



No. 28 SHEPHERDS CLOSE, N6 5AG

DESIGN, ACCESS & HERITAGE STATEMENT

Undercurrent
Architects 2023

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Project Vision:

The proposal for No. 28 Shepherds Close is to regenerate an enclosed, gravelled infill site to form a new family home.

The proposed building integrates with the modernist design and layout of Shepherds Close. It matches the size, scale and aesthetic of its neighbours, and celebrates their distinctive architectural style.

The design offers significant landscape improvements and rehabilitates a boarded up, brownfield site. It enhances Shepherds Close, Parkland Walk and the Highgate Conservation Area.

Document Purpose:

This statement is submitted in support of a Planning Application by Candice Lake to Haringey Council for the development of the site at No. 28 Shepherds Close N6 5AG.

The document explains how the proposal has been developed in response to the site's constraints and opportunities to create a high quality design. It details how the design has evolved, responding to historical objections, and Officer & Inspector Reports. It shows how the proposal integrates with the neighbourhood and celebrates the modernist architecture of Shepherds Close.

This statement should be read in conjunction with Howard Sharp & Partners Planning Statement, a Daylight Report by T16 Design and an Arboricultural Report by Mayhew Associates.

INTRODUCTION

01 INTRODUCTION

Proposed Self Build House

NO. 28 SHEPHERDS CLOSE

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Description of Development:

The proposal is a detached, part single, part two storey residential dwelling - a modernist house built in brick and infill panels to match its neighbours.

The design is informed by the surrounding topography. It steps down the hill, and is no taller than the adjacent garage blocks. The building is set back from the street, with space out front for a landscaped garden. The proposed scale and form responds sympathetically to the streetscape and the character of the Conservation Area.

The building layout is shaped around 2 landscaped gardens. There is a south-east facing front garden, and a south-west facing private courtyard. Planted, sedum roofs connect and integrate these green spaces, providing substantial landscape gains.

Notably, the site has evolved since a 2019 planning refusal and site conditions are materially different. The application addresses the reasons for past refusal, with a new design and approach, under a new Policy regime and London Plan.

The proposal provides a number of public benefits, improving Shepherds Close and Parkland Walk, and enhancing the character and appearance of the Highgate Conservation Area and designated heritage asset.

On its considerable merits, the application should be supported and granted approval.

UNDERCURRENT ARCHITECTS



Undercurrent Architects are an award-winning, London-based Architectural studio. We have a strong track record delivering sensitive designs on highly constrained sites in Conservation Areas.

Undercurrent received the 'NLA AWARD' for "House of the Year" with a home on a constrained site next to a historic 19th Century Rail viaduct in Southwark. The project was featured by Kevin McLeod and Grand Designs as the 'Best of British' architecture.

Undercurrent received the 'DESIGN AWARD' at the Wandsworth Council Awards. This was awarded in recognition of both residential design excellence and our approach to a constrained site within the Battersea Conservation Area.

Undercurrent received the 'AIA AWARD' for the sensitive restoration of a disused Grade II listed Mill dating from the 1550s. The project involved restoration of a derelict ancient building, converting it to residential units.

Our proposal for Shepherds Close sensitively renews a gravelled brownfield site into distinctive, high quality family home.

Project Team



The Mayhew Consultancy offers more than twenty years of expertise in arboriculture, ecology and environmental planning. This knowledge and experience provides our clients with practical, aesthetic and pertinent solutions to their problems.

We work sensitively with our scarcest resource - the natural environment - adhering to the highest professional standards and current best practice. We strive to protect, incorporate and enhance that environment in all the places where people seek to work and live.

The provision of a British Standard 5837 compliant Tree survey is a prerequisite requirement potential development sites where trees might be affected. The scope and nature of the information required is specified within the Standard and our surveys fully comply with this prerequisite.



T16 Design are an independent building consultancy, established in 2009, specialising in energy and daylight assessment for both the residential and commercial sectors

Daylight and Sunlight assessments may be required by Planning Authorities to ensure that a proposed development doesn't adversely impact on its neighbours and also that the accommodation proposed will have enough light.

The Local Authority will refer to the BRE guidance (Site Layout Planning for Daylight and Sunlight) which gives recommendations on the level of reduction in daylight and sunlight that can be deemed acceptable.

T16 Design have produced many hundreds of such Daylight Reports. Our method is to model the site in 3D and using complex simulation software, calculate the losses (or gains) in light levels. If all is OK, we will produce our report on that basis. If an issue is discovered, we can offer advice on alternative approaches or where to cut back the scheme to achieve "compliance".

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HOWARD SHARP & PARTNERS

Limited Liability Partnership
Chartered Surveyors
Chartered Town Planners

Since the 1930s, this practice has been involved in matters well beyond land use planning. Our clients include major charities, commercial and residential companies as well as private families and individuals such as many of the Dioceses of the Church of England, Cancer Research UK; St. Modwen Plc; Q8 Petroleum Plc

Jacqueline Andrews BSc FRICS MRTPI was awarded the Estate Management prize with commendation in 1987 and has been with the practice since 1982.

She has extensive experience in relation to planning and development matters throughout the UK with particular emphasis on development plan monitoring, detailed site proposals, preparation and submission of planning applications, Conservation Area and Listed Building issues, enforcement and Lawful Development Certificate matters. In addition she acts as expert witness at public inquiries.

SITE ANALYSIS

Site Description

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Site Description:

Shepherds Close is a cul-de-sac close to Highgate Station, comprising of 2 and 3 storey, 1960s terrace houses and a 4 storey, 1930s housing block.

The Close runs perpendicular to the ridge of Shepherds Hill. Levels change across the site from the higher block of housing and garages to the north, and lower level houses to the south.

The application site is an infill site located between No. 27 Shepherds Close and the residential garage blocks that serve Shepherds Close.

