



Officer Report

Application Number:

HGY/2023/3217

Application Type:

Full planning permission

Address:

28 Shepherds Close (site adj. No 27 Shepherds Close), London N6 5AG

Proposal:

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

Case Officer:

Nathan Keyte

Valid Date:

24/01/2024

Applicant:

Ms Candice Lake

Agent:

Didier Ryan

1. SITE AND SURROUNDING

The application site relates to a plot of land to the front of No. 27 Shepherds Close, and to the rear of a block of garages that serve a 1930s residential block, known as Eton Court, to the north. There is a change in levels across the site from north to south. There are no buildings on the site with no vegetation, and the plot of land is bounded by a boarded fence.

The carriageway of the Close is public highway, however the footpath adjoining the development site is not registered as public highway.

The site is located within the Highgate Conservation Area and adjoins Parkland Walk to the west, which is designated as Metropolitan Open Land, an Ecological Corridor, Local Nature Reserve, Site of Importance for Nature Conservation of Metropolitan Importance and Green Chain.

2. PROPOSED DEVELOPMENT

This application is to construct a part one part two storey 3-bedroom detached house. The Applicant also proposes to repair part of an adjacent footpath understood to be communal.

3. Site History

All existing planning applications have been considered for this application.

- OLD/1979/1258 - 27 Shepherds Close N6 - Erection of a detached house. Refused - 01/11/1979.
- OLD/1979/1259 - 27 Shepherds Close N6 - Erection of a detached house. Refused - 01/11/1979.
- HGY/1990/1531 - Land Adjoining 27 Shepherds Close London N6 London - Erection of two storey, three bedroom dwelling house with garaging for one car. - Refused - 04/11/1991.
- HGY/1997/0122 - Site Adjacent 27 Shepherds Close London N6 London – Erection of 2 storey, 3 bedroom house. – Refused - 18/02/1997.
- HGY/2002/0158 - Site Adjacent 27 Shepherds Close London N6 London – Erection of a two storey 2 bedroom dwellinghouse. – Refused - 23/07/2002. Appeal reference APP/Y5420/A/02/1108911 - Appeal dismissed - 20/05/2003.
- HGY/2011/0596 - Land adjoining 27 Shepherds Close London N6 5AG - Erection of 3 bedroom self contained dwelling house. – Refused - 20/05/2011.
- HGY/2011/1860 - Land adjoining 27 Shepherds Close London N6 5AG London - Erection of 2 bedroom self-contained single storey dwelling house – Refused - 29/11/2011.
- HGY/2019/3260 – 27 Shepherds Close N6 5AG – Construction of 3 bedroom house on land to the west of Shepherds Close – Refused – 05/02/2020 – Appeal reference APP/Y5420/W/20/3257208 - Appeal dismissed – 31-12-2020.

Background

As outlined above, there have been a number of applications throughout the years for the subject site seeking permission for a dwelling. All of these have been refused. The most recent of these was refused, and then dismissed on appeal (APP/Y5420/W/20/3257208) in 2020.

The main issues addressed in the 2020 Appeal decision were:

- Whether the development would preserve or enhance the character or appearance of the Highgate Conservation Area; and,
- Effect on the living conditions of occupiers of 27 Sheperd's Close with particular regard to light.

In summary, regarding the first issue, the Inspector found that:

- In the tight building pattern of The Close, the site provides a welcome buffer between the western end of The Close and the retaining wall and 'contributes, albeit in a minor way, to the mosaic of semi-natural open spaces and mature vegetation that runs through Highgate village'. [Para 8].
- Noting the historic sequence of development, it suggests the 'plot of land was left-over space, too small and inconveniently orientated to be developed in the same manner as the previous dwellings' but 'whether the land should or should not be considered to be garden land or an infill plot is not determinative as Policy DM7 of the Local Plan (LP) refers to both. [Para 13].
- The lack of meaningful external space suggested a dwelling too large for the plot [Para 16].
- The dwelling was considered a dominant and intrusive presents in the Close, 'particularly given the lack of separation from the footway on its front elevation, and its elevated site relative to Nos 26 and 27. [Para 17]. The design of the development was also considered to be incongruous for the setting.
- The confines of the Appeal development would mean the suggested planting would not achieve the size and extent necessary to provide screening [Para 18] and 'if a development requires tree planting to make it acceptable this generally signifies that the development is unsuitable' [Para 19].
- The Appeal development's 'design and footprint would appear cramped and contrived on this site. It would be incongruous, overly large for the site and would remove the buffer that separates the Close from the development fronting Shepherd's Hill. It would therefore detract from its context.' [Para 22] and would amount to less than substantial harm [Para 25] and where the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF [Para 41].
- The Inspector also noted that 'even where the principles of residential development are acceptable it does not necessarily follow that all such sites can accommodate residential development.' [Para 36].

Regarding the second issue, the Inspector found that the development would have adverse effects on the living conditions of Nos 26 and 27 with regards to light.

The development has since been revised from the 2020 Appeal design. Some key points of comparison to note, including changes to the site, include:

- The building coverage of the proposed development has increased, from approximately 50% to 64%.
- The overall height of the proposed development has been reduced to be the same as the adjoining garages, though still 2 storey in height.
- The dwelling would extend to the southern boundary, whereas before there was a setback maintained. The portion on the boundary would be 4.3m in height by 6.1m in width.
- The front setback of the proposed dwelling at second storey has been increased from 1.2m to 2.0m, however the width has been increased by approximately 1.8m.
- The design of the dwelling has been revised, with the DAS stating so to appear as a pair of townhouses echoing the pattern of the modernist Shepherds Close development.
- The removal of the mature conifer trees on the site under the s211 procedure, which the submitted Planning Statement indicates as a major change since the consideration of previous schemes. Also, that the site is now closed and boarded, as opposed to the open state it was in at the time of the 2020 Appeal. The matter regarding the lawfulness of the tree clearance on the site has been investigated. The trees had been investigated by Council Tree Officer and confirmed as not meeting the standards for a TPO, as outlined in the previous Officers report, and it has been confirmed by Haringey's Enforcement Team that the removal of the trees was undertaken lawfully at the time in 2021.

4. CONSULTATION

The following were consulted regarding the application:

- Friends of Parkland Walk
- Highgate CAAC
- The Highgate Society
- Highgate Neighbourhood Forum
- LBH Flood and Surface Water
- LBH Transportation Group
- LBH Conservation Officer
- LBH Parks & Open Spaces
- LBH Carbon Management
- Thames Water

5. LOCAL REPRESENTATIONS

The application has been publicised by the way of letters and public notices. The number of representations received from neighbours, local groups etc, in response to notification and publicity of the application were as follows:

No. of responses: 91

Objections: 65 (includes multiple from same persons).

Support: 25

Representation: 1

Objections material to planning:

- Proposed development would be contrary to and does not preserve or enhance the character or appearance of the conservation area.
- Loss of garden/ open space.
- Objection to reference to the land as 'brownfield' land.
- Disrupts the unity of the Close.
- Impact on neighbour amenity, noise, lighting, shading, privacy, overlooking.
- Impacts on parking/ traffic.
- Impact on Parkland Walk and vegetation.
- Challenges the statements of the site being a regular dumping ground and crime hot spot.
- Impact on adjoining garages and general instability issues.
- Impacts from construction.

Objections raised not material to planning:

- Impacts from construction.
- Destruction of mature trees on the property. (Officer comment: the removal of previous mature trees on the property was carried out lawfully).
- Issues with current state of utilities (Office comment: issues regarding this would be dealt with by building regulation and the local water provider).
- Misclassification of land as '28 Shepherds Close'.

[Officer comment: a number of objections related to the development site address being listed within the application and on the application form as 'no. 28 Shepherds Close', when there is no such registered address that exists. This matter was initially raised with the Applicant, who stated that 'We have received a number of deliveries, packages and letters over the years to the application site and a number next to No. 27 has been the logical way the site has been located and identified.'

Officers have since followed up on this matter and confirmed that no registered postal address exists for No. 28 Shepherds Close. It is understood that the parcel of land does however show as separate entry in respect of Land Registry.

Notwithstanding this, the redline boundary provided with the application clearly marks the site location to which development relates and the use of no. 28 being the next from the last registered postal address in the Close (i.e. no 27) provides an indication as to its position within Shepherds Close sufficient to understand the location of the development site within the Borough.

This is considered sufficient to satisfy the requirements for identifying the site however the address reference has been broadened to include reference to the closest existing postal address. As such this amended address reference is viewed to meet relevant guidance on this matter, namely providing an "ordinary postal address or some other description sufficient to enable it to be identified and specifies the development for which planning permission is sought".

6. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Design and impact of the proposed development on the character and appearance of the conservation area;
3. Impact on neighbouring amenity;
4. Standard and quality of residential accommodation;
5. Inclusive access;
6. Parking and Highway Safety;
7. Energy and Sustainability;
8. Trees and Ecology;
9. Other matters.

Principle of development/ Land Use

Brownfield / gardenland development

Within the appeal decision there is some brief commentary on the history and nature/ use of the site. There is reference to the sequence of development to the immediate area suggesting that this plot was left-over space, too small and inconveniently orientated to be developed in the same manner as neighbouring dwellings. Equally there is reference/ debate as to the site possibly containing lock up garages in the 1950s.

In relation to the planning distinction of whether this is brownfield / garden land development, as reflected in the 2020 appeal decision, this is not a determining factor, as in making a decision on this application "Policy DM7 of the Local Plan (LP) refers to both". As such this application is being considered within the context of what was said in the 2020 appeal decision on this matter and the criteria and principles of Policy DM7 of the local plan and Policy DH10 of the Highgate Neighbourhood Plan (HNP), as discussed further on in this report.

Haringey's Development Management Policy DM7 relates to infill and garden land development, prioritising the preservation of garden land unless it involves comprehensive redevelopment. Proposals for such sites are required to relate appropriately and sensitively to the surrounding area, respect the street scene, ensure good access, and retain existing routes. They must also consider site specific features to the site, enhance surveillance, protect privacy, and provide adequate amenity space. Additionally, Highgate Neighbourhood Plan's Policy DH10 echoes these principles, emphasising the retention of mature trees and landscaping, mitigating increased hard surfacing with landscaping, and considering existing building lines in new developments.

Supply of housing / small sites

In considering this application update in planning policy since 2020 in relation to providing additional housing is noted, but fundamentally does not represent a significant change to planning policy, but nonetheless the changes are commented on below.

Providing additional residential units is consistent in respect of Government, London and local plan policies in respect of increasing housing supply and higher levels of density in relation to accessible locations, with both the National Planning Policy Framework (NPPF) (2023) and the London Plan (2021) putting particular emphasis on 'small site' development. In specific Paragraph 70 of the NPPF (2023) recognises the importance of small and medium sized sites can make in meeting the housing requirement of an area, with these often built-out relatively quickly.

Paragraph 135c of the NPPF seeks to secure development which is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

The considerable emphasis on the development of small sites for housing coming forward, is also strongly supported by London Plan 2021. In specific the London Plan Policy H2 'Small sites' places great weight on the contribution that small sites with within 800m of a Tube or rail station are to make to delivering housing in London,

with targets set for each borough. The site here is within 800m of a Tube station and so in theory is well placed to support additional housing in terms of access to facilities, shops and amenities etc, however as reflected below other material considerations also need to be taken into account in considering this application.

Design and impact of the proposed development on the character and appearance of the conservation area

Policy context

London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D3 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character. Policy DM1 requires that new development must contribute to the character and amenity of the local area by amongst other things relating positively to neighbouring structures by having regard to building heights; form, scale and massing around the site; urban grain; local architectural styles; detailing and materials.

London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance, and where innovative and creative contextual architectural responses are integrate the conservation and enhancement of heritage assets to contribute to their significance and sense of place. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account. In relation to extensions or alterations to residential buildings, including roof extensions, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires

the use of high-quality matching or complementary materials, in order to be sensitive to context.

