 no. residential dwellings on former tennis court land

Submitted documents: Pre-application Brochure dated April 2021 by Base Associates; Pre-Application Planning & Heritage Statement ref: 21112/KM/ao'm dated April 2021 prepared by Firstplan; Transport Statement ref: 31265/D01 dated April 2021 prepared by Transport Planning Practice; Leisure Viability Report dated April 201 prepared by Savills

Meeting date: 25 May 2021

Council attendees: Robbie McNaugher (Interim Head of Development Management and Enforcement Planning); Bryce Tudball (Interim Head of Planning Policy, Transport and Infrastructure); John McRory (Team Leader Major Applications); Tobias Finlayson (Principal Planning Officer); Elisabetta Tonazzi (Principal Conservation Officer); Richard Truscott (Principal Design Officer); Suzanne Kimman (Climate Change Officer); Helen Evans (Planning Officer – Policy)

Applicant attendees: Gleb Borukhov (Realia Capital); Kate Matthews (Firstplan); Adam Mears (Base Associates); Aseem Sheikh (Base Associates); Henry Lamprecht (The Community Communications Partnership)

Summary of council's response:

Overall RAG Rating	Reason for rating
	The proposal would result in an unacceptable loss of a community facility and a net loss of open space so is unacceptable in principle.

Furthermore, the proposal would result in harm to the character and appearance of Rookfield Conservation Area, which would not be outweighed by any public benefit that may be gained from the provision of 9 additional houses.

Next steps/recommendations

For the reasons detailed below, most notably the harm to the designated heritage asset and the loss of a community facility, officers do not consider that the site should be developed in the manner proposed. Rather, the site should be retained for community use and if that means other uses to that of tennis courts, such as allotments or other sporting uses like bowls clubs etc, then this should be thoroughly investigated.

Review of submitted proposal

The assessment of the proposal submitted uses a RAG rating system (see below). Comments are provided on the reasons for the rating given.

- Red** = This element of the scheme is not currently considered to be acceptable.
- Amber** = This element of the proposal has not been adequately addressed within the submission.
- Green** = This element of the proposals is considered to be acceptable by officers.

NOTE: The rating assigned will be a result of the officer consideration of the proposal against the development plan (see below) and all other material planning considerations insofar as they are known at this stage (i.e. before statutory consultation and public/community engagement has taken place).

Policy aspect			Comments
Principle of development			<u>Loss of community facility</u> In accordance with Development Management DPD 2017 Policy DM49 “Managing the Provision and Quality of Community Infrastructure, the Council’s policy position is to protect existing social and community facilities unless a replacement facility is provided which meets the needs of the community. As the proposal would result in the loss of such a facility, evidence will be required to show that: - a The facility is no longer required in its current use; - b The loss would not result in a shortfall in provision of that use; and - c The existing facility is not viable in its current use and there is no demand for any other suitable community use on the site. At this stage, based on the information submitted and presented, the above policy requirements has not been met.

			The applicant team acknowledged this and provided a Leisure Viability Report by Savills setting out that “in terms of next steps, in order to better understand the demand, we would want to market test the opportunity.” This seek to meet the requirements of Policy DM48 (c). The Savills report states that a marketing campaign has recently commenced in this regard, Policy DM49 (c) requires a minimum of 12 months of marketing. After that period (or longer), in order for officers to appropriately assess this data, any forthcoming marketing evidence/report would need to include: • the number and details of enquiries received; • the number of viewings; • the number, type, proposed uses and value of offers received; • reasons for refusal of any offer received, and/or reasons why any offers fell through; • the asking price and/or rent that the site or property has been offered at, including professional valuations from several agents to confirm that this is reasonable; and • the length of marketing period, including dates. However this will not overcome the following issue of principle; <u>Loss of open space</u> The site meets the definition of open space set out the Development Management DPD which is: <i>All land in London that is predominately undeveloped other than by buildings or structures that are ancillary to the open space use. The definition covers the broad range of types of open space within London, whether in public or private ownership and whether public access is unrestricted, limited or restricted.</i> The applicant did not dispute this during pre-application discussions. The Council's position on open space is that development which protects and enhances open space will be supported and in line with Development Management Policy 2017 DM20 (b) “Open Space and Green Grid”, the reconfiguration of open space will be supported where there would no net loss of open space. This position is supported by Policy SP13 of the Local Plan 2017 which states that the Council will protect ‘open spaces’ and development will not be permitted on these sites unless for a ‘limited, small scale development ancillary to the existing use on the land and for which there is demonstrable need’. The Council will only allow development on open spaces or sites adjacent to an open space that ‘respects the size, form and use
--	--	--	--

			of that open space and does not detract from the overall openness and character of the site, the appearance and historical significance of the setting’. Given that the pre-application proposal would result in the complete loss of the open space to private residential use, the pre-application proposal fails to demonstrate accordance with these above mentioned policies. It is therefore unacceptable in principle.
Heritage asset			The Rookfield Estate is of special architectural and historic interest as a remarkably well-preserved residential estate, strongly informed by its distinctive topography and by the vision of the suburban Garden City and was developed by the Collins family of builders between 1901 and 1934 with changing architectural styles over its long development stages. The earliest houses belong to the Edwardian era and are typical of development by the Collins family and others in Crouch End and Muswell Hill. Those in Etheldene Avenue follow the Norman Shaw tradition with casement windows and tile-hanging. Other streets show the influence of Arts and Crafts architects such as Baillie Scott and of Hampstead Garden Suburb. Later houses were given a more classically designed approach incorporating neo-Georgian detailing with references also to English vernacular architecture. The distinctive topography of this area with varying levels and ground conditions of its hillside location dictated the irregular layout of the estate, with its curving road alignments, slopes and views and the retention of natural features. This area is a remarkable example of the application of town planning principles of the late 19th and early 20th centuries. The private road layout is a distinctive feature of the estate, and a major contributor to its character and appearance, helping to preserve the grassed verges and well-planted public areas. The conservation area is also notable for the survival of several early-mid 19th century villas that were built on former common land after the Enclosure Act (St James’s Lane and Muswell Hill). The tennis courts form part of the original urban design of the area where their undeveloped site defines the openness, generous distance and landscaped character between the houses developed to the north of the tennis courts along both Cascade Avenue and The Chine and the terrace fronting Etheldene Avenue to the south of the undeveloped site. The tennis court site also defines both street frontages along Cascade Avenue, where the very last group at the southern end (Nos. 46-54) consists of a group of five houses with the central house characterised by a large balcony on the front elevation overlooking the tennis courts on the other side of the road.