To the west, the site adjoins Parkland Walk, designated as Metropolitan Open Land, an Ecological Corridor, Local Nature Reserve, Site of Importance for Nature Conservation of Metropolitan Importance and Green Chain. Parkland Walk forms an 'attractive green vista' behind the site, with its canopy of oak, ash and lime trees.

There are no listed buildings within Shepherds Close, although the Close is located within Highgate Conservation Area.



The application site is an infill site between No. 27 Shepherds Close and adjacent garages



Existing site – View north towards garages



No. 28 Shepherd's Close looking north



No. 28 Shepherds Close looking west



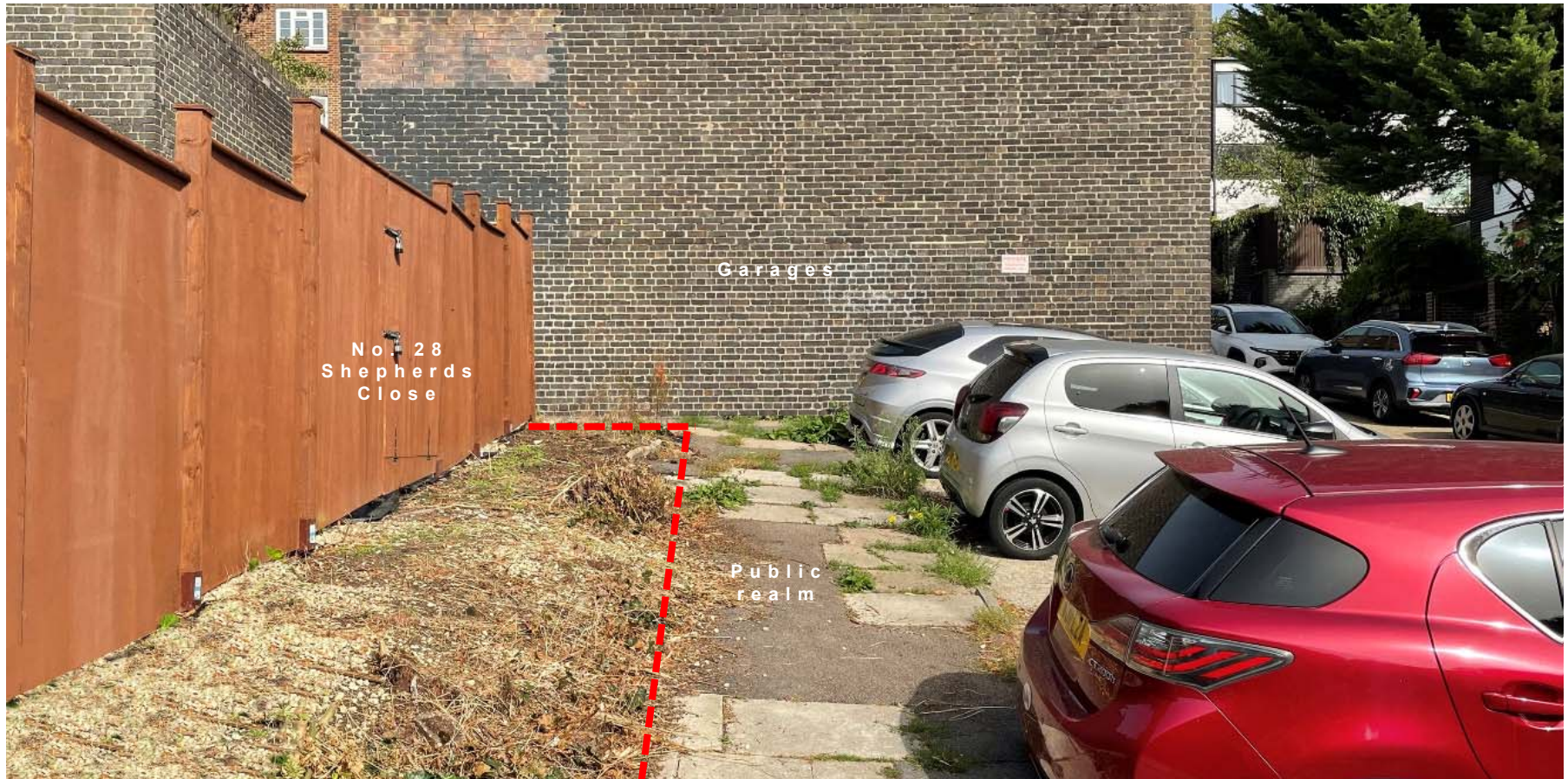
No. 28 Shepherds Close looking south

Existing streetscape – View west from the Close

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Infill site between No.s 26/27 Shepherds Close and adjacent garages



Shepherds Close footpath looking north



Shepherds Close footpath looking south

PLANNING HISTORY

Tree removal under Section 211 Procedures

As part of the 2019 Planning Application, the applicant agreed with neighbours to retain a line of mature conifers along the site's eastern boundary, and to leave the site unfenced.

This was understood to be a 'meanwhile' condition until building commenced – a gesture aimed at minimising change within Shepherds Close and reducing the time that the site would be without landscaping.

However, some neighbours argued that the site should be turned into an open space and that the applicant should be prevented from having a fence. They also sought a Protection Order on the conifers.

As a result, the Council's Tree Officer visited site.

The Officer's Report noted:

"concerns have been raised in relation to the loss of trees on the site. However, the Council's Tree Officer has been to visit the site and does not consider any of the trees on site worthy of protection."

The site lies within a Conservation Area and the removal of any tree over 75mm in girth required Section 211 Consent.

The applicant therefore sought to remove the trees under the Section 211 Procedures.

As part of this process, the Tree Officer confirmed these were not important trees, and the applicant was subsequently entitled to remove them.

