

6 Grange Road
Highgate
London N6 4AP

Mark Chan
Haringey Planning Service
6th Floor
River Park House
225 High Road
Wood Green
London N22 8HQ

By email

9 August, 2024

Dear Mark,

HGY/2024/1676 – 6A Grange Road, N6 4AP

We write to object to the above application which relates to the site immediately adjoining and to the south of our home at No 6 Grange Road.

We believe that there are several substantial reasons for this application to be rejected outright. For that reason, in this letter we confine our comments to those issues alone.

We have had the benefit of reading the comments of our neighbours at No 8 Grange Road as posted on the Council's online file, and agree with and support all that they have said.

Objection main grounds

1. **Scale** – the proposed house is over-large in every dimension for the size of site and the location generally – too high, too deep (front to back), too wide above ground floor level and with too massive a basement – all contrary to DM1
2. **Loss of openness and separation between houses** – the loss of separation between No 6 and No 6A at first floor level and above would be harmful to the character and appearance of the Highgate Conservation Area

3. ***Failure to deal with 2019 groundworks and retaining walls*** – The unlawfully built reinforced concrete retaining walls on the site are quietly incorporated into the design as “garden walls” without their details having been established and therefore with no information on how they will affect (or have affected) groundwater flows, surface drainage, ecology and the proposed basement mitigations
4. ***Loss of daylight and sunlight to No 6*** – the baseline for the effect of the proposal can only be the (now-demolished) former 6A house, as against which the proposed house will fail in the requirement to safeguard daylight to the side bedroom at No 6 and so will be harmful to the living conditions of occupants of No 6
5. ***Defective BIA*** – Reviewed by Alan Baxter Ltd and found yet again not to be in accordance with policy requirements or even of a usable standard
6. ***Environmental impact*** – the proposal would concrete over/develop nearly two thirds of the site, vacant for 5 years and now having two seasonal ponds, which has become part of both a north-south and the Highgate Wood - Hampstead Heath east-west wildlife corridors and would further damage significant mature trees; the application assumes the new biodiversity rules don't apply but fails to take proper account of SP13 (requiring all development to protect and improve sites of biodiversity and nature conservation, including private gardens) and DH7 of the Highgate Neighbourhood Plan.

Before dealing with the above specific concerns, we need to rebut the suggestion that the 2018 approval can act as a starting point for an application on the 6A site. We also then deal with some issues arising from the D&A.

The issue of use of 2018 approval as a benchmark

This application relies heavily on the 2018 consent (HGY/2016/3135). This is despite our drawing to Mr Castle's attention the errors in the drawings referenced in the Council's permission letter dated 25 January 2018, including the front to rear depth of our house, 6 Grange Road, being too great, resulting in the rear building line being shown as 1600mm further back than it is in reality.

Other errors included misrepresentation of the spacing between No 6 and No 6A, failure to recognise that the rear first floor of No 6 is itself set back some 1000mm from the ground floor building line and is gabled, and problems with the levels (with consequent implications for building heights etc).

Further, and no less importantly, there was no daylight/sunlight investigation when clearly there should have been.

We were advised in 2022 that the No 6 rear building line error meant that the 2018 consent should not be treated as a material consideration, since it meant that the consent had been granted on an incorrect premise. It has since been suggested that

the effect of the error should be only that the rear building line should no longer be a material consideration and therefore that only the rear elevation of the 2018 design may be questioned.

What that limited interpretation would mean practically is open to question. Should the rear of the consented building be deemed pulled in by 1600mm? What implications would that have for other aspects of the design, such as windows at the sides and the roof and internal arrangements? In any event, no such adjustment has been made or suggested, the 2018 plans having been used now in their original form.

Notwithstanding that, our contention is that there are important further reasons why the 2018 consent *as a whole* should not be treated as a material consideration. These include the further errors referred to above in the second paragraph of this section, and the absence of a daylight/sunlight investigation (particularly as the current application depends on the 2018 consent in order to show compliance with the BRE daylighting guidance).

The 2018 consented plan drawings were re-used in the HGY/2022/1888 application. Together with our neighbours at No 8, we commissioned Arena Surveys to survey No 6, the No 6A site and No 8 and to superimpose the result on the 2018 site plan (provided with our comments in 2022) as well as front and rear elevations (an example of which is provided now as **Attachment A**).