			The tennis court site is also a defining feature along The Chine where this slopes westward from its junction with Cascade Avenue, bending south and falling gently downhill to meet Etheldene Avenue. At the centre is the tennis courts site. The houses on Cascade Avenue and The Chine are of a similar style with a unified character. All buildings share consistent features such as casement windows, clay tiled roofs, and red brick. They are generally two storeys with pitched roofs, although it is noted that many have rear dormers and there are some gable ends with accommodation in the roof. Officers disagree with the paragraph 5.7 of the Planning Statement) which states: <i>It is considered that in its current form, the former Grove Lawn Tennis Club does not contribute to the overall visual appearance of the Conservation Area and as such does not contribute to its significance. The significance of the area is derived from the architectural style of the houses of Rookfield Estate and the planned nature of the development.</i> Whilst the tennis courts may not have be well maintained, they are key components of the original design, urban character, special interest and heritage significance of this protected historic area. Furthermore, the tennis court's neglected state does not affect their contribution to special interest as per NPPF paragraph 191, which states that "Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision." The significance of this conservation area is derived by its topography, its urban design - including open spaces, private and public gardens, landscape, public realm and by the architecture of the houses. The Local Planning Authority has a duty to preserve all those elements that contribute to the conservation area's special interest and descending significance by respecting and reinforcing the established, positive characteristics of the historic area (the undeveloped tennis courts site is a good example), starting from its urban grain, established townscape/landscape character; characteristic siting, orientation and layout and patterns of space and relationship among buildings by protecting the setting of the area, by including views in and out of the area. Any substantial development of this site, such as that proposed, would deprive this part of the conservation area from its open, leafy, undeveloped character as experienced in street views but also in views enjoyed from surrounding rear gardens and balconies. This would have a negative impact on such a well-preserved heritage asset such as the Rookfield Conservation Area thus leading to less than substantial harm to its
--	--	--	---

			significance that is not outweighed by the modest public benefit arising from 9 new residential units, none of which are affordable housing. The proposal is therefore unacceptable in this respect.
Design approach			Notwithstanding the issue of principle and harm to the designated heritage asset detailed above, if new buildings were going to be acceptable on the site, they would have to respond much more closely to the established scale, form, pattern, rhythm, materials and detailing of the very carefully designed, composed existing estate. Notably, where houses are grouped into coherent short terraces (not detached), with a form and composition across the terrace (usually incorporating, for instance, special, hipped-roofed ends of terrace) and landscape, especially to frontages, are tightly incorporated into the overall design and respond to the public realm they create and frame.
Highways and Transportation			<u>Location and access</u> This site is located to the north of Etheldene Avenue within the Rookfield Estate, in between Cascade Avenue and The Chine. It is a disused tennis club facility. The Rookfield Estate is private. Cascade Avenue and The Chine are both private roads and not public highway. The connections from this site to the public Highway are at Etheldene Avenue to the south and Muswell Hill to the north. The accesses off Muswell Hill are gated with emergency services access only. The site has a PTAL of 2, considered 'poor' access to public transport services. 3 different bus services are accessible within 6 to 8 minutes' walk of the site. No underground or rail services are within the WEBCAT walk distance criteria of 12 minutes/960 metres to be included into the PTAL value. Highgate station is the closest rail service and is a 19-minute walk away. It is not located within any of the Borough's CPZ's, as it is located adjacent to private roads within the private estate. There are no CPZ's abutting the estate either. <u>Car Parking considerations</u> There is unrestricted kerbside car parking within both the private estate and the public highway close by. A Parking Stress Survey has been carried out for this proposal, and this recorded the current parking conditions

			on both the private and public streets within the 200m walk distance. Approximately half the spaces within the survey area are private and half are on the public highway. The PSS recorded 83 spaces within Cascade Avenue, and 60 vehicles parked at the busiest time, hence 23 spaces available. The Chine has 43 spaces and 9 were available. Therefore, 32 spaces were available in the streets fronted by the development. The TA references local car ownership data from the 2011 census, and suggests that the potential demand for parking from the 9 units could be 10 or so vehicles. Therefore, the existing capacity along these two streets would indicate that the potential car parking demand could easily be accommodated and still leave spare parking capacity within the private roads and have no impact on the public highway. Within the wider survey area, the parking stress was recorded at 67% with 115 spaces available in total out of the 356 in the survey area. Therefore, there are no parking issues expected with plenty of spare capacity and the potential parking demands from the new units able to be met off of the public highway. <u>Cycle parking arrangements</u> Cycle parking is proposed for location within secure weatherproof cycle stores located within the rear gardens. 3 spaces per unit are proposed, except for the 2-bedroom coach house for which two spaces are proposed. Fully dimensioned drawings and details of the proposed arrangements will be required to accompany any future formal application, demonstrating that the proposed cycle parking arrangements will be secure, weatherproof and easy to use. This should include manufacturer's installation requirements, and dimensions of spacing and manoeuvring area required. TfL's London Cycle Design Guide chapter 8 should be followed. <u>Delivery and servicing arrangements</u> The absolute demands will be relatively low from 9 units, and given the spare on street parking capacity, it is considered that there will be no adverse impacts arising from the dwelling of delivery and servicing vehicles on Cascade Avenue and The Chine. <u>Refuse and recycling storage and collection arrangements</u> No issues are expected with respect to the ability to make collections from the street.
--	--	--	---

			<u>Construction phase</u> A detailed draft of a Construction Logistics Plan or Construction Method Statement should accompany any future application, to ensure that the build out of the development is properly considered and managed. This document should detail how the development will be built out, and how potential impacts on adjacent neighbours and the smooth and safe operation of the private streets and public highway will be managed and mitigated. Given the location of the site well off of the public highway network it is not expected that there will be any temporary arrangements required on it. <u>Summary</u> No off street parking is proposed but there is considerable spare parking capacity within the private estate roads to accommodate the expected parking demands, and no impacts or overspill parking are expected on the public highway to the periphery of the estate. Full details of the proposed cycle parking arrangements will need to accompany any future application. The numerical requirements of the London Plan will be met, however details confirming the cycle parking will be secure, weatherproof and of high quality will be needed. There are no issues expected with respect to deliveries and servicing and refuse and recycling collections. Finally, a CLP/CMS should accompany any future application.
Other matters			Other details matters such as sustainability and drainage were not discussed at the meeting but would require assessment if all other matters were acceptable.

Without prejudice

This advice is given at officer level and does not form a formal response or decision of the council with regard to future planning application(s) or other formal approaches. The views expressed above are given in good faith, to the best of ability, and without prejudice to the formal consideration of any future planning application, which will be subject to formal consultation and ultimately decided on by the council.