As a measure of best practice, the recommendations of an Arborist and an Ecologist were followed, waiting some 9 months - until the bird nesting season had passed - before the trees were removed.



During tree removal works, some neighbours sought Enforcement Action to prevent works proceeding.

The Enforcement Officer attended during removal works and agreed the applicant was entitled to remove the trees.

He confirmed that the correct paperwork had been submitted and that appropriate procedures were followed.

Fence installation under Permitted Development

Throughout the period that the site was unfenced, the applicant received a number of Enforcement requests to remove items of fly tipping, garden and builders waste, and to keep the site clear and tidy.

On numerous occasions, rubbish, refuse and debris was removed, but there was regular and repeated infringement.

To address the dumping issue, and at the suggestion of the Enforcement Officer, the applicant installed a 2m fence along the Shepherds Close and Parkland Walk elevations, entirely enclosing the site.

The 2m permanent wood fence was installed under Permitted Development.



The fence has considerably enhanced security within the Close. Prior to its erection, rough sleepers (or others) would frequently break into the adjacent garages via Parkland Walk and the application site.

There has been a considerable reduction in fly tipping and dumping incidents since the fence was installed.

Dismissed Appeal: APP/Y5420/W/20/3257208

Inspectors Report : APP/Y5420/W/20/3257208		How has this been addressed ?
Main Issues	- Whether the development would preserve or enhance the character and appearance of the Highgate Conservation Area. - Living conditions of occupiers of No. 27 Shepherds Close with regard to light	
Character and Appearance	• Distinctive and repeated typology of staggered pairs of modest town houses, forming discrete cluster within the grander development pattern of 19th and 20th century villas and flatted development on Shepherds Hill. • Site has a narrow street frontage. A tall prominent retaining wall forms the boundary with Eton Court, an elevated flatted development. • The HCA Character Appraisal highlights the area's cohesive character. There is a high degree of architectural consistency within the Close and a strong and appropriate relationship with the underlying topography. • The Close has design merits, which have no heritage value, but contribute to the underlying urban form. • The site has mature conifers which provide a welcome buffer between the end of the Close and the retaining wall. • I conclude that the significance of the HCA is derived from its diversity of built fabric, its high proportion of fine period architecture, all underpinned by the underlying topography, that has shaped the development pattern. • The Neighbourhood Plan and the HCACA reinforce my observation that mature vegetation and patchwork of open spaces are key characteristics of Highgate's very special village character. • Site has no particular contribution to, or detract from the heritage significance. • Appellants argue this is not a garden plot, but was originally within 27s ownership and was contiguous with 27s garden areas. Whatever the original intention, this application has to be assessed in the current planning context. • Whether the land should be considered garden or infill plot is not determinative, as Policy DM7 of the Local Plan refers to both.	• The new proposal concurs with the Inspector's view that the significance of the HCA is derived from its diversity of built fabric, its high proportion of fine period architecture, all underpinned by the underlying topography, that has shaped the development pattern. • As a result, the new proposal has been designed to appear as a pair of townhouses, echoing the pattern of the modernist Shepherds Close development. • In line with the HCA Character Appraisal, the proposal now has a strong and appropriate relationship with the underlying topography, with an architecture that adjusts to the slope of the terrain and is cohesive with the original layout. • The proposed building is low set. It steps down the hill, and steps back in plan. • At the time of the Appeal, the site was unfenced and had mature conifers which formed part of the streetscape. • Subsequently, these conifers have been removed under a Section 211 Consent for tree work within a Conservation Area. • The site was also enclosed and fenced under Permitted Development. • The application site is therefore no longer open, nor does it have mature conifers along the boundary. • To reinstate prominent greenery along the footpath, the new building proposal is setback from the public footpath to the same extent as other houses in the Close. • The street frontage is defined by a landscaped and unfenced front garden, providing social space that enhances the pedestrian and public realm and reinforces the original design intent of the Close. • The landscape scheme includes indigenous, woodland species to enhance Parkland Walk and this part of the HCA, with 10+ year old trees providing advanced maturity. • There is also a commitment to instate a hazard-free public footpath along 2 sides of the site, particularly as the current footpath is in extremely poor condition and forces pedestrians onto the roadway, offering significant public benefit. • The proposal meets the requirements of Policy DM7 for garden, backland and infill development. In regards to DM7(b), the proposal relates appropriately and sensitively to the Close; it re-instates a landscaped garden and street frontage; it provides social amenity space to enhance the public realm; and increases security.
Design	• Plot constraints have clearly influenced the proposed design. The dwelling would occupy about half the site area. The external space would be very thinly spread around 3 elevations. The paucity of meaningful external space suggests a dwelling too large for the plot. • The dwelling would be a dominant and intrusive presence in the Close, particularly given the lack of separation from the footway on its front elevation and its elevated side relative to No. 26 and No.27. • Its vertical timber cladding, bowed southern and minimalist elevations would fail to relate to or reflect any of the distinctive 1960s styling and architectural features that define the Close. Whatever the merits of the existing typology, it has a consistent, notable and underlying character in a small scale and intimate setting. As such I give great weight to the incongruity of the proposed design.	• The proposed dwelling occupies about half the site area. The new design has a consolidated and meaningful front and rear garden, commensurate with the existing housing pattern. • The new design provides social space at the front of the house that contributes to the Close, and private amenity space at the rear of the house that contributes to the Parkland Walk ecosystem. • The proposed house has a significantly lower profile than the previous design, and now does not exceed the height of the existing garages. • The new design echoes the adjacent suburban form. It is subservient in scale but follows the form and rhythm of the existing houses, stepping down the site, in line with the Hill, and stepping back in plan to setback around the entrance. • The elevation facing Shepherds Close presents as a pair of single storey townhouses. • The building's elevated side relative to No.26 and No. 27 now complies with BRE 'Site layout planning for daylight and sunlight: a guide to good practice' and is below 25° degree daylight angle. • The proposed building now has matching materials, and follows the principles of the original architects: "To achieve simple, rational building: the essence of which consisted of brick party walls which, through the timber joists spanning between them, carried the loads of the floors and partitions built on them. This method of construction allowed the extensively glazed front and back elevations to be made of prefabricated timber panels, which did not have to be load bearing: a modern way of using traditional materials economically, which allowed the look of the houses to reflect their construction." • The new proposal is a sensitive interpretation of the modernist, 1960s townhouse. Matching materials combine with contemporary detailing to pay respect to the underlying design style and aesthetic, while new elements are added to bring a more ecological focus to the design. Green roofs and deep soil planting integrate greenery into the building fabric and communicate with the original architecture, creating a sensitive and harmonious contribution to Shepherds Close and the broader HCA.

