

FAO: Nathan Keyte
Planning Services,
Haringey Council,
River Park House,
225 High Road,
London
N22 8HQ

08/02/2024

Dear Nathan Keyte,

RE: HGY/2023/3217

FOR: Erection of a detached part single, part two storey, 3 bedroom family home

AT: 28 Shepherds Close, London N6 5AG

I write to voice strong objection against this planning application. The proposed development will still result in adverse impact upon residential amenity, will not represent the best use or development for the site and will *still* result in a cramped form of development. All of these have previously been cited as reason for refusal of the scheme in multiple previous submissions. As such, this application should be refused by the Local Authority without undue delay.

Relevant Previous Planning Refusals

The site has been subject of numerous planning refusals – whilst each application is considered on its own merit, this serves to demonstrate the unsuitability of the site for a new dwelling.

- **HGY/2002/0158** - Site Adjacent 27 Shepherds Close London N6 London - Erection of a two storey 2-bedroom dwellinghouse. – **Refused** - 23/07/2002. Appeal APP/Y5420/A/02/1108911 - **Appeal dismissed** - 2003. The Planning Inspectorate wrote:

“[the site] provides a wedge of open land which is in a prominent position in the Close at the bend in the road; it 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.”

- **HGY/2011/0596** - Land adjoining 27 Shepherds Close London N6 5AG - Erection of 3-bedroom self-contained dwelling house. – **Refused – 2011:**

“The proposed development would result in the urbanisation of this part of Shepherds Close and the loss of its open character and green vista. This would harm the townscape of the Close and therefore fail to preserve or enhance the Conservation Area contrary to Policies UD3 'General Principles', UD4 'Quality Design' and CSV1 'Development in Conservation Areas' of the Unitary Development Plan 2006.”

- **HGY/2011/1860** - Land adjoining 27 Shepherds Close London N6 5AG London - Erection of 2-bedroom self-contained single storey dwelling house – **Refused 2011:**

“The proposed development would result 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 contrary to Policies UD3 'General Principles', UD4 'Quality Design' and CSV1 'Development in Conservation Areas' of the Unitary Development Plan 2006."

- **HGY/2011/1860** - Land adjoining 27 Shepherds Close London N6 5AG London - Erection of 2-bedroom self-contained single storey dwelling house – ***Refused 2011***
- **HGY/2019/3260** - Construction of 3 bedroom house on land to the west of Shepherds Close – ***Refused (Dismissed on Appeal) 2021; Subject of recent re-submitted Appeal***

This application ought to have been considered wholly inappropriate following the appeal dismissal. The Inspector concluded that amenity impacts would be detrimental and that the design would result in an overbearing and cramped form of development, incongruous with the site.

Material Planning Considerations

Adverse impact on light availability

The Inspector previously determined that the proposed development would result in unacceptable adverse impact in terms of light availability for existing residents of neighbouring properties.

The applicant has not provided sufficient evidence to demonstrate that this will be overcome by the revised design / proposal. There is therefore still a risk that the proposed design will not meet the following planning policies.

This contradicts the following planning policies.

- ***NPPF – Section 12***
- ***Building for Life - Section 1, 5 and 6***
- ***National Design Guide – Section C1, B2, I1***
- ***The London Plan - Policy D3, Policy D5***
- ***Haringey Local Plan – SP11 - Design***
- ***Haringey Development Management Plan – Policy DM1, Policy DM2***

Impact Upon Right to Private Enjoyment of Property

As a consequence of the proposed development, there will be a significant reduction in right to private enjoyment of property for neighbours of the proposed site.

This contradicts the following planning policies.

- ***NPPF – Section 12***
- ***Building for Life – Section 1, 5 and 6***
- ***National Design Guide***
- ***The London Plan - Policy D3, Policy D5***
- ***Haringey Local Plan - SP11 - Design***
- ***Haringey Development Management - Policy DM1, Policy DM2***

Overbearing Development

The proposal will result in an overbearing development that will result in significant detrimental impact upon residential amenity and the character of the surrounding area.

This contradicts the following planning policies.

- *NPPF – Section 12*
- *Building for Life - Section 1, 5 and 6*
- *National Design Guide - Section C1, B2, I1*
- *The London Plan - Policy D3, Policy D5*
- *Haringey Local Plan - SP11 - Design*
- *Haringey Development Management - Policy DM1, Policy DM2*

Poor Design

Ultimately, whilst the applicant has contended that this proposal will be a ‘high quality’ design and so compliant with design policies, development of the site has previously been considered as cramped and overbearing. The proposed scheme submitted here has not sufficiently demonstrated that the proposed design will result in acceptable impact in terms of residential amenity, as well as overcoming the previous case officer / refusal on design grounds.