APPENDIX B:

ASSET OF COMMUNITY VALUE (2024)

Planning

Rob Krzyszowski, Assistant Director of Planning



ROK Enterprises One Ltd

Date: 09/10/2024

55 Princes Gate,

Direct dial: 020 8489 1479

London,

Email: acv@haringey.gov.uk

United Kingdom,

SW7 2PG

Dear Evgenia Kotsyuba,

ASSETS OF COMMUNITY VALUE - NOTICE OF LISTING

Pursuant to Section 91 of the Localism Act 2011, I am writing to inform you that Cascade Avenue tennis courts, clubhouse and associated land, formerly the Grove Tennis Club, Cascade Avenue, London, N10 3PT as shown edged on the plan attached, has been listed by the London Borough of Haringey as being an Asset of Community Value.

On 26/08/2024, The Chine and Cascade Residents Association submitted a community nomination for the listing of the land as an asset of community value. A panel of officers appointed by the Council's Cabinet assessed the nomination in accordance with section 90 of the Localism Act and found that the land is in the authority's area and is of community value. Accordingly, the building has now been added to the Council's list of assets of community value. The asset will remain listed for a period of five years. Inclusion of the land on the list requires that if you, the owner wishes to dispose of the listed asset, you must inform the local authority in writing of this. A disposal of listed land is ineffective if it contravenes Section 95(1) of the Localism Act.

This means that when the asset is put up for sale a moratorium period will be triggered, during which the asset cannot be disposed of. An initial interim moratorium period will run for six weeks. If the local authority receives during that period, from any community group, a written request for that group to be treated as a potential bidder in relation to the land, a full moratorium period of six months will be triggered, during which time the asset cannot be disposed of unless it is to a community interest group. Following completion of the six-month moratorium period, you as the owner will be free to dispose of the asset to whomever you wish. If no such written request is received during the initial interim six-week moratorium period, you will be free to dispose of the asset. Disposals that are not covered by these procedures are listed in Section 95(5) of the Localism Act and Schedule 3 to the Assets of Community Value (England) Regulations 2012.

Section 92 of the Localism Act affords you as owner the right to ask for review of the listing. You may, before the end of a period of eight weeks from receipt of a letter notifying you of the listing, make a written request asking the Council to review its decision to include the land in the list.

If such a request is made, the Council will review its decision pursuant to the procedure prescribed in Schedule 2 to the Assets of Community Value (England) Regulations 2012. There is also a further right of appeal to the First-Tier Tribunal against the decision on a listing review in respect of the land.

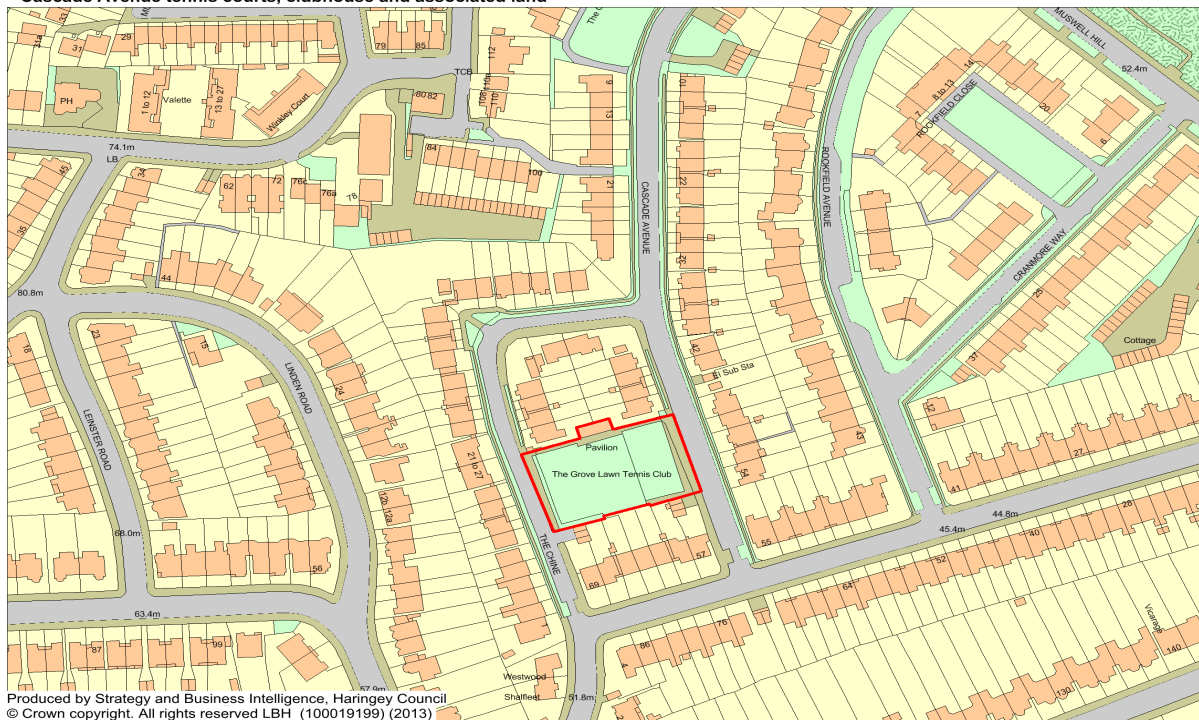
Further information regarding Assets of Community Value can be found on the Council's website: www.haringey.gov.uk/assets-of-community-value. Please note that the listing is time-limited and will expire after 5 years.

Yours sincerely,

Philip Crowther

Chair of the Assessment Panel

Cascade Avenue tennis courts, clubhouse and associated land



Localism Act 2011

The Assets of Community Value (England) Regulations 2012

Assets of Community Value

Cascade Avenue tennis courts, clubhouse and associated land, formerly the Grove Tennis Club, Cascade Avenue, London, N10 3PT

Decision upon Community Nomination

1. Haringey Council received a community nomination made by The Chine and Cascade Avenue Residents Association seeking the listing of The Cascade Avenue tennis courts, clubhouse and associated land, formerly the Grove Tennis Club, Cascade Avenue, London, N10 3PT as an Asset of Community Value. The nomination was validated by the Council on 27th August 2024.