Dismissed Appeal: APP/Y5420/W/20/3257208

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Inspectors Report : APP/Y5420/W/20/3257208		How has this been addressed ?
Landscaping	- The external space's limited width suggest the planting would not achieve the size and extent necessary to provide screening. It would oversail neighbouring gardens, as well as public circulation space. - Vegetation can not be presumed to persist for the lifetime of a building, and if a development requires planting to make it acceptable, then this signifies its unsuitable. - I conclude the planting would not provide the proposed effect and even if it did, the dwelling would not be totally obscured. - The development would also remove a small piece of open space. The previous appeal noted the site 'provides a wedge of open land' which 'provides an attractive green vista and makes a positive contribution to the street scene' - I conclude the design and footprint would appear cramped and contrived on this site. It would be incongruous, overly large for the site and would remove a buffer that separates the Close from fronting Shepherds Hill, and would therefore detract from its character.	- The proposed external space has been substantially increased and widened, providing room for 4 - 5m tree canopies that can be wholly contained within the demise. - A new private, south facing courtyard provides high solar access without undermining the proposed planting layout, nor impacting the privacy of neighbours. - There is no reason why the landscaping would not persist for the lifetime of the building as it provides positive benefits, rather than being a potential source of nuisance. - The site is materially different from the time of the Appeal. It is no longer open, and was enclosed and fenced under Permitted Development. - The line of mature conifers along the eastern boundary were deemed insignificant and not worthy of protection by the Council's Tree Officer. They were removed under a Section 211 Consent for removing trees within a Conservation Area. - The 'attractive green vista' remains intact, defined by the high canopy of oak, ash and lime trees in Parkland Walk. This is to be reinforced at ground level by new woodland species, bringing the essence of Parkland Walk into the Close. - The landscape proposals have been designed to compliment the existing greenery in Parkland Walk and to enhance this existing attractive green vista. - Woodland species have been selected that attract birds, bats and butterflies including native cherry, silver birch and rowan trees. - Groundcover and understorey shrubery provides habitat enhancements. - There are green roofs proposed to all flat roof areas, in addition to deeper soil planting on the lower roof, enhancing the biodiversity of the Close. - The proposed landscape design significantly enhances Shepherds Close, Parkland Walk and this part of the Conservation Area.
Heritage	Parts of the Close might be neutral or even considered to detract from the HCA, it is still within the HCA and is therefore part of a designated heritage asset. There is very little before me to indicate how the development would improve the character or appearance of those negative elements identified by the HCACA.	- The new proposal considerably enhances both the character and appearance of the HCA and designated heritage asset. - It offers significant public benefit to provide a positive contribution to the HCA. - Public benefits include: i) a self build family home contributing to the local housing supply; ii) a comprehensive landscape scheme that visually reinforces and extends Parkland Walk, considerably enhancing this part of the HCA; iii) a commitment to instate a hazard-free public footpath along 2 sides of the site, particularly as the current footpath is in extremely poor condition and forces pedestrians onto the roadway; iv) The fenced site has already improved safety within the Close, preventing roughsleepers accessing from Parkland Walk. An occupied family home will further improve safety and security for the neighbourhood; v) Landscaping, casual surveillance and lighting of communal stairwell, which is currently unlit, uncared for and tucked away; vi) reinforcing and underpinning the adjacent retaining wall that is in poor condition and requiring urgent repair; vii) a landscaped and unfenced front garden, providing social space that enhances the pedestrian and public realm and reinforces the original design intent of the Close
Policy Framework	- The development would be detrimental to the significance of the HCA, which would amount to less than substantial harm. There is small public benefit from the provision of one dwelling. - The proposal would fail to preserve or enhance the character and appearance of the HCA. It would be contrary to Policy DM9 of the Local Plan, Policy SP12 of the Strategic Policies and Policy 7.8 of the London Plan, regarding safeguarding of heritage assets, and LP Policy DM7 for infill sites relating appropriately to the surrounding area, Policy DM1 requiring development to respond positively to its surroundings in form, scale and massing, and the aims of SP Policy SP11 respecting local context. Policies DH2 and DH10 of the Neighbourhood Plan, as I concluded this is garden land. The supporting text for this policy is the erosion of green and open spaces which make a positive contribution to the character and appearance of the conservation area. LOP Policy 7.4 which requires developments to have regards to the context and improve its visual or physical connection with natural features.	- The new proposal offers significant public benefits that includes: reinstating mature trees and woodland to enhance Parkland Walk; providing an unfenced garden to enhance greenspace within the Close; reinstating a public footpath; underpinning a communal retaining wall; improving safety, security and casual surveillance; and contributing to the housing supply. - The design positively responds to its surroundings in form, scale and massing. The building is low set, setback and stepped down. Matching materials combine with contemporary detailing to pay respect to the underlying design style and aesthetic, while new elements are added to bring a more ecological focus to the design. Green roofs and deep soil planting integrate greenery into the building fabric and communicate with the original architecture, creating a sensitive and harmonious contribution to Shepherds Close and the broader HCA. - The design has been well considered and the building and landscape proposals positively enhance the streetscape and surrounding area. - The proposal offers significant public benefits that make an important contribution to Shepherds Close, Parkland Walk and the broader Conservation Area. - It is policy compliant with Policies DM1, DM7, DM9, SP11, SP12, DH2, DH10 and Policy 7.8 of the London Plan. On balance this application should be approved.