Noting that achieving high-quality development is one of the key facets of national and local planning policy and ensuring sustainable, high quality places, it is considered that the proposal should be refused owing to the following planning policies.

- *NPPF – Section 12*
- *Building for Life - Section 1, 5 and 6*
- *National Design Guide - Section C1, B2, I1*
- *The London Plan - Policy D3, Policy D5*
- *Haringey Local Plan - SP11 - Design*
- *Haringey Development Management - Policy DM1, Policy DM2*

Other Considerations

In the most recent Appeal dismissal, the Planning Inspector considered that the proposal would represent harm to the HCA (heritage impact). There is no reason to believe why this would not still be the case with this most recent iteration of the proposed scheme.

Summary

I trust the above has more than sufficiently outlined the multiple, evident issues with this proposed development, and demonstrated to the Council that the harmful impacts which will be caused by this development will significantly outweigh any purported benefits. It is therefore respectfully requested that this application be refused.

Yours Sincerely,

Ms. A. Ali

Appendix A: Relevant National and Local Planning Policies

NATIONAL PLANNING POLICY

NPPF (revised as of December 2023)

The following has been included in depth, to emphasise the National planning policy position regards this proposal.

12: Achieving well-designed places

131. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

135. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Building for Life

1 Connections

Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones, while also respecting existing buildings and land uses around the development site?

5 Character

Does the scheme create a place with a locally inspired or otherwise distinctive character?

We recommend that you avoid

Using the lack of local character as a justification for further nondescript or placeless development.

Ignoring local traditions or character without robust justification.

6 Working with the site and its context

We recommend

Being a consideration neighbour. Have regard to the height, layout, building line and form of existing development at the boundaries of the development site.

National Design Guide

C1: Understand and relate well to the site, its local and wider context

40. Well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones. Some features are physical, including:

- The existing built development, including layout, form, scale, appearance, details and materials;
- Local heritage;
- Landform, topography, geography and ground conditions;
- Landscape character, drainage and flood risk, biodiversity and ecology;
- Access, movement and accessibility;
- Environment – including landscape and visual impact, microclimate, flood risk, noise, air and water quality;
- Views inwards and outwards;
- The pattern of uses and activities, including community facilities and local services; and
- How it functions.

Others are non-physical, such as:

- Social characteristics, including demographics;
- Economic factors; and
- The aspirations, concerns and perceptions of local communities.

41. Well-designed development proposals are shaped by an understanding of the context that identifies opportunities for design as well as constraints upon it. This is proportionate to the nature, size and sensitivity of the site and proposal. A simple analysis may be appropriate for a small scale proposal. Baseline studies covering a wide range of topics are likely to be required for a larger scale development.

42. Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including:

- The landscape character and how places or developments sit within the landscape, to influence the siting of new development and how natural features are retained or incorporated into it;
- Patterns of built form, including local precedents for routes and spaces and the built form around them, to inform the layout, form and scale;

- The architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale, appearance, details and materials of new development.

I1 Respond to existing local character and identity

51. Local identity is made up of typical characteristics such as the pattern of housing, and special features that are distinct from their surroundings. These special features can be distinguished by their uses and activity, their social and cultural importance, and/or their physical form and design. Most places have some positive elements of character, particularly for their users. These can help to inform the character of a new development.

52. Well-designed new development is influenced by:

- An appreciation and understanding of local vernacular, local or regional character, including existing built form, landscape and local architectural precedents;
- The characteristics of the existing built form;
- The elements of a place or local places that make it distinctive; and
- Other features of the context that are particular to the area;

This includes considering:

- The composition of street scenes, individual buildings and their elements;
- The height, scale, massing and relationships between buildings;
- Views, vistas and landmarks;
- Roofscapes;
- The scale and proportions of buildings;
- Façade design, such as the degree of symmetry, variety, the pattern and proportions of windows and doors, and their details;
- The scale and proportions of streets and spaces;
- Hard landscape and street furniture;
- Soft landscape, landscape setting and backdrop;
- Nature and wildlife, including water;
- Light, shade, sunshine and shadows and
- Colours textures, shapes and patterns.

I2 Well-designed, high quality and attractive

53. Well-designed places are visually attractive and aim to delight their occupants and passers-by. They cater for a diverse range of residents and other users. All design approaches and architectural styles are visually attractive when designed well.

55. Well-designed places contribute to local distinctiveness. This may include:

- Adopting typical building forms, features, materials and details of an area;
- Drawing upon the architectural precedents that are prevalent in the local area, including the proportions of buildings and their openings;
- Using local building, landscape or topographical features, materials or planting types;
- Introducing built form and appearance that adds new character and difference to places;
- Creating a positive and coherent identity that residents and local communities can identify with.

B2 Appropriate building types and forms

66. Well-designed places also use the right mix of building types, forms and scale of buildings and public spaces to create a coherent form of development that people enjoy. They also adopt strategies for parking and amenity that support the overall quality of the place.