2. Pursuant to Section 90 of the Localism Act 2011 ('the Act') a Cabinet appointed Assessment Panel - comprising Philip Crowther, Principal Planning Officer (Chair), the nominee of the Director of Housing, Regeneration, and Planning, Justin Farley, Planning and Regeneration Specialist Lawyer, the nominee of the Assistant Director Corporate Governance, and Claire McCarthy, Assistant Director of Strategy, Communications and Collaboration, the third nominee of Haringey Council –on 2nd October 2024 considered and determined the aforementioned community nomination.
3. Outcomes of the meeting are set out below having regard to the key considerations informing the final decision.

Is the application a community nomination?

4. The Assessment Panel is satisfied that The Chine and Cascade Avenue Residents Association is a voluntary or community body pursuant to Regulation 5 of the Assets of Community Value (England) Regulations 2012 ('the Regulations').
5. The Panel is satisfied that the requirement for a "local connection" as set out in the Regulations is met by virtue of The Chine and Cascade Avenue Residents Association operating within the London Borough of Haringey with the aim of providing a service for the public benefit.

Does the community nomination address the relevant matters?

6. The Assessment Panel is also satisfied that the community nomination contains the information required by Regulation 6.
7. In accordance with Regulation 6(c) the nominee submitted a statement setting out the reasons for thinking the Council should consider the building is of community value.
8. Evidence was also provided to demonstrate that the nominee was eligible to make a community nomination in line with Regulation 6(d).

Is the land of community value?

9. The Assessment Panel is able to conclude that Cascade Avenue tennis courts, clubhouse and associated land, formerly the Grove Tennis Club, Cascade Avenue, London, N10 3PT constitutes land of community value for the purposes Section 88 of the Act.
10. The Assessment Panel decided that the current (non-ancillary) use of the building meets the requirements of Section 88 (1)(a) for the following reasons:
 - i. The use of the Tennis Courts and Clubhouse furthered community cohesion in this area of the Borough by providing sports facilities for the local community to use and socialise at.
 - ii. The facilities were used for sporting activities and community use until 2011 by residents of Haringey

- iii. Since 2011 the community has consistently sought to access the land and clubhouse for sporting and community use and no other uses or planning permission for alternative uses has been granted
 - iv. It is therefore reasonable to believe these uses could continue and there is clear evidence of a demand for such sporting facilities
11. Accordingly, the Assessment Panel considered that the requirements of Section 88(1)(a) were satisfied.
12. The Assessment Panel also gave consideration to Section 88(1)(b) and whether it is realistic to think that there can continue to be non-ancillary use of the building and land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.
13. The Assessment Panel decided it is realistic to think that there can continue to be non-ancillary use of the building which will further the social wellbeing or social interests of the local community for the following reasons:
- i. The community nomination provided details of the recent demand for use of the tennis courts and clubhouse by the community
 - ii. The community nomination provided details of the evident demand for such facilities from the local community and interested tennis and leisure providers indicating that it is realistic to think that this could continue.
14. Accordingly, the Assessment Panel considered that the requirements of Section 88(1)(b) were satisfied.

DECISION

15. Pursuant to Section 90 of the Localism Act 2011, the Assessment Panel has determined:
- (a) That the land nominated, being The Cascade Avenue tennis courts, clubhouse and associated land, formerly the Grove Tennis Club, Cascade Avenue, London, N10 3PT is in the authority's area; and
 - (b) Is of community value.

Accordingly, the Council accepts the community nomination and includes the land in the Council's list of assets of community value

Philip Crowther

Chair of the Assessment Panel

09/10/2024

NOTE

1. The Council will now progress to give Notice of Inclusion in the List of Assets of Community Value to the owner of the land as required by Section 91 of the Localism Act.
2. The owner may before the end of a period of eight weeks beginning on the day on which written notice of inclusion was given by the Council make a written request asking the Council to review its decision to include the land in the list and if such a request is made the Council must review its decision pursuant to the procedure prescribed in Schedule 2 to the Assets of Community Value (England) Regulations 2012.
3. The List of Assets of Community Value will be published on the Council's website and will be available for inspection free of charge at the Council offices. A free copy of the list will be provided to any person who requests a copy.

APPENDIX C:

CORRESPONDENCE BETWEEN THE LTA AND LPA DATED 04/04/25

From: [Amanda Robinson](#)
To: [Josh Parker](#); [Matthew Gunning](#)
Cc: [Mark Furnish](#)
Subject: Tennis data
Date: 04 April 2025 15:52:14
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Hi both

Great to catch up earlier on The Grove application and as discussed we would object to the loss of these courts as we can show there is a good tennis demand in the area.

Within a 20 minute drive time of these 3 courts there is a population of 683,867.

The tennis demand = 118,821 which is worked out at approx.20% of total population (*figure taken from YouGov survey which estimates 20% of the population would be interested in playing if there were local facilities available*). *This specific figure I've provided using Periscope reporting which ensures we take the right age groups etc so the figure is specific to our sport.*

The penetration = 9,581 which is approx. 8% *of the demand we estimate could convert to participants (fitness/sports industry conversion %)*.

Within 20 minutes of this venue 48.5% of the population are aged between 20 and 49 which is a key tennis playing age range. 56.5% of the population are in IMD 1-5.

Currently, national tennis participation is strong. Our insight team have reported internally that we have had 3,799,391 children playing tennis in the last year. Monthly child participation has set a new record for our participation survey at 1,572,034 whilst weekly participation has reached the previous all time high (April 2024) of 635,838.

Adult participation is also strong with 5.6million people having played tennis in the last year, 2.6million in the last month and over a million people playing weekly.

These articles may help: [Britain at the forefront of global rise in tennis participation | LTA](#)
[ITF - ITF Global Tennis Report 2024 Summary](#)

Please let me know if you need anything further but I hope you are able to defend this appeal against your initial decision to object to this.

Have a lovely weekend.

Kind regards
Amanda Robinson
Delivery Manager

[07540165556](tel:07540165556)

LTA
[The National Tennis Centre](#)
[100 Priory Lane, Roehampton,](#)
[London, SW15 5JQ](#)

www.lta.org.uk



LTA Operations Limited is a company registered in England and Wales (company number 07475460) with its registered office at The National Tennis Centre, 100 Priory Lane, Roehampton, London, SW15 5JQ. Lawn Tennis Association Limited is a company registered in England and Wales (company number 07459469) with its registered office at The National Tennis Centre, 100 Priory Lane, Roehampton, London, SW15 5JQ. This email and any attachments to it are confidential, may be privileged and are intended solely for the use of the person to whom they are addressed. If you are not the intended recipient, please do not copy, print, store or forward this email or any attachments, but please notify the sender immediately and then permanently delete them. Computer viruses can be transmitted via email. The recipient should check this email and any attachments for the presence of viruses. LTA Operations Limited and its group companies accept no liability for any damage caused by any virus transmitted by this email.