Planning refusal: HG/2019/3260

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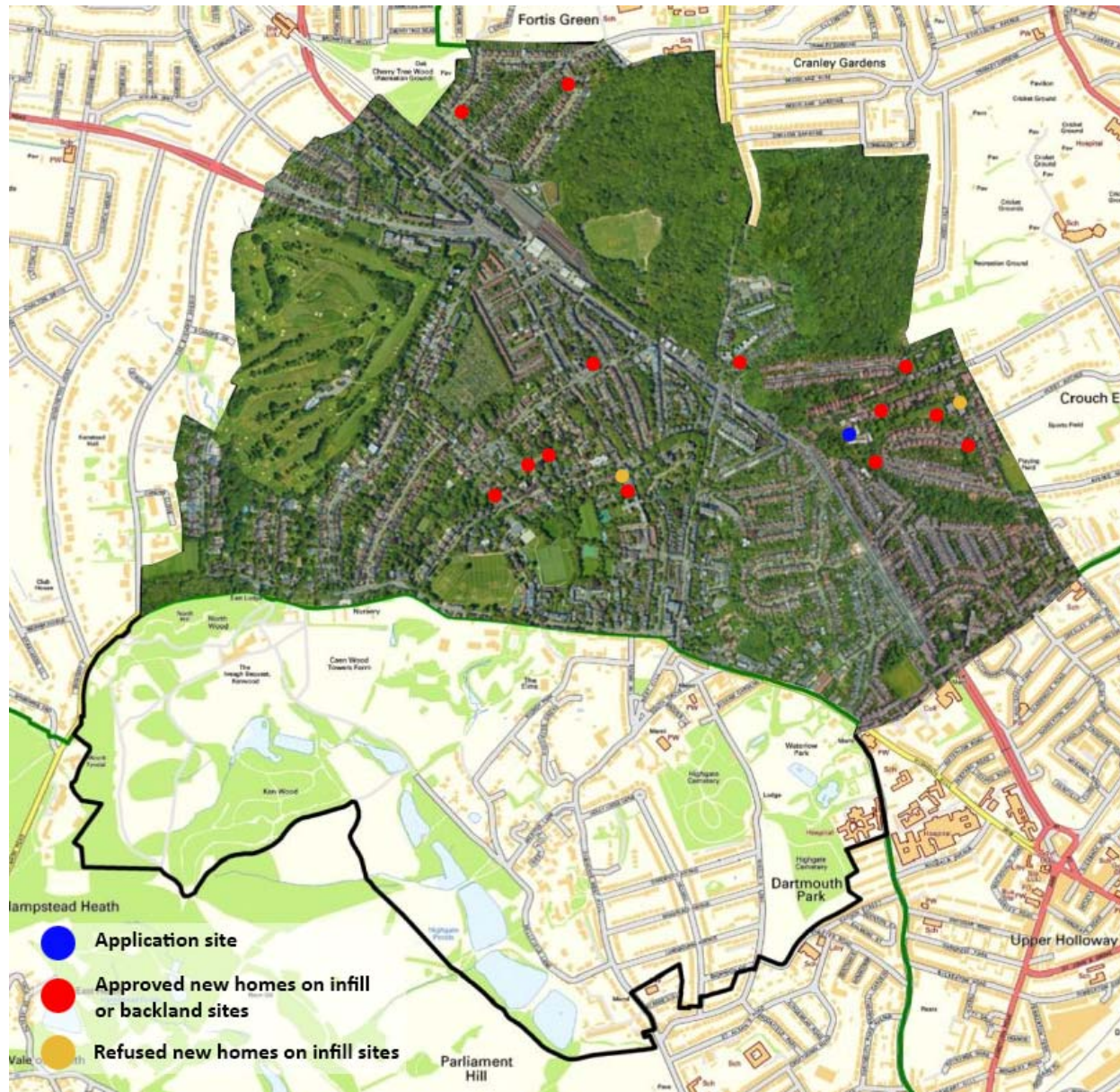
Officers Report HG/2019/3260		How has this been addressed ?
Principle of Development	• NPPF 2019 requires Local Planning Authorities to significantly boost the supply of housing (para. 59) • Para.68 supports approval on small sites. • London Plan 2016 Policies 3.3 and 3.4 support additional housing. • Haringey's Local Plan Policy SP2 targets 19820 between 2011-2026. London Plan presumption in favour of small sites, although this is only afforded limited weight as its in draft stage. • Policy SC1 of the Highgate Neighbourhood Plan aims to deliver 300 net additional houses up to 2026. • Principle of residential development acceptable, subject to detailed considerations. • Development on infill backland and garden land sites: London Plan 2016 supports presumption against development on back gardens. • Policy DM7 Part A of the Development Management DPD states there will be a presumption against loss of garden land. • Urban Characterisation Study 2015 considers back garden development to be generally inappropriate and at odds with the spatial strategy of the borough - to focus development in growth areas well served by transport and local amenities. • Policy DM7 Part B highlights 7 sub points any proposal must relate sensitively to the surrounding area. • HNP Policy DH10 states that backland development will be subject to existing trees and landscape being retained.	• It is noted that the principle of residential development is acceptable on this site, subject to the details. • In terms of the detailed considerations, the new proposal addresses all matters that were formerly grounds for refusal. • The application falls under a new London Plan. • Policy H2 (Small Sites) is an automatic presumption in favour of development on Small Sites with a Public Transport Accessibility Level (PTAL) rating of 3-6, or within an 800 metre distance of either a station or town boundary, so long as heritage constraints are considered. The site is PTAL 4, and 225m from Highgate Station, complying with both criteria. The site is within a Conservation Area and is therefore mindful to address heritage constraints. • In the new London Plan, it is a strategic priority to increase the rate of housing delivery from small sites. • Haringey has a small sites target of 2,600 homes, from a total 15,920, some 16% of the housing supply requirement. The Plan notes that "schemes that provide relatively low numbers of new homes play an important cumulative role in helping to deliver housing targets alongside larger developments, subject to the scheme in question making the most efficient use of land"(para 4.2.7). • Policy H2 supercedes Policy DM7, however it reinforces the Urban Characterisation Study 2015 (aimed at focusing development in areas well served by transport and local amenities) by defining the requirements in terms of PTAL or distance to station or Town Centre. • HNP Policy DH10 no longer applies as the site has no trees or landscaping. New trees are to be instated as part of the extensive landscape proposals, representing a significant net gain.
Impact of development on Character and Appearance of Conservation Area	• In Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council, the court of Appeal found that harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. • It can be outweighed by material considerations powerful enough to do so. An authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering. • Paragraphs 193 - 194 of the NPPF 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.' • DM Policy (2015) DM1 'Delivering High Quality Design' states that proposals should relate positively to their locality, including building heights, form, scale & massing prevailing around the site, urban grain, sense of enclosure. • Local Plan (2017) Policy SP11 states that all new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use. • London Plan Policy 7.8 requires that development affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale and architectural detail. • Haringey Local Plan Policy SP12 requires the conservation of the historic significance of Haringey's heritage assets.	