67. The built form of well-designed places relates well to:

- The site, its context and the opportunities they present;
- The proposed identity and character for the development in the wider place;
- The lifestyles of occupants and other users; and
- Resource efficiency, climate change mitigation and adaptation.

London Plan

Policy D3 Optimising site capacity through the design-led approach

A All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity.

Form and layout

- 1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions
- 2) encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings, that are aligned with peoples' movement patterns and desire lines in the area
- 3) be street-based with clearly defined public and private environments
- 4) facilitate efficient servicing and maintenance of buildings and the public realm, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users

Quality and character

- 11) respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character
- 12) be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well
- 13) aim for high sustainability standards (with reference to the policies within London Plan Chapters 8 and 9) and take into account the principles of the circular economy

14) provide spaces and buildings that maximise opportunities for urban greening to create attractive resilient places that can also help the management of surface water.

Policy D5 Inclusive design

B Development proposal should achieve the highest standards of accessible and inclusive design. They should:

- 1) be designed taking into account London's diverse population
- 2) provide high quality people focused spaces that are designed to facilitate social interaction and inclusion
- 3) be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment
- 4) be able to be entered, used and exited safely, easily and with dignity for all
- 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

LOCAL PLANNING POLICY

The following are the key policies relating to this proposal.

Haringey Local Plan Strategic Policies (2013-2026)

3.2.7 The Council will expect all new development to be built to the highest quality standards.

SP11: Design

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. To achieve this all development shall:

- 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;
- Ensure impacts on health, climate change, natural resources and biodiversity are minimised by adopting and improving sustainable design and construction techniques;
- Incorporate solutions to reduce crime and the fear of crime, such as promoting social inclusion; creating well-connected and high quality public realm that is easy and safe to use; and by applying the principles set out in 'Secured by Design' and Safer Places;
- Promote high quality landscaping on and off site, including improvements to existing streets and public spaces;
- Seek the highest standards of access in all buildings and places; and

- Ensure buildings are designed to be flexible and adaptable – and able to integrate services and functions.

High quality design

6.1.3 Good urban design is not just about how places look, but also about how they work. Design has a crucial impact on people's quality of life and their perception of an area.

6.1.4 The Council will insist on high quality design throughout the borough. In accordance with government guidance in paragraph 64 of the NPPF, the Council will not accept design that is considered inappropriate to its context, or which fails to take opportunities to improve the character and quality of an area and the way it functions. The Council will also take account of the Building for Life (BfL) criteria in the assessment of proposals for residential developments. Please see Building in Context for further guidance in delivering designs which have a regard for local context and character (<http://building-in-context.org/>).

6.1.10 Well designed buildings and spaces are safe and accessible, and respond flexibly to the needs of their users. Good access benefits everyone but many people are disadvantaged by poor access to facilities. These disadvantaged and vulnerable groups, including disabled people, people with children in pushchairs and the elderly can be particularly affected by poor access, by difficulties in reaching facilities or difficulties in using the facilities themselves.

Haringey Development Management DPD (Adopted July 2017)

Policy DM1: Delivering High Quality Design

Design Standards

Character of development

B Development proposals should relate positively to their locality, having regard to:

- a Building heights;
- b Form, scale & massing prevailing around the site;
- c Urban grain, and the framework of routes and spaces connecting locally and more widely;
- d Maintaining a sense of enclosure and, where appropriate, following existing building lines;
- e Rhythm of any neighbouring or local regular plot and building widths;
- f Active, lively frontages to the public realm; and g Distinctive local architectural styles, detailing and materials.

Privacy and amenity

D Development proposals must ensure a high standard of privacy and amenity for the development's users and neighbours. The Council will support proposals that:

- a Provide appropriate sunlight, daylight and open aspects (including private amenity space where required) to all parts of the development and adjacent buildings and land;

b Provide an appropriate amount of privacy to their residents and neighbouring properties to avoid overlooking and loss of privacy detrimental to the amenity of neighbouring residents and the residents of the development; and

c Address issues of vibration, noise, fumes, odour, light pollution and microclimatic conditions likely to arise from the use and activities of the development.

Policy DM2: Accessible and Safe Environments

A Proposals should ensure that new developments:

a Can be used safely, easily and with dignity by all;

b Are designed so that the layout improves people's access to social and community infrastructure, including local shops and public transport;

c Protect, improve and create, where appropriate, safe and accessible pedestrian and cycling routes and should not impede pedestrian and cycling permeability; and

d Have regard to the principles set out in 'Secured by Design'.

Appendix B: Site Photographs

The proposed development will block the path and be very visible from neighbour vantage points:



The proposed dwelling will enclose the existing space and access to the well-used footpath:

