



<b>PLANS</b>		
<b>Plan Number</b>	<b>Rev.</b>	<b>Plan Title</b>
33-000		OS Map extract
33-000	A	Proposed site/landscape plan
33-100	A	Proposed site plan in context
33-001	B	Proposed buildings footprint on site survey
33-002	B	Proposed ground floor/landscape plan
33-003		Proposed basement plan
33-004	A	Proposed first floor plan
33-201	A	Proposed cross sections House 1
33-301	A	Proposed front elevations
33-302	A	Proposed side elevations
33-303	A	Proposed rear elevations

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**PLANNING DESIGNATIONS:**

Significant Local Open Land  
Borough Grade II Ecological Value  
Road Network: Classified Road

**RECOMMENDATION**

**GRANT PERMISSION** subject to conditions

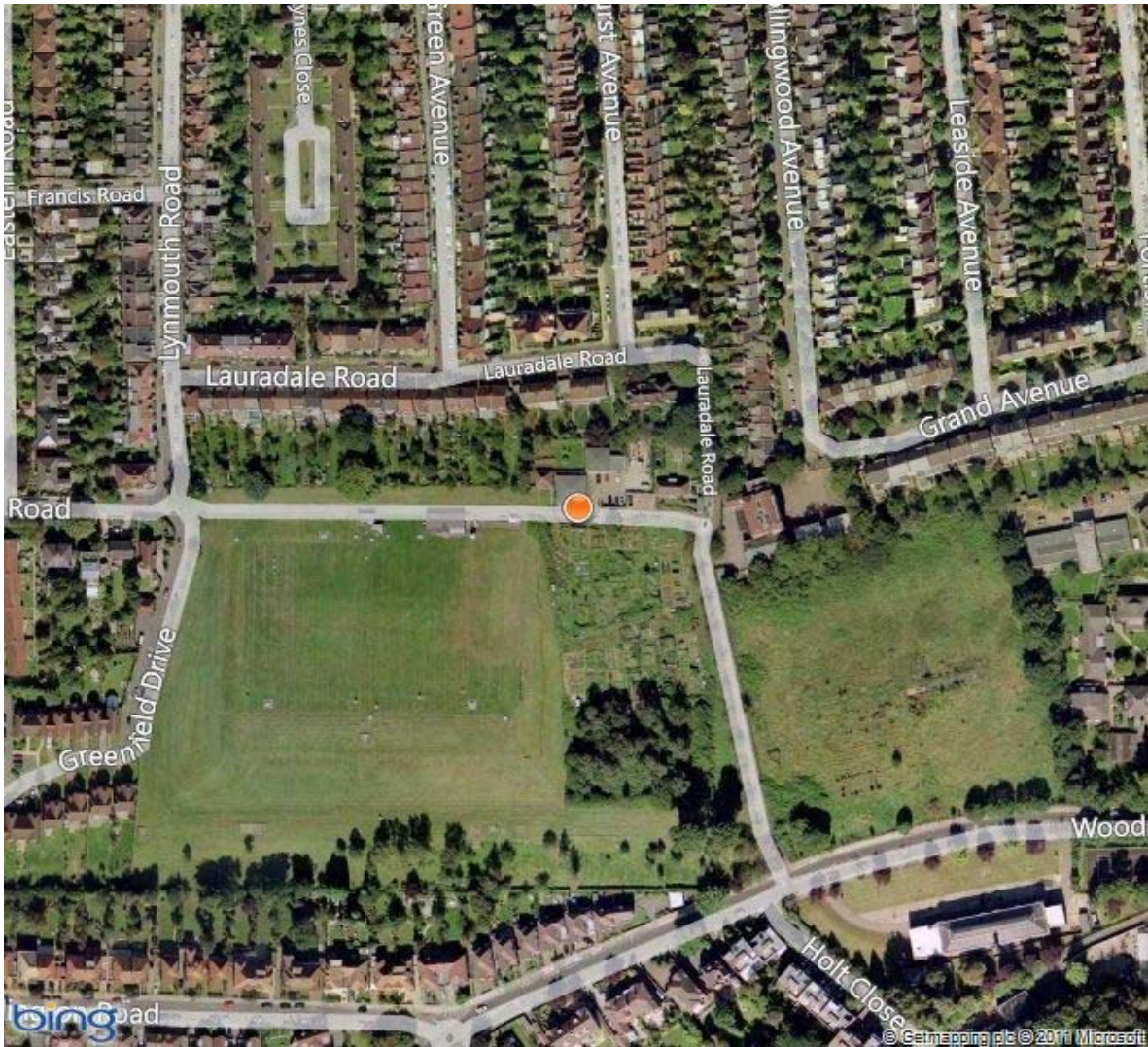
**SUMMARY OF REPORT:**

There are a number of benefits to this scheme that outweigh any perceived disbenefits. The scheme optimises the potential of the site for high quality housing. The dwellings would give the site an appearance that would not detract from the open character of the area as a whole. The design, form and choice of materials for the proposed dwellings have been designed sensitively to the character of the surrounding area. The proposal will not harm the living conditions of residents of neighbouring properties. The quality of accommodation is considered appropriate built to Lifetime Homes Standards. The scheme would introduce measures to reduce the energy emissions of the proposed buildings.

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# 1.0 PROPOSED SITE PLAN





Birds Eye View of 85 Woodside (Land to the rear of 2 – 16 Lauradale Road)

## 2.0 IMAGES



Photo 2: Employment use buildings at 85 (left) and the newly developed dwelling at 87 Woodside Avenue (right)