• The site is materially different from the time of the last Planning Application. It is no longer open, and was enclosed and fenced under Permitted Development. • The line of mature conifers along the eastern boundary were deemed insignificant and not worthy of protection by the Council's Tree Officer. They were removed under a Section 211 Consent for removing trees within a Conservation Area. • The new proposal considerably enhances both the character and appearance of the HCA and designated heritage asset. • It offers significant public benefit to provide a positive contribution to the HCA. • Public benefits include: • i) a self build family home contributing to the local housing supply; • ii) a comprehensive landscape scheme that visually reinforces and extends Parkland Walk, considerably enhancing this part of the HCA; • iii) a commitment to instate a hazard-free public footpath along 2 sides of the site, particularly as the current footpath is in extremely poor condition and forces pedestrians onto the roadway; • iv) The fenced site has already improved safety within the Close, preventing roughsleepers accessing from Parkland Walk. An occupied family home will further improve safety and security for the neighbourhood; • vi) Landscaping, casual surveillance and lighting of communal stairwell, which is currently unlit, uncared for and tucked away; • vii) reinforcing and underpinning the adjacent retaining wall that is in poor condition and requiring urgent repair; • viii) a landscaped and unfenced front garden, providing social space that enhances the pedestrian and public realm and reinforces the original design intent of the Close. • These measures deliver High Quality Design, complying with Policy DM1, and Policy SP11, enriching and enhancing the built environment. • The proposed works significantly enhance the landscape and local environment, and help to conserve the historic significance of the Highgate Conservation Area, complying with LP Policy SP12.
Impact on amenity of adjoining owners	• London Plan 2016 Policy 7.6: Development must not cause unacceptable harm to the amenity of the surrounding land and buildings. • DM 2017 Policy DM1: Ensure a high standard of privacy and amenity for the development users and neighbours. • Scale of proposal would not result in undue harm to neighbouring amenity in daylight or sunlight terms. Outlook would be significantly altered, although this is not considered to amount to demonstrable harm. • Proposal has an acceptable impact on amenity of neighbouring occupiers.	• The proposed house has a significantly lower profile than the previous design, and now does not exceed the height of the existing garages. • The new design echoes the adjacent suburban form. It is subservient in scale but follows the form and rhythm of the existing houses, stepping down the site, in line with the Hill, and stepping back in plan to setback around the entrance, to provide a more prominent social space adjacent to the immediate neighbours. • The elevation facing Shepherds Close presents as a pair of single storey townhouses. • The building's elevated side relative to No.26 and No. 27 now complies with BRE 'Site layout planning for daylight and sunlight: a guide to good practice' and is below 25° degree daylight angle.