This shows how the 2018 consent was based on drawings which showed the gaps between the proposed 6A and both No 6 and No 8 to be materially greater than would have been the case had the approved house been built.

For example:

- the distance between No 6 and No 8 (eves to eves) is shown in the consented rear elevation as 15.3m, whereas in the corresponding Arena survey it is 13.5m, and
- the width of the consented house at the top of the first floor was 9.3m, resulting in the combined gaps between 6A and 6 and between 6A and 8 in fact being 4.2m rather than the apparent (drawn) 6m.

A further example emerges on drawing P/200 for the current application (Short Section BB) between No 6 and the 2018 consented design where the first floor level gap shown is just 3m, 1.6m less than the pre-demolition gap of 4.6m.

Given the importance of openness around the houses to the character and quality of this part of the Highgate Conservation Area (see further Loss of Openness and Separation between Houses, below), it is reasonable to assume that had the Council been made aware of how small the gaps remaining after the development would have been, it would not have approved the application in 2018.

Similarly, it is inappropriate for the 2018 consent to be relied on to show that existing occupiers would not be materially adversely affected by loss of daylight caused by the development, given the absence of any daylight investigation in that case.

Given the errors in the 2018 consent drawings, when Mr Castle said he intended to use that consent, we specifically asked (in an email on 6 February 2024) how he had translated the erroneous drawings into the new plans and in particular what assumptions or adjustments had he made in order to do so. We did not receive a clear answer, only that he had tried to be as objective as possible.

Apart from the further fact that the 2018 consent has lapsed (and in view of its various deficiencies we would say could not be granted now), it was subject to enforcement action in 2019, believed to be due to breach of conditions or failure to comply with pre-commencement conditions. As work stopped and the failures have never been rectified, it seems remiss (to say the least) that the same consent should now be relied on and used in aid of a further application.

Whilst the applicants are entitled to base their application on whatever premise they choose, it is disappointing that the 2018 consent has been chosen despite its deficiencies. Those deficiencies – which lead directly to several material negative effects on the two neighbouring properties – were discovered and pointed out two years ago (in relation to HGY/2022/1888).

We are aware that in *Choiceplace Properties Ltd v Secretary of State for Housing Communities and Local Government and Barnet London Borough Council (1981)*, a single error in one of the drawings specified in a planning consent that meant that the development could not be built in accordance with that and the other drawings, had the effect that the development could not be carried out in accordance with the planning consent at all. In effect the consent was invalidated. It did not matter that the error was inadvertent. The drawings specified in the 2018 consent include numerous errors, some at least as serious as that in *Choiceplace*. Accordingly we believe that *as a matter of law* the 2018 consent could not have been implemented.

Whilst we have not at this stage taken formal legal advice on the point, we are of the view that as a result of the foregoing matters, it would be unreasonable for the 2018 consent to be taken as a material consideration in deciding the current application.

Points arising from the Design & Access Statement

In view of the foregoing, we strongly disagree with the D&A assertion that the 2018 consent “*provides a practical benchmark for evaluating the acceptable impact*” of the new proposal (section 3 (Planning history) and again (without “acceptable”) in section 6.1). It does not.

Given its importance as a piece of law relating to the site, we need to point out that the planning appeal (APP/Y5420/E/09/2115302) relating to HGY/2008/0440 (the **2010 Appeal**) remains an important part of the relevant planning history and should not have been omitted from the D&A. It follows that the Material Planning Considerations in the D&A are not fully informed.

Also on the subject of the planning history, we are puzzled by the statement in the D&A that HGY/2011/2237 “identifies that a design much larger than the one currently proposed” was approved on this site. Whilst the basement in that application did extend forward of the front building line as well as under the back garden, the ground floor was 5m shorter at the rear, the first floor stepped in on the No 6 side to preserve the gap and the first and second floors each stepped in at the rear from the floor below. The result was demonstrably smaller – emphatically so above ground – than the current application, not larger.