Policy DH2 of the HNP also relates to development proposals within the Highgate Conservation Area, stating these should preserve or enhance the character and appearance of Highgate's conservation areas, and respect the setting of its heritage assets. Development should also preserve or enhance the open, semi-rural or village character where this is a feature of the area.

Paragraph 12.3.4 of the Highgate Conservation Area Appraisal and Management Plan (HCAAMP) with regard to new development states that all forms of unsympathetic development would be resisted, though Council will not dictate the choice of architectural styles if of high quality and remain sympathetic to the context and the host building and/ or neighbouring buildings.

Assessment

As outlined in the submitted 'Planning Statement' and 'Design, Access & Heritage Statement' (DAS), the development site has undergone changes since the previous refused planning application and dismissed 2020 Appeal. The site has been cleared of mature conifer trees, as noted in many objections received, and a boarded fence erected across the front boundary of the site. As noted earlier, the matter regarding the lawfulness of the tree clearance on the site has been investigated.

The trees had been investigated by a Council Tree Officer and confirmed as not meeting the standards for a TPO, as outlined in the previous Officers report, and it has been confirmed by Haringey's Enforcement Team that the removal of the trees was undertaken lawfully at the time in 2021.

The proposed dwelling would be part two-storey in height and would adjoin the existing garages to the north, matching these in height, being approximately 4.4m. The DAS notes that the design proposed is made to represent a pair of townhouses stepping down the site and stepping back in plan to setback around the entrance. Furthermore, the proposal is stated as incorporating matching materials and brick to that used throughout the Close, combined with contemporary detailing, while new elements are added to bring a more ecological focus to the design.

Following consideration of the application, feedback from Council's Conservation Officer, and while noting the change in appearance of the site, the development proposed is not considered to overcome the previous reasons for refusal in the 2020 Appeal, as reflected below.

The subject site forms an integral part of the Shepherds Close development, where it importantly provides a threshold feature between the building environment and the

natural environment of the Parkland Walk. As noted in the 2020 Appeal, the site provides a buffer of open space and though the removal of vegetation has resulted in the existing retaining walls for the adjoining garages to the north becoming more pronounced, the site maintains a sense of openness within the built form of Shepherds Close and retains views to Parkland Walk.

Regarding the 2020 Inspectors previous conclusion whereby site coverage and 'paucity of meaningful external space' suggested that the proposed dwelling was too large for the plot, the building coverage in the current scheme is noted to have increased to approximately 64% from the previous development proposed. The building has also been increased in width, to adjoin the north and south boundaries of the plot.

The proposed building would remain close to the front boundary of the site, projecting forward of the line of adjoining garage and would be of the same height as the adjoining garages. This is therefore viewed to result in a built form having a dominance and intrusiveness within this site as well as within the streetscene and the context of this small Close.

While landscaping proposed would provide some relief to this and soften some of the built form, it would be insufficient to address the loss of openness and spaciousness the site currently provides to the Close. Furthermore, a Council Arboricultural Officer has reviewed the landscaping proposed and considers the tree planting for the site as being ambitious, with ultimate heights and spreads within the confined areas being limited.

The proposed development is also considered to obscure and unbalance the original design and spatial qualities to this Close and to have a negative impact on the experience of this part of the conservation area and would lead to a level of harm to the conservation area. While the assessment is based upon the site as it currently stands, noting that the plot of land was left undeveloped at the time of the original comprehensive development of the Close, this would seem to indicate the need for any development on the site to be of a smaller scale than the remainder of the Close, rather than imitating the existing level of development.

Considering the above, concerns raised by the Inspector relating to impacts upon the character and appearance of the conservation area are not viewed to have been addressed by way of this application, with design and footprint of the proposed development remaining cramped and contrived within the constraints of this site.

Furthermore, it would be incongruous, overly large for the site and would remove the sense of open space and buffer that separates the Close from the development fronting Shepherd's Hill and would therefore detract from its context.