Planning refusal: HGY/2019/3260

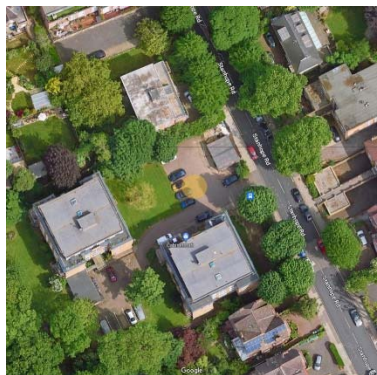
DESIGN & ACCESS STATEMENT

	Officers Report HGY/2019/3260	How has this been addressed ?
Assessment of the Proposal	• 2011 refusal based on harm, “resulting in the urbanisation of this part of Shepherds Close and the loss of significant greenery and the associated loss of the site’s open character and green vista. This would harm the townscape of the Close and therefore fail to preserve or enhance the Conservation Area”. • This view was upheld at Appeal in 2003, where the inspector concluded that the site ‘provides an attractive green vista to the west and softens the harsh wall of the garage block. It thus makes a positive contribution to the street scene and the appearance of this part of the conservation area.’ • The decision was taken acknowledging that many trees on site would be retained, and the the proposed design was appropriate in itself. • The character of the site, which originally formed the front garden of No. 27, has not changed substantially from that of the previously determined applications. The site provides a degree of spaciousness within the tight grain of the surrounding terraces. The existing planting softens the appearance of the Close, and provides a buffer between the buildings, promoting an ambience of privacy and seclusion. • The proposed soft landscaping scheme would not prevent the loss of openness and spaciousness the site currently adds to the character at present. The character of the Close, and wider conservation area, by way of the presence of a residential unit and by its footprint, nature and usage, would fundamentally alter the character of the site. • The proposed design of the dwelling, in itself, is of a good quality. This weighs in favour of the scheme, as does the creation of a new dwelling. However, these points are not considered to outweigh the harm to the character and appearance of the Conservation Area. • There are no other apparent public benefits that would outweigh the identified harm. As such, the proposal does not satisfy current statutory duty and national policy requirements and is contrary to policy. Overall, the proposed development would detrimentally affect the character, appearance and spatial quality of the Conservation Area. • Development of this site would not impact views from Parkland Walk and would not harm its setting.	• The site is materially different from the time of the last Planning Application. It is no longer open, and was enclosed and fenced under Permitted Development. • The line of mature conifers along the eastern boundary were deemed insignificant and not worthy of protection by the Council’s Tree Officer. They were removed under a Section 211 Consent for removing trees within a Conservation Area. • The ‘attractive green vista’ remains intact, defined by the high canopy of oak, ash and lime trees in Parkland Walk. This is to be reinforced at ground level by new woodland species, bringing the essence of Parkland Walk into the Close. • The landscape proposals have been designed to compliment the existing greenery in Parkland Walk and to enhance this existing attractive green vista. • Woodland species have been selected that attract birds, bats and butterflies including native cherry, silver birch and rowan trees. • Groundcover and understorey shrubery provides habitat enhancements. • There are green roofs proposed to all flat roof areas, in addition to deeper soil planting on the lower roof, enhancing the biodiversity of the Close. • The proposed landscape design significantly enhances Shepherds Close, Parkland Walk and this part of the Conservation Area. • The character of the Close and wider conservation area will be enhanced by the presence of a residential unit. The Report notes that the principle of a residential dwelling is acceptable. Therefore the presence of a new unit is also acceptable. • The new proposal offers significant public benefits that includes: reinstating mature trees and woodland to enhance Parkland Walk; providing an unfenced garden to enhance greenspace within the Close; reinstating a public footpath; underpinning a communal retaining wall; improving safety, security and casual surveillance; and contributing to the housing supply. • The new proposal provides a positive and important contribution to the HCA, considerably enhancing both the character and appearance of the HCA and designated heritage asset. As such, the proposal satisfies current statutory duty and national policy requirements and is policy compliant.
Trees and Ecology	• The council’s tree officer has been to visit the site and does not consider any of the trees on site worthy of protection. • Policy DM19. • While the proposal would result in an increase in levels of lighting in an area where there currently isn’t, the luminance levels could be controlled by condition, thus the impact on trees and ecology would not be material	• The site is materially different from the time of the last Planning Application. It is no longer open, and was enclosed and fenced under Permitted Development. • The line of mature conifers along the eastern boundary were deemed insignificant and not worthy of protection by the Council’s Tree Officer. They were removed under a Section 211 Consent for removing trees within a Conservation Area.
Conclusion	• By reason of its large footprint, size associated domestic paraphernalia and limited space to provide new planting would harm the character and appearance of this part of the conservation area, with such harm not outweighed by sufficient public benefit and should therefore be refused	• The proposed dwelling occupies about half the site area. The new design has a consolidated and meaningful front and rear garden, commensurate with the existing housing pattern. • The new design provides social space at the front of the house that contributes to the Close, and private amenity space at the rear of the house that contributes to the Parkland Walk ecosystem. The private amenity space neatly conceals associated domestic paraphernalia • The proposed external space has been substantially increased and widened, providing room for 4 - 5m tree canopies that can be wholly contained within the demise. • A new private, south facing courtyard provides high solar access without undermining the proposed planting layout, nor impacting the privacy of neighbours. • The new proposal provides a positive and important contribution to the HCA, considerably enhancing Shepherds Close and Parkland Walk, and in turn the character and appearance of the HCA and designated heritage asset. As such, the proposal satisfies current statutory duty and national policy requirements and is policy compliant. On this basis the application should be supported and granted approval.