Section 6.3.1 states that the impact on neighbouring daylight/sunlight/outlook has been a consistent factor in design development and that this was informed by a combination of planning history, pre-application feedback, neighbour consultation/visits to neighbour properties and consultancy provided by BRE. To be absolutely clear, whilst we have expressed our concerns about this issue since 2022, and permitted BRE full access to conduct their survey on 12 October 2022, we received no information on the subject until receipt of the finalised BRE report on 21 June this year – after the application had been submitted. The substantive issues are dealt with under Daylight/sunlight and amenity below.

The various drawings in the D&A and forming part of the application which purport to show how the proposal relates to the 2018 consented proposal are neither helpful nor convincing. The main points are that the current proposal is both materially higher and with a substantially larger second floor and ground floor than the 2018 proposal, and of course the addition of the basement.

In particular, where drawings showing the proposed second floor include the 2018 consented proposal for comparison, they either show the current proposal to be larger in several respects (as in drawings P/200 (Section A-A) and P/300 and P/301 (side elevations)) or are incorrect (as in the perspective view on page 6 of the D&S which crucially omits the front and side set backs of the second floor).

Generally as to the consultations referred to in the D&A, please see above and the comments of our neighbours at No 8 in their 7 August letter, as our experience was similar to theirs.

Scale of the development

The proposed house is over-large in every dimension for this site and for the location generally. It is too high, too deep (front to back) particularly above ground floor level, too wide above ground floor level and with too massive a basement. The application seeks to justify each of these things by selective use of different benchmarks – a device which should not be permitted.

The 6A site is the narrowest in the entire road by some margin (bearing in mind that Jacqueline Creft Terrace remains a single plot)

The proposal falls foul of Policy DM1 Haringey Local Plan – Development Management which requires development proposals to relate positively to their locality, having regard to:

- a. building heights
- b. form, scale and massing prevailing around the site
- c. urban grain [etc]
- 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 [...]

The height of the gable (measured as 9.9m from ground level at the rear, stated to be 9.5m in the application form) matches that of No 8 – which it clearly should not. The height wildly exceeds any previous roof height for the site and is more than 3m higher than the pre-existing house. The design is expressed in the D&A to emphasise the vertical which seems counter-intuitive.

The bulk and scale of the house are highly apparent both from the front and north side views, and we find these to be exacerbated by the multiple roof forms. There is no stepping in at higher levels and front and rear building lines of the neighbouring houses and of the pre-existing house, are not respected. From the rear, the house presents as an urban semi which has undergone multiple extensions at different times under different owners.

The basement extends to 20m of the 36m length of the site, and practically its full width when the piles and engineering solutions are included.

Various of these issues are dealt with in more detail throughout the rest of this letter.

Loss of Openness and Separation between Houses

Under the Highgate Neighbourhood Plan DH2, development proposals should preserve or enhance the open, semi-rural or village character or appearance of the [Highgate Conservation Area] where this is a feature of the area. Similarly the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the area.

Numerous planning appeals in the locality (and two relating to 6A) have responded to these requirements by emphasising the gaps between the houses at first floor level and above, and the sense of openness that is a feature of this location. The closure of the gap between No 6 and No 6A was one of the key reasons for the inspector's rejection of the 2010 Appeal (at paragraphs 11 and 13).

The gap to which the inspector was referring is clearly shown on drawing 744-03A submitted in connection with HGY/2007/1486. At first floor level the gap is 4.6m at the front elevation and 4.4m on the rear elevation (reflecting the slight change in alignment between the houses).

The gap shown on the proposed plans (P/300 Front elevation) has been reduced to some 3.65m (as against 3.75m for the 2018 approval) a reduction of practically 1000mm as compared to the original 6A house. On drawing P/101 the gap is only 3.5m at the front elevation (even after allowing for the eaves), the same as shown for the 2018 approval.

No 6 is single storey only at both the No 4 and No 6A boundaries, as is No 4 to the north. No 6A similarly was single storey only against the boundary with No 6.

Not only is the proposed No 6A now closer to No 6 than the original house, its great height and large flank wall with no setting back at the upper levels on the No 6 side (unlike the second floor of the 2018 design), together with the 15m ground floor depth, will all emphasise the closure of the gap. This will more than offset any supposed benefit of the house now following the line of the boundary – as indeed the plans clearly show.

We think it is also relevant that were we to apply to add a second floor to our single storey side extension adjoining No 6A, we would expect this to be refused (as was recently the case at No 24 Grange Road (HGY/2023/0704)) on the grounds of – in effect – closing the gap. It would be strange if 6A (a site smaller than and supposedly created out of Nos 6 and 8 and described in one pre-app as an in-fill site) were permitted to do this, but that No 6 would not.

In our view, therefore, on the crucial requirement to preserve or enhance the open, semi-rural, character of Grange Road (with its gravel road surface and absence of kerbs, road markings and footpaths), the proposed design demonstrably and clearly fails and should therefore be refused.

Unauthorised groundworks and reinforced concrete retaining walls on site

We understand that following demolition of the pre-existing house on the site, many tons of earth were excavated and removed. Substantial steel-reinforced concrete retaining walls were then built to a substantial depth (believed to be at least 2.5m and perhaps up to 4m below original ground level) along most of the boundary with No 6 to the rear of the single story extension of No 6, across the width of the 6A site about 2m from the rear boundary (with No 10 View Road), and part way back towards No 8 Grange Road some 3m in from the 6A/8 boundary.

Some of these retaining walls can be seen in Appendix A (Site Photographs) to the BIA, but their lowest extent is nowhere visible due to backfilling of earth having taken place at the time.

They are shown (but not identified) in only one of the plans in the application (P/101 Ground Floor Plan) and as “Concrete Low Wall” in the Site Survey & External Roof Plan by RGL Surveys in Appendix J to the BIA (also the first document posted to the application online file). Both drawings are incorrect as regards the left hand wall. P/101 shows this wall extending rearwards from the No 8 utility room, and the survey shows no wall on the left side of the site at all. In fact that wall starts at about the mid-point and runs rearwards from there (photo attached as **Attachment B**).

Para 2.7 and Figure 2.3 of the BIA purport to refer to the retaining walls but details are inconsistent or simply incorrect, two statements are expressed to be unconfirmed and nowhere in reality is a double wall structure as shown in Figure 2.3 evident on site, least of all along the southern boundary with No 8. The height of the walls shown in Figure 2.3 is less than can be seen on site.

Figure 2.3 also shows a below-ground horizontal structure which would make the retaining walls even more like a basement. It is believed that a concrete slab may indeed have been constructed adjoining some of the retaining walls, particularly towards the rear of the site, but nothing of it is visible due to the backfilling that took place.

Para 6.25 of the BIA asserts that the “garden retaining wall” is founded at a level of 48.24m aOD, 1.3m above the groundwater level. That is inconsistent with the levels shown in the RGL survey and also undermined by the comments on levels etc made in the Alan Baxter report.

These unauthorised works are tantamount to a partial basement having been constructed without any planning consent and without a Basement Impact Assessment of any kind. The works were also conducted without any regard to their effect on groundwater flow and without any mitigation measures, such as drainage channels, being included.

The works were stopped by the council pursuant to:

1. a Breach of Conditions Notice A-6759 served on 18 Feb 2019, followed by
2. a Temporary Stop Notice A-6760 served on 28 Aug 2019.

As neither notice is available to public view on the Haringey website, we have not seen their contents.

Pre-application advice given to the applicant (for example para 21 of PRE.2022.0026) has made clear the need for the extent and implications of these retaining walls to be fully understood. Clearly, presently, they are not.

Effect of the unauthorised works on this application

We too have asked the applicant to deal with these works at every meeting, including those we had with Cassion Castle. Instead, the plans and the BIA simply assume to use each of these structures “as is” – even though it is admitted in the BIA that the extent of the works and structures isn’t known. In other words, no effort has even been made to establish what has been built on the site, far less what the drainage, groundwater and ecological implications might be.

In consequence, the entire BIA would seem to us to be fatally flawed for at least three reasons:

First, because it is likely that the unauthorised works have already had some effect on the hydrology and/or drainage in their vicinity, which calls into question the borehole readings underlying the BIA and the flood risk assessment and other conclusions in the BIA;

Secondly, because the drainage channel layout proposed by the BIA would redirect the groundwater flows interrupted by the new basement straight into the already-built retaining walls (subject to the aOD levels for the basement and the depth of the existing retaining walls being clarified) – see eg Para 7.12 and Figure 7.2 of the BIA. This would still be the case if the additional drainage channel on the fourth (northern) side of the basement suggested by Alan Baxter in their review of the BIA were ultimately to be part of the mitigation works of the proposed basement; and

Thirdly, because the ground investigation by AF Howland Associates included in the BIA was conducted in 2015 - before demolition of the pre-existing house on the site and before the excavations, unauthorised works and partial backfilling took place.

Whilst we cannot be sure what effect these unauthorised works have already had on local hydrology as we only acquired No 6 Grange Road in 2021, our impression is that much of the back garden of No 6 seems unnaturally arid.

Effect of the unauthorised works on protected trees

Construction of the retaining walls has also impinged substantially on the root protection areas of several mature trees. The fact of the excavations within the RPAs is noted in relation to trees T002 (Poplar), T003 (Oak), T004 (Yew in No 6 garden), T005 (Coloneaster in No 6 garden) and T006 (Goat Willow (in fact a Bay Laurel) also in No 6 garden) in the Arboricultural Impact Assessment accompanying the application.

Paragraph 6.1.5 of the AIA says that the works resulted in loss of tree root mass for all those trees and that remedial action will be required for all of them. Neither this, nor the requirement for annual reinspections, has been communicated to us in relation to our trees (T004, T005 and T006).

Para 2.8 of our own arboricultural appraisal conducted in connection with HGY/2022/1888 said that the retaining walls were within 2m of the Poplar, 3.5m of the Oak and 2m of the Yew (which required a radial RPA of 6.8m). Para 2.9 went on:

As such, the proposed/existing excavations and retaining structures are likely to result in both physiological and structural concerns for these trees.

Para 3.2 of that report went on to say that:

It is evident ... that the required tree protection ... was not installed [around these trees], with extensive excavations having been carried out in the areas identified as 'Construction Exclusion Zones' and 'Root Protection Areas'.

Para 3.3 concluded that on this basis alone:

...the works carried out are in breach of the [2018] planning approval and as a result ... significant damage appears likely to have been caused to [these trees].

We note that T002 (Poplar) was graded retention category B2 in the AIA accompanying the 2022 application (HGY/2022/1888), compared to a surprising C1, 3 in the applicant's latest AIA.

Conclusion regarding the unauthorised works

The failures in the current application to establish details of the works done in 2018-2019 and properly to take them into account in the BIA, or to provide for removal of the works and restoration of the site to its original condition at the outset, rather than blithely to incorporate them into the design, should be treated as fatal to the entire application.

Failure to do this would have the effect of rewarding breaches of planning conditions, planning policies and planning law, damage to several mature trees and the building of a partial basement without engineering input or the involvement of building control, with a new consent incorporating those works and in effect granting a retrospective consent which has not even been applied for.

Oversized second floor

The description of the development as a three-storey dwellinghouse in the consultation letter and the council online file accurately describes the design for what it is.

Unlike most of the other larger houses in this part of the conservation area which have traditional pitched roofs and dormered rooms in the roof (whether or not a gable also features), this proposal is clearly a full three-storey house above ground.

Where houses of more modern design have a third storey, it is a subordinate structure, set back from the front and sides of the floor below.

The Pre-App to the 2022 application (PRE/2021/0286) referred to the 2018 consent as *"a negotiated scale with a subordinate lightweight roof"*, with the then *"reversion to a proposed three storey building [being] considered to be a regression"*. That same concern applies to the current application.

We believe that the GIA of the second floor of the 2018 consented house was 65.95m² and calculate the GIA of the second floor in the present application as 74.44m², a substantial increase and even larger than the second floor pavilion of the much larger house at the corner of Grange Road and View Road (8 View Road).

The present application has an intricate assemblage of four roof structures to accommodate the huge third storey – a double pitched roof of comparable height (eves to ridge, that is – much higher in absolute terms) to that of No 6, an over-high

gable across the full depth of the house from front to back and a flat roof between them, supposedly hidden from view by the others.

These are devices to conceal what is clearly a full second storey and the inordinate front to back depth of the house. The only difference between the first and second floor plans is accounted for by the front and rear bays which extend to the top of the first floor and project some 600mm at the front and 900mm at the rear.