Statutory Duty

In coming to the above conclusions, special attention has been given to the desirability of preserving or enhancing the character or appearance of the conservation area and the listed building in accordance with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Certain public benefits of the development have been suggested on pages 28 and 29 of the submitted planning statement. These include benefits that would address harm resulting from the removal of the trees on the site, improvements to public safety and crime, and providing additional housing stock as well as fixing part of an existing footway.

While the addition of a dwelling unit would increase the housing stock within Haringey, and provide additional passive surveillance while removing an area of vacant land, noting the development would provide only one additional dwelling, minor footway improvement, and where other defensible measures besides a new dwelling alone could be considered, these would not be sufficient to not outweigh the harm caused to the Conservation Area as a result of the proposed development.

As such the scheme is not considered acceptable in terms of design and amenity considerations.

Impact on neighbour amenity

London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts. Policy DH3 of the HNP also states that proposals should not harm the amenity of adjacent properties.

DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring resident.

The Inspector in the 2020 Appeal scheme found that it would have an adverse impact on the light levels for the owners/ occupiers at No.s 26 and 27 Shepherds Close. The Inspector had made reference to the use of the Visible Sky Component (VSC).

A Daylight and Sunlight Assessment has been submitted with the current planning application to address the points raised by the Inspector in the context of the new development (which has a reduced maximum height compared to the 2020 Appeal scheme) and the removal of vegetation that has occurred on the site. The Assessment includes reference to floor plans, and invokes the use of the No Sky Line (NSL) test in accordance with BRE guidance. The Assessment states that the NSL test is more detailed than the VSC and concludes that the scheme is compliant with BRE guidance.

Notwithstanding this, the current proposal includes a 4.3m in height (i.e. over twice the height of the existing boundary fence) by 6.1m in length on the shared boundary with no. 27 and part of No. 26. Considering the height of the wall, the drop in topography between the sites, and its location/ orientation to the entrance ways of the two sites, the wall is considered to introduce an adverse impact in relation to overbearing development and outlook on the owners and occupiers of the sites.

The submitted section drawings indicate how direct overlooking to neighbours would be avoided, and there would be no material impacts on neighbouring privacy as a result of the development.

An air source heatpump is noted as being proposed, and based on its location would be set apart from neighbouring boundaries.

The proposal by reason of its overall size, siting and relationship with neighbouring properties, would cause harm to the residential amenity and outlook of neighbours contrary to DPD Policy DM1 and Policy DM12 and London Plan Policy D6.

Standard and quality of residential accommodation

London Plan Policy D6 requires housing developments to be of high-quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.

The proposal would see the new dwelling provided as follows:

Unit no.	No.	Floorspace	London Plan	Amenity
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	beds/persons	(sqm)	requirement (sqm)	space provision (sqm)
New dwelling	3b4p	149 sq.m	84 sq.m	Greater than 5 sqm.

The proposed dwelling would be dual aspect and would provide sufficient levels of outlook and daylight for the future occupiers. The floor to ceiling height for the dwelling are considered acceptable as the would meet the minimum height of 2.5m as set out by the London plan 2021.

Given the above, the proposed units would provide an acceptable standard of accommodation for future occupiers.

Inclusive access

London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used easily and with dignity by all. London Plan Policy D7 require that 10% of new housing is wheelchair accessible and that the remaining 90% is easily adaptable for residents who are wheelchair users. DPD Policy DM2 also requires new developments to be designed so that they can be used safely, easily and with dignity by all.

The proposed building would provide a toilet at ground floor level accessible with step free access.

Parking and Highway Safety

London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

Local Plan (2017) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DM Policy (2017) DM31 'Sustainable Transport'.

The site has a PTAL score of 4, and is located within a CPZ. As with the 2020 Appeal development, while objections have been raised with regard to parking and transport, considering the scale of development having one off street car parking is unlikely to increase on-street parking stress to an unacceptable level.

Bike storage is shown on the plans to be two vertical storage units located within the main entrance of the dwelling, although horizontal bike storage should be provided to promote accessible to a range of users.

Overall, the proposed development would not have any adverse impact on on-street parking and highway safety conditions.