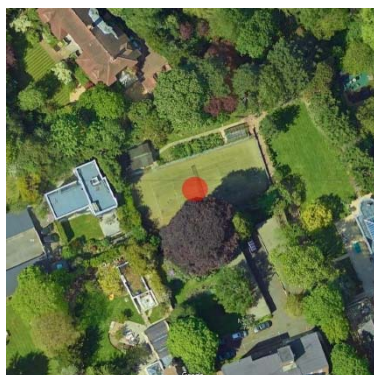
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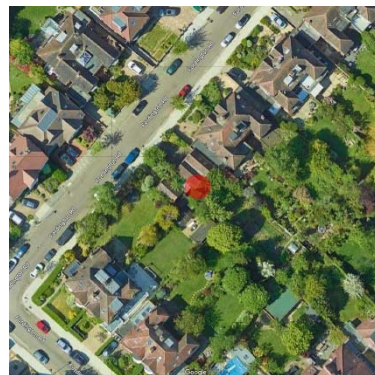
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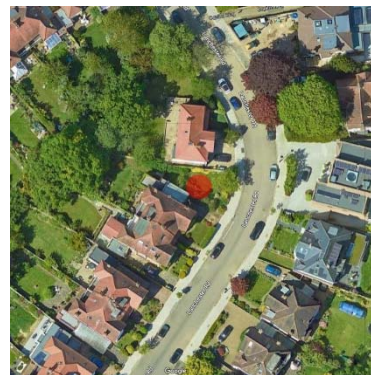
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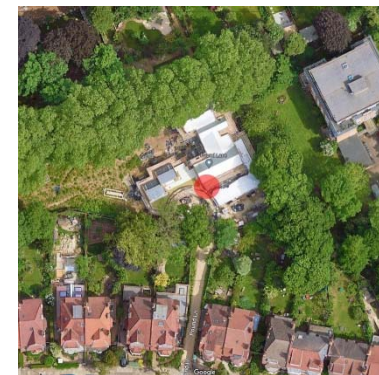
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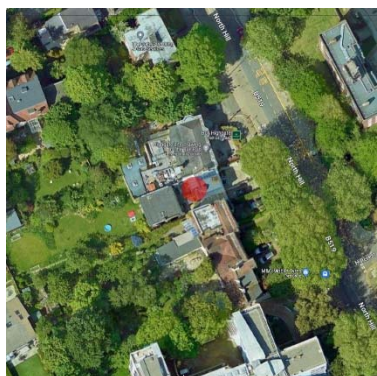
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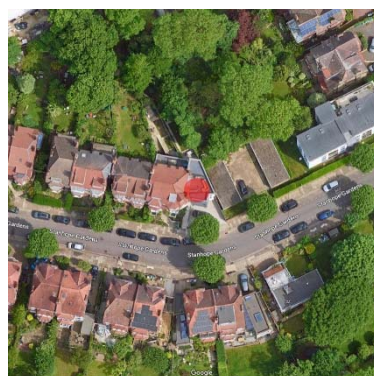
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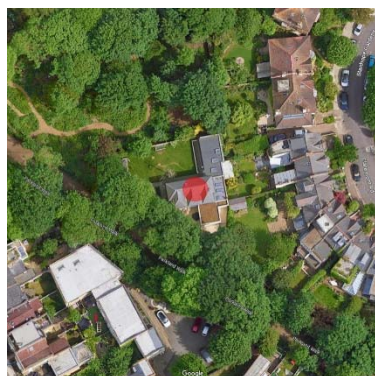
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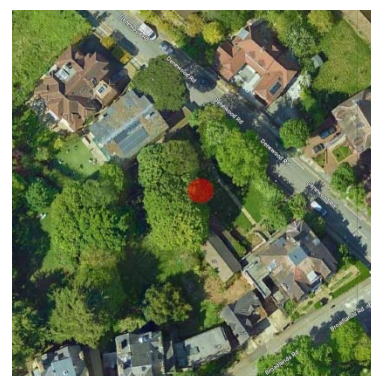
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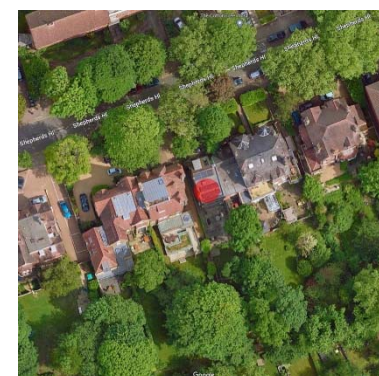
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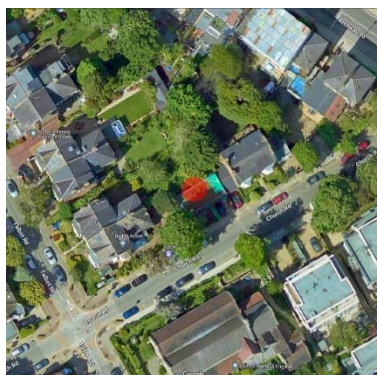
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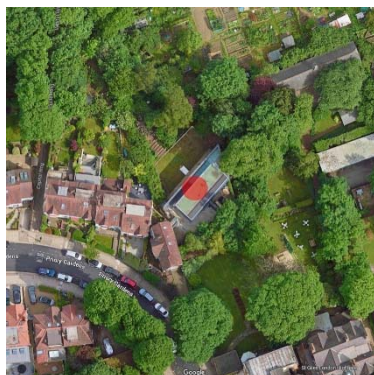
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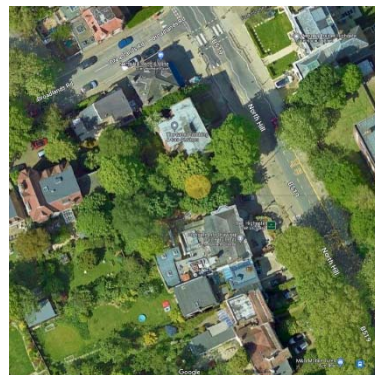
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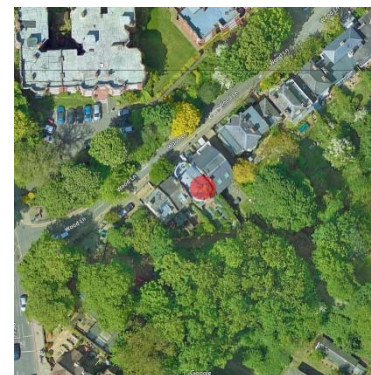
APP/Y5420/A/10/212858 – Appeal granted



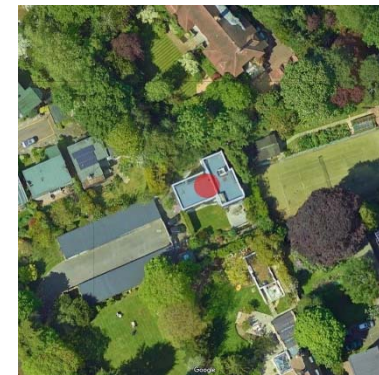
HGY/2009/0364 – Approved



HGY/2008/0586 – Refused



APP/Y5420/A/04 – Appeal granted



HGY/2004/1295 – Approved