BIA

Notwithstanding our belief that the BIA is fundamentally flawed as set out under Effect of the unauthorised works on this application above, together with our neighbours at No 8 we have again engaged Alan Baxter Ltd to review and comment on the BIA, which they have done and submitted to you.

Their review speaks for itself so our only comments are these:

1. The conclusions in paragraphs 8.3, 8.4 and 8.5 of the BIA are inconsistent with statements made in the body of the BIA
2. Figure 4b (Foundation levels) (Appendix D) show the No 6 foundations to be below ground whereas, unfortunately, the previous works on site have completely exposed and even undermined them – as can be seen in photos P2 and P 3 in Appendix A to the BIA and in **Attachment C**
3. The flood risk assessment contained in Appendix I references plans that are not part of the current application
4. It seems that the plans have not taken account of the flood risk assessment in Appendix I; as part of the proposed surface water drainage strategy for the site a new private surface water sewer running along the southern boundary of the building is proposed, together with a 19.9m³ attenuation tank measuring 6.0m x 3.0m x 1.2m positioned in the front garden. These are missing from the plans and would seem rather hard to incorporate given other infrastructure in those locations.

Daylight/sunlight and amenity

As we only moved to Grange Road in 2021 we had no involvement with HGY/2016/3135. Until we saw HGY/2022/1888 we were unaware that all parties involved had missed the daylight/sunlight implications of the earlier application. That being so, it is clearly inappropriate for the BRE report to suggest a comparison to the 2018 consented design for daylight/sunlight purposes.

In doing this, the deficient 2018 drawings must have been used to build the daylight model. This must cast doubt on any conclusions BRE may have drawn as to the daylight/sunlight effects of that development on the adjoining properties.

London Plan Policy D6 outlines that the design of a development must not be detrimental to the amenity of surrounding housing. In particular, proposals should provide sufficient daylight and sunlight that is appropriate for the context, while also minimising overshadowing. Policy DM1 requires proposals to provide appropriate sunlight, daylight and open aspects to adjacent buildings and land.

This requirement has been reiterated in pre-application advice to the applicant, for example in PRE/2022/0266 (para 25) which said that daylight/sunlight analysis must show there will be no adverse impact on neighbouring amenity.

In the recent local appeal decision (APP/Y5420/W/23/33325808) relating to Stanhope Road N6, the planning inspector not only considered relevant all windows where the impact of the development reduced the VSC for existing occupiers to below the 0.8 threshold, but even those which were slightly above 0.8, concluding that there is a continuum of light loss and that where results were close to (but above) 0.8 some reduction in light might be apparent to occupiers. The inspector also clearly concluded that all windows that failed either the VSC or NSL test were relevant, *contrary* to BRE's suggestion that it might be acceptable if any one test can be passed.

Applying these principles to our case, the BRE report results show a substantial VSC failure for our bedroom windows E and F as against both the current (vacant plot) situation, and the pre-existing 6A house situation.

Only by comparing to the defunct 2018 consented scheme do windows E and F appear to pass the VSC test. This looks like manipulation and should be rejected. The facts are clear that the bedroom served by windows E and F will be materially more gloomy following the proposed development and that this is contrary to policy.

The test is failed substantially, which we assume results from the height, depth, proximity and mass of the proposed 6A house. Accordingly the application as it stands must be dismissed.

As to loss of sunlight to No 6's rear garden, we are puzzled by Figure 7 of the BRE report as we would have expected the proposal building – which projects to a height of three storeys to at least the rearward extent of the No 6 house and lies pretty much to the south – to cast more of a shadow particularly in the narrow section at the rear of the single storey extension adjoining No 6A. By contrast a shadow is discernible on the other side of the house, cast by the gable across the rear of No 6, which is much lower (albeit of course closer) than the application house.

More importantly, the BRE report failed to take proper account of the amenity use of the patio area which extends to 2.5m from the rear of the No 6 rear gable. 2 hours of sunlight would be grossly inadequate since this is the space in which occupiers would be expected to sit out. As a result of the orientation of the patio, the maximum sunlight on 21 March is around 6 hours, so the 4 hour line should also have been calculated.

As such, the BRE report fails to demonstrate that there would not be loss of amenity by reason of loss of sunlight to the No 6 patio.