APPENDIX D:

HERITAGE IMPACT ASSESSMENT

**ON BEHALF OF LONDON BOROUGH OF HARINGEY FOR PROPOSED REDEVELOPMENT AT:
THE GROVE LAWN TENNIS CLUB, CASCADE AVENUE, N10 3PS**

To: Planning Department, Haringey Council [FAO: Robbie McNaugher]
From: Nairita Chakraborty, BA MSc (Hons) IHBC, RTPi
Heritage & Townscape Consultant
Founder, Revive & Tailor
Date: 18th September 2023
Title: **Heritage Impact Assessment on behalf of London Borough of Haringey for proposed redevelopment at: The Grove Lawn Tennis Club, Cascade Avenue, N10 3PS [Ref: HGY/2023/0733]**

Introduction

1. This Note is prepared on behalf of the Council in order to assist them in assessing heritage related impacts of the proposed development at The Grove Lawn Tennis Club, Cascade Avenue, N10 3PS, hereafter referred to as ("the Site").
2. The proposed development is for:

Redevelopment of site including conversion of existing pavilion into 1.no residential dwelling and erection of 8.no residential dwellings, associated landscaping and cycle storage.
3. The proposal has been subject to pre-application advice (PRE/2021/0100) with the Council dated 25th May 2021. In their advice, the Council sated:

".....the proposal would result in harm to the character and appearance of Rookfield Conservation Area, which would not be outweighed by any public benefit that may be gained from the provision of 9 additional houses."
4. The Site is located Rookfield Estate Conservation Area. *The Conservation Area was designated in.... An Article 4 direction for*

a. History of the Site

-
5. The Estate was envisioned by William Jeffries Collins and later developed by his sons Herbert Collins and William Collins.
 6. William Jefferies Collins (1856-1939) became a speculative builder in the late nineteenth century tradition. He made his fortune buying up land adjacent to recently opened railway lines, on which he built houses to meet the needs of the growing and flourishing middle classes moving out to the suburbs of North London.
 7. The Collins family lived at 'Fortismere', a large house at Fortis Green, North London. In 1899 William bought a piece of land to the south of Muswell Hill, including the cottage 'Lalla Rookh', one time home of the poet Thomas Moore, and Rookfield House, the former home of A. W. Gamage, the department store proprietor. About 1900, Rookfield became the Collins family home and Fortismere was demolished.

8. W. J. Collins produced a site layout for the development of the Rookfield Estate and in about 1901 started building on the boundaries in Muswell Hill and Etheldene Avenue. The houses were built with narrow frontages in long straight terraces to make maximum use of the site. Their design, with small pane casement windows and simple hooded front doors, was influenced by the then fashionable 'Queen Anne movement' and hint at what was to become the 'Collins Style'. W. J. Collins soon turned his attention to other parts of his estates and left Rookfield for his sons Herbert and William to develop.
9. Herbert established Herbert & Co. in 1906 and developed the west side of Rookfield Avenue, having obtained City and Guilds certificates in carpentry and brickwork in 1903. He was a student of architectural history under Banister Fletcher and obtained University of London certificates of merit for courses held between 1914 and 1919 at the British Museum, the Victoria and Albert Museum and the Central School of Arts and Crafts. He also studied part-time at the Architectural Association School of Architecture, and records show that he passed his third year certificate in 1919. By this time he had already built many houses on his father's estate and was trading under the name of 'Herbert & Company'.
10. He consciously showed a departure from his father's work, with the houses having wider frontages, built in shorter terraces along a curving road with carefully preserved trees. The houses incorporated fashionable architectural features of the time - roughcast walls, corner windows, small paned casements, large gables, and 'battered' brickwalls to the front porches. His work showed influences from Parker and Unwin, Voysey, Baillie Scott and Lutyens who were involved with Hampstead Garden Suburb being built at the same time less than two miles away.
11. The whole of the west side of Rookfield Avenue was completed by 1911. In W J Collins moved to Southampton and the house Rookfield was demolished to make way for further building. Herbert's brother William founded the Rookfield Garden Village Co. Ltd. in 1912 and was responsible for most of the remaining development of the site. William's houses are carefully detailed and designed in styles derived from late seventeenth and early eighteenth century traditional buildings. Cranmore Way and Rookfield Close are characteristic of his work, with a communal green and trees retained from the grounds of 'Rookfield'.
12. From 1909 to 1922 Herbert and his first wife lived at No. 31 Rookfield Avenue. While qualifying in architecture, Herbert came into contact with the Garden Cities and Town Planning Association. For about eighteen months he was involved with the initial development of Welwyn Garden City and was appointed to the board of directors. The work inspired Herbert with the idea of setting up his own garden city. In 1921 he approached Ebenezer Howard, founder of the Garden City Movement. He later developed garden city residential estates in Southampton, Uplands Estate being the first, developed in 1922.

b. Character Appraisal

13. Inspired by the Hampstead and Welwyn garden cities, the Rookfield Estate shows direct influences of Free English Domestic style and the Arts and Crafts movement. The distinctive topography of this area with varying levels and ground conditions of its hillside location dictated the irregular layout of the estate, with its curving road alignments, slopes and views. This was complimented by addition of trees and grass verges along the streets.
14. The roof line cascades slowly based on the topography creating interest along the street. Spacing between the plots is tight, but the gentle slope and curving alignment of the street

allows the suburban character . The plots are set back from the street, often with informal steps through the front garden to the front door.



15. Despite efforts from Herbert Collins urging for the adoption of the streets, these were not heeded by the Council. As a result, almost all the streets within the estate remain unadopted and under the private ownership of the residents. Under their supervision, the landscaping and verges have been well preserved adding to the suburban character of the area.