Front of the site

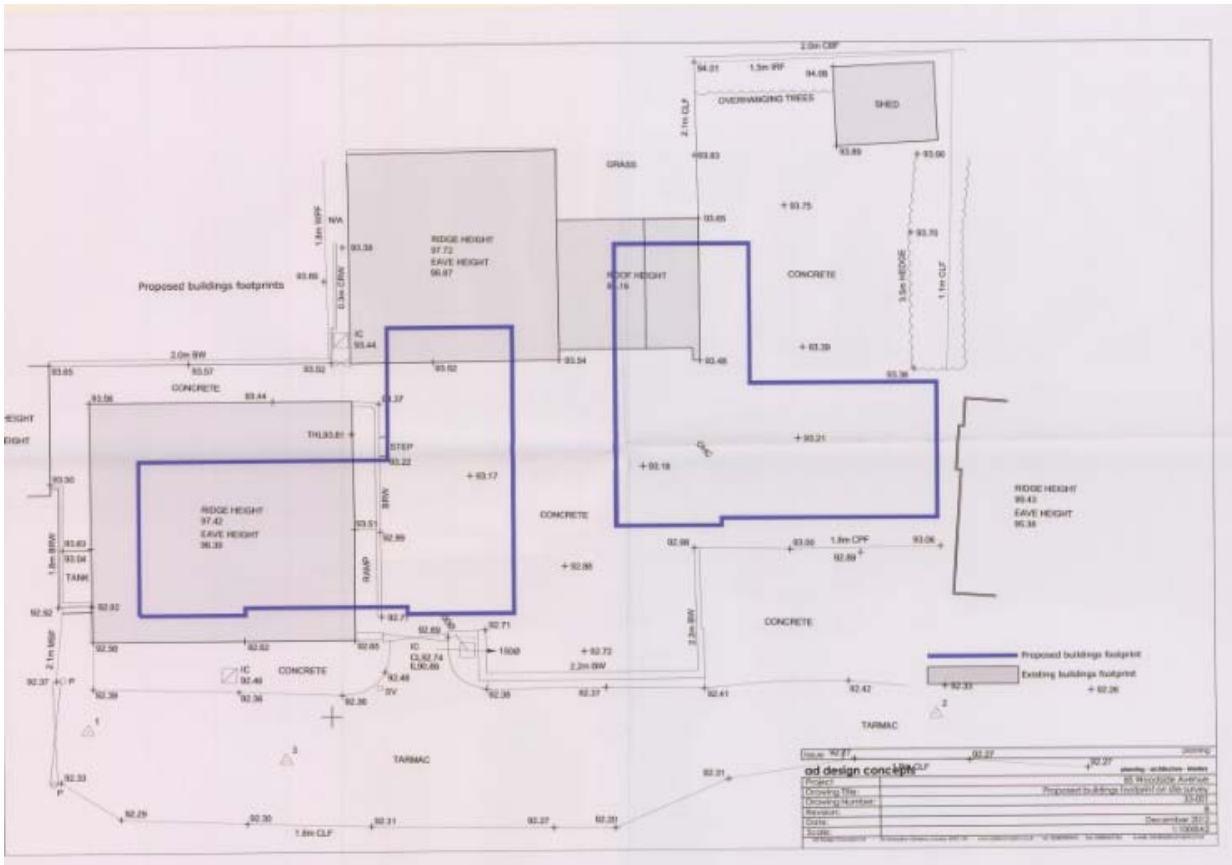


Views towards the school.



Proposed site plan in context





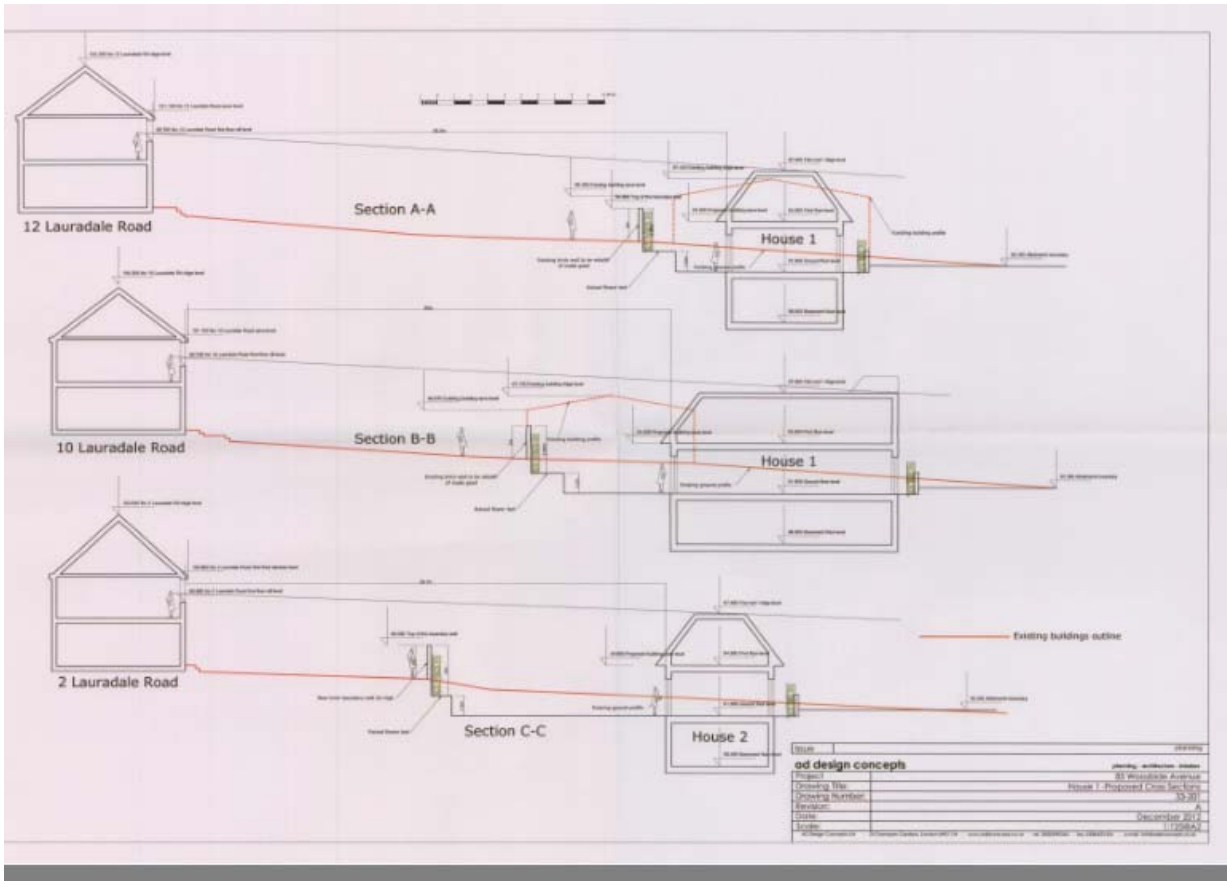
Proposed building footprint



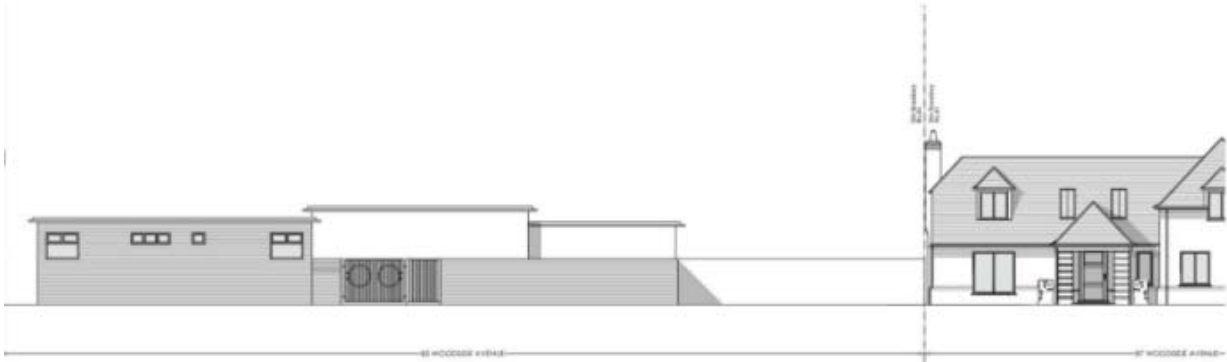
## Proposed ground floor plan/landscape plan



## Proposed front elevation



House 1 – Proposed Cross Sections



**Current south elevation (above) and proposed elevation (below)**



### **3.0 SITE AND SURROUNDINGS**

- 3.1 The application site is known as 85 Woodside Avenue and is an irregular shaped site. The site is presently vacant and comprises of series of single storey buildings (an office building garage store etc) and associated hardstanding which were used previously by a construction company (Cuttle Mcleod Construction Ltd).
- 3.2 The subject site and the land to the west of the site were formerly used by the Metropolitan Water Board for purposes connected with the nearby underground reservoir; and included a depot, a garage for storage of pipes and other machinery and an associated dwelling. A condition restricted the occupation of this dwelling to employees of the board. The site to the right and which is known as No 87 has been redeveloped and now contains a new brick built dwelling with accommodation with the roof space and at basement level.
- 3.3 To the front and south of the site is the Thames Water Reservoir site and Allotment Garden site which form a large area of green open space that is designated in the Haringey UDP proposals map as 'Significant Local Open Land'. The covered reservoir site is used for recreational purposes by Aquarius Archery Club. These sites are also designated as Borough Grade II Ecological Value and lie just outside the boundary of Muswell Hill Conservation Area.
- 3.4 To the north of the site in question are semi detached properties with rear gardens (approximately 13m deep) which front onto Lauradale Road.
- 3.5 Access to the site is achieved from Woodside Avenue along a tarmac paved access way, which is also used by the public as a footpath to Lauradale Road and local school (Tetherdown).

### **4.0 PLANNING HISTORY**

#### **4.1 Planning Application History**

HGY/2003/0825 - Demolition of existing bungalow and adjacent builder's yard and single storey offices and garage. Erection of 8 new three storey houses with 12 parking spaces. – Withdrawn 30/07/2003

HGY/2003/2060 - Demolition of existing bungalow and adjacent builders offices and garage. Erection of part 3 and part 2 storey terrace of 7 three bedroom houses, including 11 parking spaces with access from Woodside Avenue. – Refused 19/01/2004. Planning Appeal Ref: APP/Y5420/A/04/11400413 was dismissed- 04/10/04

HGY/2005/0834 - Change of existing garage space to office space – Approved 29/06/2005 (87 Woodside Avenue)



HGY/2005/1529 - Demolition of existing building and erection of 2 x two storey, 4 bedroom detached houses. – Refused 04/10/2005 (87 Woodside Avenue)

HGY/2005/0834 - Change of existing garage space to office space. – Approved 29/06/2005-

HGY/2010/1887 -(Land To Rear Of 2-16 Lauradale Road) 85 Woodside Avenue London -Demolition of existing structures and erection of 3 x two storey single dwelling houses comprising of 1 x two bed house and 2 x four bedroom house (Amended plans) WDN-28/02/11

HGY/2011/0474 - Demolition of existing structures and construction of three detached dwellings comprising of 1 x two bed house and 2 x three bed houses at (Land to rear of 2 – 16 Lauradale Road) 85 Woodside Avenue N10 3HF – Non Determined - Planning Appeal Ref: APP/Y5420/A/11/2153377 was dismissed- 29/09/11

#### 4.2 Planning Enforcement History

UNW/2001/00076 – Erected a building and increased height of boundary wall to 2.6m at Cuttle Mcleod Construction LTD – Case Closed – 31-01-05

COU/2011/00015 – Unit use for residential purposes – Case Closed – 29-12-11

CON/2010/00412 – Breach of condition of planning permission – Case Closed – 09-09-10

### 5.0 DESCRIPTION OF PROPOSED DEVELOPMENT

5.1 Permission is sought for the demolition of existing structures and construction of two detached dwellings comprising of; 1 x three bed house and 1 x three / four bed house. The proposed development would involve a total of 717sqm of floor space to be provided in place of the existing floor space of 290sqm. This would be a net increase of 420sqm.

a) House 1

5.2 House 1 would be built to the rear of 10 – 14 Lauradale Road. It would be set further forward than house 2 by 3.9m. The house would be L shaped and single storey in height with a pitched roof with two front gables.

5.3 The front elevation would comprise of two wings with windows in the x 2 front gable and three dormers in the roof. The ground floor would have floor to ceiling height windows. The rear elevation would have a rear wing and floor to ceiling height windows on ground floor level. The side elevation (west) would

have the main entrance on ground floor level and the side elevation (east) would have floor to ceiling height windows on ground floor. The development would be set out on basement, ground and first floor level.

b) House 2

- 5.5 House 2 would be built to the rear of 2 Lauradale Road and adjacent to the house at no. 87 Woodside Avenue. It would be set back from no. 87 by 3.1m. The house would be L shaped and single storey in height with a pitched roof with one front gable.
- 5.6 The front elevation would comprise of one wing with a window in the front gable and three dormers in the roof. The ground floor would have floor to ceiling height windows. The rear elevation would have a rear wing with floor to ceiling height windows on ground floor level. The side elevation (west) would have a dormer in the roof and sliding French doors on ground floor level and the side elevation (east) would have the main entrance. The development would be set out on basement, ground and first floor level.
- 5.7 The scheme involves minor revisions that include omitting one front dormer on each house, lowering the eaves around 300mm and repositioning house no. 1.
- 5.8 The exterior of the new houses would be faced in brickwork. The roof would be in clay tiles and the windows and doors would be in timber.
- 5.9 The front boundary treatment for both houses would comprise of a 0.9m high brick wall with 0.4m high railings and 1.3m high hedge behind. The side facing the existing house at no. 87 would have a 1.8m high timber fence. The existing 3m high conifer hedge is to be reinstated. The side boundary of house no. 1 would have a 2m high brick wall that would continue along the rear of house no. 2. A 1.8m high hedge is also proposed along the rear alongside a 1.2m raised flower bed.
- 5.10 To the front would be a shared pedestrian access leading to the main entrance of both houses and two parking spaces are proposed adjacent to the existing parking space serving the existing house at no. 87. The pedestrian access and parking spaces would be constructed in brick paving.

## RELEVANT PLANNING POLICY

- 6.1 The planning application is assessed against relevant national, regional and local planning policy, including relevant policies within the:

National Planning Policy Framework  
The London Plan 2011  
Haringey Local Plan: Strategic Policies

Haringey Unitary Development Plan (2006) (Saved remnant policies)  
Haringey Supplementary Planning Guidance and Documents

For the purpose of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the London Plan 2011, the Haringey Local Plan 2013 and 39 remnant saved policies in the Haringey Unitary Development Plan 2006.

**6.1.1 National Planning Policies**

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was adopted in March 2012. This document rescinds the previous national planning policy statements and guidance.

**6.1.2 Regional Planning Policies**

The London Plan 2011 (Published 22 July 2011)

Policy 3.5 Quality and design of housing developments  
Policies 3.3 Increasing Housing Supply  
Policy 3.4 Optimising Housing Potential  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable Energy  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 6.13 Parking  
Policy 7.18 Protecting local open space and addressing local deficiency

**6.1.3 Local Planning Policies**

Local Plan 2013 – 2036 (17 Strategic Policies (SP))

SP0 The presumption in favour of sustainable development  
SP2 Housing  
SP4 Working towards a Low Carbon Haringey  
SP7 Transport  
SP8 Employment  
SP11 Design  
SP13 Open Space and Biodiversity  
SP17 Delivering and Monitoring the Local Plan

Haringey Unitary Development Plan (Adopted 2006)

39 remnant saved UDP policies;

UD3 General Principles  
OS3 Significant Local Open Land (SLOL)  
EMP4 Non Employment Generating Uses  
UD7 Waste Storage

## 7.0 CONSULTATION

7.1 The Council has undertaken wide consultation. A summary list of consultees is provided below

### 7.1.1 Statutory Consultees

- London Fire Brigade
- Thames Water Utilities

### 7.1.2 Internal Consultees

- Haringey Environmental Health – Noise and Pollution
- Haringey Waste Management/Cleansing
- Haringey Building Control
- Haringey Transportation Team

### 7.1.3 External Consultees

- Ward Councillors
- Fortis Green Community Allotments Trust
- Muswell Hill/Fortis Green Association

### 7.1.4 Local Residents

- 671 residents and businesses.
- After the architect had taken account of comments received the scheme was revised on the 28<sup>th</sup> December 2012 and local residents and businesses were re-consulted.

7.1.5 A summary of the many responses received can be found in appendix 1.

## 8.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

### *Background*

The application site has an extensive, planning history, the most relevant of which was a 2011 housing scheme dismissed (See attached Appendix 2) for the following reasons;

- Its impact on the character and appearance and Significant Local Open Land (SLOL)
- Its impact on the amenity of no. 12 Lauradale Road

The current scheme has been revised taking into account the Inspector's decision.

Taking account of the development plan, comments received during the processing of this application and other material considerations, the main issues in this case are:

- 8.1 The presumption in favour of sustainable development
- 8.2 Principle of development;
- 8.3 Character and appearance of the Significant Local Open Land (SLOL)
- 8.4 Loss of Employment
- 8.5 Design, height, bulk and scale
- 8.6 Density
- 8.7 Impact of proposal on living conditions of surrounding residents
- 8.8 Standard of accommodation
- 8.9 Transport considerations/Access
- 8.10 Landscaping
- 8.11 Waste Management
- 8.12 Energy and sustainability
- 8.13 Basement Impact
- 8.14 Construction Noise/disturbance
- 8.15 Planning obligations and Community Infrastructure Levy (CIL)

## 8.1 The presumption in favour of sustainable development

### 8.1.1 Haringey Local Plan Policy SP0 states that:

*When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). The Council will always work proactively with applicants to find solutions, which mean that proposals can be approved wherever possible and to secure development that improves the economic social and environmental conditions in Haringey. Planning applications that accord will be approved without delay, unless material considerations indicate otherwise.*

*Where development proposals accord with the development plan, then the Council will grant permission unless material considerations indicate otherwise taking into account whether:*



- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or*
- *Specific policies in the NPPF indicate that development should be restricted.*

8.1.2 This proposal can be considered as an example of sustainable development in that it seeks to optimise the potential of the site and provide high quality housing that would be sustainable. The Committee is accordingly obliged in development plan terms to give this proposal favourable consideration.

8.1.3 There are a number of benefits to this scheme that outweigh any perceived disbenefits. The following analysis clearly explains these.