Energy and Sustainability

The London Plan sets out detailed policies in relation to energy efficiency, renewable energy, climate change and water resources. Local Plan Policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions through on-site renewable energy generation.

DPD Policy DM21 also requires new development to consider and implement sustainable design, layout and construction techniques, with proposals required to apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements.

The submitted Energy Statement, while outlining the provision of an air source heat pump is insufficient to determine, amongst other matters, that the proposal would comply with the above policies and achieve the required reduction in carbon emissions over 2021 Building Regulations Part L. Additional sustainability measures to be integrated into the development are provided in Section 9 of the DAS. Were the application otherwise found to be acceptable, additional details relating to Energy would be secured by way of condition.

Trees and Ecology

DM Policy (2017) DM1 'Delivering High Quality Design' states that the Council will expect development proposals to respond to trees on and close to the site. Policy DM19 (Nature Conservation)(B) states that development that has a direct or indirect adverse impact on important ecological assets, either individually or in combination with other development, will only be permitted where; a) the harm cannot be reasonably avoided; and; b) where it has been suitably demonstrated that appropriate mitigation can address the harm caused.

As with the previous refused scheme, an Arboricultural Report and Preliminary Ecological Appraisal have been provided in support of the proposed development.

The Council's Arboricultural Officer has reviewed the submitted Arboricultural and concurs with the conclusions in this. The root protection areas for nearby trees are notional and offset, and incursion is minimal.

As previously outlined, the site is clear of vegetation and trees. The submitted Preliminary Ecological Appraisal advises that slow worms may be present on the site, though provided care is taken when removing materials on the site no concern is raised. While the proposal would result in an increase in levels of lighting, as with the previous application for the site, any lighting directed towards Parkland Walk could be controlled by way of condition. Section 8 of the DAS outlines further measures to mitigate impacts on/ increase biodiversity.

The impact on trees and ecology overall as a result of the proposed development would not be material.

Other matters

Objections received noted impacts of the proposal on flooding/ drainage of the site and stability concerns. Noting the sites current arrangement and location within the Close, and being boarded up, the proposal is not considered to result in significant concerns on drainage/ flooding in the area. Regarding matters of stability, there is no evidence on the site that would distinguish matters of stability as being insurmountable by standard engineering requirements under the Building Control process.

7. CONCLUSION

Taking account of the planning history for this site and the last appeal, which has to be given significant weight, the scheme as proposed while representing a different design approach does not overcome the previous concerns raised.

As such the scheme in terms of its overall size, design, footprint and massing would appear cramped, overly large and an incongruous development for the site removing the sense of open space and buffer that separates the Close from the development fronting Shepherd's Hill. The scheme in turn is viewed to lead to harm to the significance of the Conservation Area for which there is no identified public benefit to outweigh such harm. Equally the proposed development by reason of its overall size, siting and relationship with neighbouring properties, would cause unacceptable harm to the residential amenity, in terms of conditions of outlook.

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

8. CIL APPLICABLE

The application is for a new dwelling, with a floor area of 149 sq.m, and therefore would be liable for the Mayoral and Haringey's CIL charge in the event of being approved. Based on the information given, the Mayoral charge would be £10,321.23 (149 sqm x £69.27) and the Haringey CIL charge would be £62,945.05 (149 x £422.45).

9. RECOMMENDATION

Refuse permission for the following reasons:

1. The proposal by reason of its overall size, design, footprint and massing would appear a cramped, overly large and incongruous development for the site removing the sense of open space and buffer that separates the Close from the development fronting Shepherd's Hill, and would therefore detract from its context, and would result in harm to the significance of the Conservation Area where any public benefit provided would not outweigh the harm caused, contrary to Policies SP11 and SP12 of the Haringey Local Plan, Policies DM1, DM7 DM9 & DM12 of The Development Management DPD 2017. Policies DH2 and DH10 of the Highgate Neighbourhood Plan 2017.
2. The proposal by reason of its overall size, siting and relationship with neighbouring properties, would cause unacceptable harm to the residential amenity and outlook of neighbours contrary to Policies DM1 and DM12 of The Development Management DPD and London Plan Policy D6.