16. The tennis courts were developed at the edge of the estate. Tennis courts in suburban residential were particularly fashionable during the inter-war years. The Central Square within Hampstead Garden Suburb has 4 tennis courts. Where these were not planned, large rear gardens were amalgamated to form courts and allow for related ancillary structures as can be seen from historic OS maps of 1938 across Highgate and Hampstead.
17. The reason for this is related to the history and popularity of tennis itself. "British sport in the twentieth century have continued to emphasise the upper-middle- or middle-class roots of tennis, harking back to the days when it was played on suburban and vicarage lawns¹". Provision of cricket, bowling and tennis clubs within new middle-class suburbs was extremely fashionable and considered a benchmark. These were accessible only for the residents, thus adding a sense of 'exclusivity' to their use and membership.
18. The Rookfield Estate tennis courts were no different and were designed as part of the estate representing a fashionable recreation amongst the middle-classes, especially during the inter-war years. Their existence would have made the Estate more attractive to several residents and forms an inherent part of the intended development.
19. The tennis court site also defines both street frontages along Cascade Avenue and The Chine, where they slope gently towards Etheldene Avenue. The houses within this part of the Estate are of a similar style with a unified character. All buildings share consistent features such as casement windows, clay tiled roofs, and red brick. They are generally two storeys with pitched roofs, although it is noted that many have rear dormers and there are some gable ends with accommodation in the roof. The Courts form a central piece of this complex.
20. Due to continued and deliberate neglect of the tennis courts, these now appear unkempt. However, they remain a defining aspect of the original intention of the suburban Estate that adds to the special interest of the character and appearance of the Conservation Area.

c. Proposed development

21. The proposed development is for:

"Redevelopment of site including conversion of existing pavilion into 1.no residential dwelling and erection of 8.no residential dwellings, associated landscaping and cycle storage"

22. The Applicant states that it has been difficult to market the Courts in their existing condition and as such there is no alternative than to redevelop them. They also state, that in their current unkempt form the Site detracts from the Conservation Area and its development could add positively to its character.
23. In doing so, the Applicant's architects, Robert Adams, has undertaken a careful analysis of the architectural details and form within the area and proposed 9 units in total, to a large extent, following the architectural treatment of the wider area. In their own words, the design is "traditional" and "in keeping with the design ethos of the Rookfield Estate".

¹ Joyce Kay. 19 Feb 2019, Grass roots: The development of tennis in Great Britain, 1918-78; Routledge Handbook of Tennis, History, Culture and Politics; Routledge
Accessed on: 18 Sep 2023 <https://www.routledgehandbooks.com/doi/10.4324/9781315533575-3>

24. Indeed the architecture does pay a homage to the Free English Domestic style. However, it is the principle of development which is to be questioned in this instance, given the integral role the Courts play within the Estate.
25. To inform the proposals, a separate appraisal by Mr Martin O'Rourke on the history of the Estate. Here Mr Rourke suggests that the Estate differed from the other garden city suburbs such as Hampstead, Letchworth and Welwyn as it "had no masterplan of planned facilities other than a gradual residential expansion."
26. Whilst this may be factually correct, the idea of the Courts was integral to the "offer" of suburban housing to the middle classes and therefore very much part of the Estate, even though there may not have been a masterplan. Additionally, the Estate was fundamentally inspired by the garden city movement with various elements incorporated including the exclusive sports facilities fashionable during the time, accessible only to residents.
27. Mr Rourke also draws a comparison between the OS maps of 1914 and 1938 where a large open area at The Chine and Cascade Avenue is referred to as being tennis courts. However, the 1914 map does not show the 'block' designated to be for tennis courts but is merely open with the streets laid out. Part of that same 'block' appears to be named as 'Tennis Courts' in the 1934 OS Map. The conclusion that Mr Rourke draws is that the comparison is "an indication of the ad hoc nature of their decision is shown by the fact that a major section of the tennis courts was sold off in 1934 to another builder, who proceeded to build Nos 57-69 Etheldene Avenue."
28. This appears rather conjectural, since, by his own admission there was no masterplan of the area and as such it is difficult to establish that the whole of the "block" was supposed to be tennis courts. Within the same block, to the north of the Courts is the "U" shaped development along The Chine, which is also reflective of the "U" shaped development at erst while Rookfield house, now renamed as "Rookfield Close". As such, the absence of a masterplan or the parcels of land being sold off separately does not necessarily mean that there was speculation about the provision of Tennis Courts.
29. On the other hand, a comparison of the same maps show the nascent stage of the Estate in 1914 compared to that in 1938 where the Estate is almost entirely developed. Having built in that short period of time by the same family meant that there was continuity in there layout, architecture and the general ethos of providing middle class housing inspired from garden city movements of the time. Provision of the Courts was part and parcel of the same vision and therefore integral to the character. Its redevelopment would be considered to be harmful to the area's special interest.
30. Putting the principle of development to one side, whilst the architecture of the proposal does take direct references from the wider area, the scale of the resulting buildings is somewhat incongruous.
31. The context elevations along Cascade Avenue and The Chine appear visually appropriate, following the topography of the area. However, the development of the basements mean that their rear elevations appear much taller in scale. Indeed, the rear elevation (west) diagram along Cascade Avenue, shows the terrace to be four storeys tall which is incongruous in scale with the wider Estate.
32. Additionally, both in front and rear elevations, the number of dormer windows and rooflights give away the relatively greater volume of the properties when comparing with the immediate

surroundings, where many of the houses do not have any roof accommodation, at least not to the front.

33. The rear elevation is not visible from public pavements- but that does not justify the larger scale of the proposal which is incongruous to the Estate's. This is specifically evident in the longitudinal site section that shows the extent of the height to the rear of the terraces.
34. Overall, it is considered that the principle of development of the Courts would cause harm to the character and appearance of the Conservation Area as it is integral to the original intention of the Estate i.e to provide suitable middle class housing based on garden suburb principles including sports facilities for exclusive use of the residents.
35. The existing unkempt nature of the Site is regrettable but is clearly a result of deliberate neglect and cannot justify acceptance of development (NPPF para 196).
36. Notwithstanding the above two points, the proposal, despite best efforts by the architects, is incongruous to the established scale and volume of the wider Estate. The rear elevations in particular, alongside the evident roof accommodation, exacerbate their excessive scale that would harm the character and appearance of the Rookfield Estate Conservation Area.

d. Legislative and Policy Framework

Legislation

37. The Council's overall approach is to manage growth in Haringey in a sustainable way so it meets Haringey's need for homes, jobs and services, in a way that conserves and enhances the features that make the borough a special and attractive place to live, work and visit. Policies SP11 and 12 set out the Council's approach to ensuring that design in the borough is of the highest possible quality as well as being sustainable, also that schemes include measures to minimise the effects of, and adapt to, climate change as well as conserving the borough's rich and diverse heritage.
38. Primary legislation under Section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 states that:

In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

Local Plan, Strategic Policy (2013-2026)

39. Policy SP11 requires all development to "Be of the highest standard of design that respects its local context and character and historic significance, to contribute to the creation and enhancement of Haringey's sense of place and identity".
40. Policy SP12 states that "The Council shall ensure the conservation of the historic significance of Haringey's heritage assets, their setting, and the wider historic environment." It further states that "The Historic Environment should be used as the basis for heritage-led regeneration and as the basis for good design and positive change. Where possible, development should help increase accessibility to the historic environment'.

Development Management DPD

41. With regards to Heritage, Policy DM 9 states:

- A. *“Development that conserves and enhances the significance of a heritage asset and its setting will be supported.*
- B. *Proposals affecting a designated or non-designated heritage asset and its setting will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance. Applicants are required to submit with their planning application a statement describing the significance of the heritage asset(s) concerned, including any contribution made by its setting, along with an assessment and justification of the impact of the new development on the asset and its setting.*
- C. *When considering the impact of proposals on the historic environment, the Council will have regard to:*
 - a) *The priority given to sustaining and enhancing the significance of a heritage asset and its setting;*
 - b) *Character appraisals and management plans or other guidance, where they are available;*
 - c) *The preservation or reinstatement of original or historic form, fabric, function or character of the asset and its setting;*
 - d) *The relationship with adjoining and neighbouring uses, particularly where these are heritage assets of significance in their own right;*
 - e) *The desirability of securing a viable use for a heritage asset consistent with its conservation;*
 - f) *An understanding of and respect for significance of heritage assets as parts of measures to mitigate and adapt to climate change; and*
 - g) *The contribution that the sensitive utilisation of heritage assets can make to sustainable regeneration.*
- D. *Subject to (A-C) above the Council will give consideration to, and support where appropriate, proposals for the sensitive redevelopment of sites and buildings where these detract from the character and appearance of a Conservation Area and its setting, provided that they are compatible with and/or complement the special characteristics and significance of the area.”*

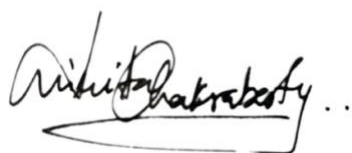
National Planning Policy Framework

42. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It emphasises that the weight given to an asset's conservation should be proportionate to its significance, and notes that this great weight should be given irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

43. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
44. Paragraphs 201 and 202 address the balancing of harm against public benefits. If a balancing exercise is necessary (i.e. if there is any harm to the asset), considerable weight should be applied to the statutory duty where it arises. Proposals that would result in substantial harm or total loss of significance should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss (as per Paragraph 201). Whereas, Paragraph 202 emphasises that where less than substantial harm will arise as a result of a proposed development, this harm should be weighed against the public benefits of a proposal, including securing its optimum viable use.
45. Paragraph 203 requires a balanced judgment for proposals that affect non-designated heritage assets, having regard to the scale of any harm or loss and the significance of the heritage asset.
46. Paragraph 206 encourages opportunities for new development within, and within the setting of, Conservation Areas and World Heritage Sites, to enhance or better reveal their significance. It requires favourable treatment for proposals that preserve those elements of the setting that make a positive contribution to the asset or which better reveal its significance.

e. Assessment against Policies

47. The Proposal does not accord with Haringey Development Management Plan Policy DM 9 which requires development to conserve and enhance the significance of heritage assets. The proposal would cause harm to the character and appearance of the Conservation Area by harming its special interest, derived from the garden suburb inspired middle class housing built in early 20th Century.
48. In NPPF terms, this harm would be at the mid to high level of less than substantial harm. As per the framework, this harm should be given great weight and should be assessed against any public benefits.



Nairita Chakraborty, BA MSc (Hons) IHBC, RTPI

Founder, Revive & Tailor Ltd

APPENDIX E:

LIST OF SUGGESTED PLANNING CONDITIONS

NO	Condition
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.
	Approved Plans
2	The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment. Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity
	Materials
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. External materials • Samples of all materials to be used in the construction of the external surfaces of the development, including sample panels of brickwork demonstrating the colour, texture, face bond and pointing; B. Windows and doors • Detailed drawings at a scale of 1:10 or 1:20 of all proposed windows and doors, including details of materials, finish, cills, reveals, jambs, lintels and glazing bars; C. Architectural detailing • Details (including drawings at a scale of 1:10 or 1:20 with sections where appropriate) of: i. Decorative brickwork, including lintels and arches ii. Eaves, soffits, and gable ends iii. Chimneys and party wall parapets; D. External features • Design, location and material finish of boundary treatments proposed; • Details of the refuse/ recycling/ bin enclosures in respect of different dwelling units to be provided to the backs of properties; • Details of the integrated cycle stores; • Location and proposed screening of air source heat pumps (ASHPs). • 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; and thereafter retained Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of Rookfield 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).
	Landscaping
4	Notwithstanding details of landscaping submitted with the application full details of a scheme depicting those areas to be treated by means of hard and soft landscaping carefully designed in relation to the character of Rookfield Estate, shall be submitted to, approved in writing by the Local Planning Authority. Such a scheme shall include details of hard surfacing materials details of planting with a schedule of species and detail of aftercare. The approved landscaping scheme shall thereafter be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the buildings 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.
	Tree Protection Plan (TTP)
5	Notwithstanding the Arboricultural Impact Assessment submitted, prior to the commencement of the development and with reference to CCL 10738/ TPP REV 1. By Crown Tree Consultancy, 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 construction of the development, including foundation design, shall be submitted to, and approved in writing by, the Local Planning Authority. This shall take the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP). The development shall be constructed in accordance with the Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP). All works to existing trees as highlighted in the report shall be carried out by a suitably qualified person working to BS 3998: 2010 guidelines. 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.
	Ecology/ biodiversity
6	All works shall be carried out in full accordance with the recommendations contained in the Preliminary Ecological Appraisal (PEA), Preliminary Roost Assessment (PRA) and Jersey Cudweed Mitigation and Enhancement Plan, with at least 2 bat emergence surveys should be undertaken between May and August as detailed in the PEA, and if found, appropriate mitigation, including the installation of bat boxes should be provided. Reason: To comply with national, London and local policies regarding biodiversity and the protection of ecology as well as legislation relating to protected species.
	Flood and Water Management
7	Notwithstanding the Flood Risk Assessment submitted and before the development authorised by this permission commences the following information shall be submitted to, and approved in writing by, the Local Planning Authority: • Full calculations for the proposed attenuation systems are required including micro drainage or similar modelling for critical storms for the 1 in 100 year event plus an allowance for climate change, utilising the latest rainfall data. • Confirmation of the allowable discharge rate from the relevant water authority. • A diagram showing overland flow path(s) Thereafter the development shall be implemented in accordance with the approved details, which shall be fully operational before the development hereby approved is first occupied. Reason: To ensure the development does not increase flood risk to nearby properties and to provides satisfactory means of drainage in accordance with Policy DM18 of the Haringey Development Management DPD 2017.
	Basement Method Statement
8	Notwithstanding the information submitted with this application no development shall take place until a Method Statement for the construction of the basement and a Ground Movement Assessment (GMA) considering the impact of the relevant stages of excavation and construction as well as overall impact to slope stability have been submitted to and approved in writing by the local planning authority. This information shall demonstrate that the predicted Burland Scale at the time of the construction phase is no more than Burland Scale 1 in relation to neighbouring buildings/structures within the zone of influence. The development thereafter shall be carried out in accordance with such approved methodology and detail. 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.