## 8.2. Principle of Development

8.2.1 The proposed development changes the use of the site from an office and industrial storage buildings into two residential dwellings. There is strong opposition for housing on this site. Additional housing, however is supported by London Plan Policies 3.3 'Increasing Housing Supply' and 3.4 'Optimising Housing Potential' albeit the proposal will only make a modest increase and the Council's new and raised target of meeting or exceeding 820 homes a year. It is also supported by Haringey Local Plan Policy SP2 'Housing. Furthermore the site is surrounded by residential uses and is within a broader residential context.

## 8.3 Character and appearance of the Significant Local Open Land (SLOL)

8.3.1 Saved UDP policy OS3 sets out a range of criteria that should be met if SLOL land is to be developed. The first of these requires that the development should be ancillary to the use of the open space.

8.3.2 The Inspector pointed out in the 2011 appeal decision that the development would not meet this requirement. However, this must be seen in the context of the existing use, which also has no relevance to any open space function. It would not be reasonable to reject the proposal on this basis.

8.3.4 The 2011 appeal decision highlights that the policy contains other criteria, including requirements that development does not detract from the site's open nature and character and that it positively contributes to the setting and quality of the open space.

8.3.5 Such criteria should be considered with regard to current development within the site. The entire site is hard-surfaced. It contains office and industrial/storage buildings and a boundary wall and gates. However, the buildings are single storey only with low roofs. While an office building is close to the front of the site, the industrial/storage building is set well back within it. Consequently, the site has a low-key character rather than appearing intensively developed, as highlighted in paragraph 6.

- 8.3.6 The number of proposed dwellings has reduced from three to two. Both houses would be single storey in height above ground level rather than two storeys that was previously proposed. They have also been set back from the front of the site facing towards the allotments compared to the previous scheme. It is further proposed to open two "open corridors" through the site to allow more open views towards the SLOL nature of the site.
- 8.3.7 As the current scheme has been significantly reduced in scale, the houses would have a much smaller building footprint, compared to the structures that currently occupy the site. They would have a similar appearance to the adjacent house at 87 Woodside Avenue, and would not detract from the open character of the SLOL and the area as a whole.

#### **8.4 Loss of Employment**

- 8.4.1 UDP Saved Policy EMP4 and Local Plan Policy SP8 sets out the approach to dealing with proposals for the re-use of land and buildings in employment-generating uses. Planning permission will only be granted for uses that do not generate employment if the land is no longer suitable for business or industry use and there is well documented evidence of an unsuccessful attempt to market the site, normally for a period of at least 18 months.
- 8.4.2 The Inspector pointed out in the 2011 appeal decision that the site's poor access and proximity to dwellings significantly restrict its suitability for most employment uses. The Inspector also assessed that the site is unlikely to be taken up for commercial uses in the foreseeable future. Given this and the evident deficiencies of the site for most employment uses, the Inspector was not persuaded that any planning purpose would be served by retaining the site for that reason.
- 8.4.5 Local residents have raised concerns that there is not sufficient justification for change of use from business to residential. It is the officer's view that the proposed change of use is acceptable given the nature of the site and the Inspector's observations.

#### **8.5 Design, height, bulk and scale**

- 8.5.1 London Plan Policies 7.4 'Local Character' and 7.6 'Architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Local Plan Policy SP11 and Saved UDP Policy UD3 'General Principles' reinforce this strategic approach.
- 8.5.2 Surrounding residential development is characterised by 2 storey development with front-to-back pitched roofs, projecting bays and a mixture brick and render on the exterior. The existing single storey buildings that occupy the site have little architectural merit and detract from the appearance of the area.
- 8.5.3 The proposed detached houses would be traditional in style in comparison to the previous scheme that was contemporary and acknowledges elements of

the adjacent house at 87 Woodside Avenue. In addition the proposed massing would not be significantly larger than the existing buildings on the site.

- 8.5.4 The use of a of London stock brick is considered acceptable but final details will be secured by condition. Overall the design, form and choice of materials for the proposed dwellings have been designed sensitively to the character of the surrounding area.
- 8.5.5 Local residents have raised concerns over the design and scale of the scheme, however it is the officer's view that it meets the requirements set out in the above policies.