Scale/Overdevelopment

Section 6.2.4 of the D&A says the proposal footprint is 30% of the plot area.

That conclusion entails being somewhat selective as to what is considered built area. It excludes all of the basement that extends beyond the ground floor footprint (front and rear gardens, rear terrace and part of the path on the north side of the house), the front garden vehicle hardstanding, the concrete retaining walls and the paths on both sides of the house (which are hard paved and with basement piles beneath).

If the basement (which is nowhere shown to be covered with an adequate depth of soil to comply with DM18 (or HNP DH7)) were included in the built area, the footprint would be 36% of the plot area.

The real soft landscaped parts of the development (roughly the green areas marked on drawing P/101, but excluding the retaining walls and the basement) amount to just 35.5% of the plot, showing that in reality 64.5% is built on.

In support of the alleged 30% figure, the D&A makes comparisons with Nos 4, 9 and 24 Grange Road. These comparisons do not stand up:

No 4 – is an unobtrusive low built, two storey house with a butterfly roof that presents as flat-roofed from the front. The slightly higher use of the plot reflects the greater depth of the house, so as to provide space on only two floors. There is no adverse effect for us as neighbours.

No 24 – this replacement house on an usually small plot was built further to a 2007 planning consent which required the footprint of the earlier house to be substantially followed. Again it is low-built with only 2 storeys above ground.

No 9 – this might, like the present 6A proposal, also be considered an overdevelopment of the site, which is narrow (although slightly wider than 6A) and slopes steeply upwards from the road. However, the front-to-back depth of the house which accounts for it taking up more of the plot is compensated for by a single storey flat roof element on the north side, itself set back from the main form of the building, whose flank wall is as a result set 6m away from the northern boundary, leaving an ample gap between the house and No 7. The 6A proposal has no corresponding compensatory elements.

These comparisons serve to demonstrate how the 6A proposal endeavours to push the boundaries in all senses (and in all directions), in order to maximise the size of the house.

This tendency was pointed out in pre-app discussions, for example in PRE/2023/0029 which included these points:

- overall, the proportions, roof form and design of the proposed building would result in a building which does not sit well in this in-fill site..., and
- while accepting it is within your right to explore achieving a larger house than that previously consented, the different design iterations to date unfortunately show there are difficulties/constraints to achieving this.

In view of the foregoing, we believe this application would cause substantial harm to the character of Grange Road and this part of the Highgate Conservation Area, as well as substantial harm to the amenity and living conditions of the occupiers of the neighbouring properties.

Yours sincerely,

Peter Schulz

Edwin Cossio Murillo

**Attachments A, B and C
are on the following
two pages**

- APS Survey drawing
- Viridian proposed scheme



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Drawing Naming Convention:
 Job No\Code\Dwg type\Location\Ref
 Code: 13 = Existing 14 = Proposed
 Dwg Type: B = Building E = Elevation
 S = Section T = Topographical
 Location: B = Basement C = Ceiling Plan
 E = External F = Front
 G = Ground S = Side
 I = First Re = Rear
 R = Roof GA = General Layout
 M = Mezzanine AA = Section A-A
 Ref Ref to individual dwg I.D. (e.g. Revision)

Symbols (where applicable):

Notes:
 The Survey has been computed on an arbitrary grid.
 All Levels are in metres and relate to an arbitrary site datum.
 Station X... Value ...m.
 All direction arrows indicate DOWN unless otherwise stated.
 Drainage pipe sizes (where shown) have been gauged from the surface (for safety reasons) and should be regarded as approximate only.
 Visible features in the vicinity of any boundaries, as shown on this survey, may not represent the extent of legally conveyed ownership.
 Whilst every effort has been made to determine wall materials, no guarantee is given. Materials should be regarded as assumed unless verified by a qualified third party.

Rev	Date	By	Description

A R E N A
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 LONDON N6 4AP

Drawing Title:
 PROPOSED PROPERTY INSET
 BETWEEN 6 & 8 GRANGE ROAD
 REAR ELEVATION

Date:	Scale:	Surveyor:	Drawn:	Checked:
07.07.22	1:150@A3	JWS	JWS	APS

Job No:	Drawing No:	Sheet No:	Rev:
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Attachment B



Attachment C