	Chartered Engineer
9	The development shall be carried out by John E. Griggs & Sons Limited ("the Main Contractor") on behalf of the landowner and applicant, in accordance with the details provided to the Local Planning Authority and the specialist sub-contractors to execute the works, specifically Structural Engineering Design Services: Michael Alexander Limited MIStructE (05711434) and Civil Engineering Design Services: EAS Transport Planning Ltd (05751442). These appointed engineers shall supervise the construction works in accordance with the approved engineering details throughout their duration. If the appointed engineer ceases to perform this role for any reason before the completion of construction, all works shall cease immediately until a replacement Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MIStructE) is appointed. The appointment of the replacement engineer must be confirmed in writing to the local planning authority before works can recommence. At all times, construction works shall only proceed under the supervision of a duly appointed engineer, and all works shall adhere to the engineering specifications and methodologies as set out by the appointed engineers and contractors. Reason: To ensure that the development is carried out in accordance with the approved engineering and contractor details, safeguarding the structural integrity of adjoining and neighbouring buildings, in line with Policy DM18 of the Haringey Development Management DPD 2017.
	Constriction Management & Logistics Plan
10	No development shall take place until a Construction Management and Logistics Plan, to include details of: I. A programme of works (including measures for traffic management); II. Vehicle routing and if any reversing manoeuvres on Chine and Cascade Avenue is required, provision for the management of their movement by a qualified and certificated banksman; III. Storage of plant and materials used in constructing the development; IV. Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; V. The erection and maintenance of security hoarding where appropriate; VI. Parking of vehicles of site operatives and visitors; VII. Wheel cleaning / wash facilities to prevent mud, or dust from migrating on to the adjacent highway; 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.
	Considerate Constructors Scheme
11	No development (other than site preparation) 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.
	NRMM
12	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.
	Energy and Sustainability
13	The development hereby approved shall be constructed in accordance with the Energy & Sustainability Statement by the Base Energy (dated January 2023) delivering a minimum 84.0% improvement on carbon emissions over 2013 Building Regulations Part L, with SAP10 emission factors, high fabric efficiencies, air source heat pumps (ASHPs) and a minimum 11 kWp solar photovoltaic (PV) array. (a) Prior to above ground construction, details of the proposed ventilation and heating systems and solar PV shall be submitted to, and approved in writing by, the Local Planning Authority. This must include: • 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; • Details of the PV in the form of 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) • Specification of any additional equipment installed to reduce carbon emissions.

	The development shall be carried out strictly in accordance with the details so approved prior to first operation/use and shall be maintained and retained for the lifetime of the development. (b) Within six months of first occupation/use, evidence that the solar PV and ASHPs installation has been installed correctly shall be submitted to, and approved in writing by, the Local Planning Authority, including photographs of the solar array, a six-month energy generation statement, 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 Policy SP4 and DM22.
	Air Source Heat Pumps (ASHP)
14	The noise level from air source heat pumps shall at all times remain 5dB(A) below background levels when measured at any nearby residential window or other noise sensitive receptor. The units shall be serviced regularly in accordance with the manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained. If at any time the plant is determined by the local planning authority to be failing to comply with this condition, it shall be switched off upon written instruction from the local planning authority and not used again until it is able to comply. Reason: In order to protect the amenities of nearby residential occupiers consistent with Policy D14 of the London Plan 2021 and Policy DM1 of The Development Management DPD 2017.
	Water consumption
15	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.
	Water Butts
16	Prior to occupation, details of the location of water butts to be installed to intercept rainwater draining from the roofs of dwellings hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority and subsequently provided. The approved facilities shall be retained thereafter. 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.

	Accessible and Adaptable building
17	The residential units 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, in advance, 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.
	Unknow contamination
18	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.
	Permitted Development
19	Notwithstanding the provisions of the Town and Country Planning General Permitted Development (England) Order 2015, or any Order revoking or re-enacting that Order, and In line with the existing Article 4 Direction in place for the Rookfield Estate the following alterations: • the enlargement, improvement or other alteration of a house; • the erection or construction of a porch outside any external door of a house; • the construction within the curtilage of a house of a hardstanding for vehicles; • the erection, construction, maintenance, improvement or other alteration of gates, fences, walls or other means of enclosure; • the painting of the exterior brickwork or rendered surfaces of any building; cannot be carried out without the grant of planning permission having first been obtained from the local planning authority. Reason: To protect the special character and appearance of the Rookfield Estate Conservation Area by controlling proposed extensions and alterations consistent with Policy HC1 of the London Plan 2021, Policies SP11 and SP12 of the Haringey Local Plan 2017 and Policies DM11 and DM9 of The Development Management DPD 2017.
	Safeguarding privacy - terrace houses
20	Notwithstanding the plans hereby approved the first and second floor side windows as shown in drawing 6299-PL 23 shall be fitted with obscure glazing to level 3 or higher on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7 metres. This specification shall be complied with before development is

	occupied and thereafter be retained for the lifetime of the development unless otherwise agreed in writing, in advance, by the local planning authority. Reason: To safeguard against overlooking and loss of privacy in the interests of amenity of neighbouring occupiers and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.
	Safeguarding privacy – converted pavilion
21	Notwithstanding the plans hereby approved the rear facing windows to the converted pavilion building as shown in drawing 6299-PL 24 shall be fitted with obscure glazing and be non-opening. This specification shall be complied with before development is occupied and thereafter be retained for the lifetime of the development unless otherwise agreed in writing, in advance, by the local planning authority. Reason: To safeguard against overlooking and loss of privacy in the interests of amenity of neighbouring occupiers and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.
	INFORMATIVE: ‘Jersey cudweed’
	In relation to the Jersey cudweed identified on site, as this is a protected species under the Wildlife and Countryside Act 1981 a licence would need to be obtained from Natural England to remove such a plant, appreciating such a matter is dealt with under separate licenses as opposed to planning legislation. As such an appropriate mitigation strategy may need to be agreed with Natural England as part of this licence.