## **8.6 Density**

- 8.6.1 National, London and local policy seeks to ensure that new housing development makes the most efficient use of land and takes a design approach to meeting density requirements.
- 8.6.2 Table 3.2 of the London Plan sets out the acceptable range for density according to the Public Transport Accessibility (PTAL) of a site. The site is considered to be in the lower end of the 'urban' context and has a PTAL of 2, thus development should be within the density range of 200 to 450 habitable room per hectare (hr/ha). The proposed development has a density of 200 hr/ha, which is acceptable.
- 8.6.3 The proposed density is in accordance with Policy 3.4 'Optimising Housing Potential' of the London Plan and Policy SP2 'Housing' of Haringey Local Plan.

## **8.7 Impact of proposal on living conditions of surrounding residents**

- 8.7.1 London Policy 7.6 says that new development should be of the highest architectural quality, whilst also being of an appropriate proportion and scale so as not to cause unacceptable harm to the amenity of surrounding land and buildings, especially where these are in residential use. This is also reflected in Saved UDP Policy UD3.
- 8.7.2 The architect has been in consultation with the properties that back onto the site. The neighbour at no. 12 Lauradale Road is very concerned that the proposal would affect their living conditions and amenities due to their proximity to the proposed development.
- 8.7.3 Again, the Inspector in this case accepted the principle of building close to the boundary (less than 1m away). After further consultation with no. 12 Lauradale Road, the architect have repositioned the new houses further away by 2m. The issue of loss of light and overbearing were considered and dismissed by the Inspector, bearing in mind, the current scheme would be single storey in height compared to the previous two storey height.

8.7.4 With regards to the last scheme, the inspector did have concerns with the window of the house overlooking the extra land at no. 12 as set out in the 2011 appeal decision. The current scheme fully addresses this issue in that there are no windows proposed in the roof at the rear.

## 8.8 Standard of accommodation

8.8.1 London Plan Policy 3.5 'Quality and design of housing developments' requires residential developments to be of adequate design standard. The Mayor's Housing SPG provides guidance on how to apply this policy. This is also reflected in the Council's Housing SPD.

8.8.2 House 1 would be 386sqm and house 2 would be 331 sqm, well exceeding the 96sqm minimum, set out in table 3.3 of London Plan Policy 3.5. The proposed accommodation would provide adequate natural light, ventilation, circulation space.

8.8.3 The amenity space for house 1 would be 122sqm and 143sqm for house 2 which would be well in excess of the required 50sqm set out in the Council's Housing SPD for private amenity space. The quality of accommodation would also be appropriately built to Life Time Homes Standards.

8.8.3 The quality of residential accommodation is therefore considered acceptable.

## 8.9 Transport considerations/access

8.9.1 National planning policy seeks to reduce greenhouse gas emissions and congestion. This advice is also reflected in the Parking Policies in the London Plan 2011 and Haringey Local Plan Policy SP7 and more generally in Policy UD3 of the UDP 2006

8.9.2 A number of the objections received relate to the impact on local traffic, arguing that the proposal would lead to increase car traffic and concerns also relate to the access road which is heavily used by pedestrians, in particular the school children of the adjacent school. The Council's Highways and Transportation Team have assessed the proposal and the concerns raised and do not object.

8.9.3 The site has a low public transport accessibility level (PTAL) level of 2, but is within reasonable walking distance of the 102 and 234 bus routes on Fortis Green and the 43 and 134 bus routes on Muswell Hill Road, which provide frequent links to East Finchley and Highgate underground stations. The site does not fall within any controlled parking zone. Although it is likely that the prospective residents would use sustainable modes of transport for some of their journeys to and from the site, it is also likely that residents may use private vehicles.

- 8.9.4 The site is served by a private access road, which is used habitually by individuals during the morning and evening to gain access to and from three local schools within the immediate area. The site is occupied by a builders yard, which doesn't currently generate a significant level of vehicular traffic. However, they agree with the Inspectors findings from a previous appeal on this site (Appeal decision APP/Y5420/A/04/1140413) that states "it is reasonable to assume that if use as an employment site continued, perhaps by another organisation, there could be a significant increase in car or commercial vehicle traffic in mornings and evenings. I do not therefore agree that this residential proposal would necessarily lead to an increase in the potential, as opposed to the actual number of vehicles using it, as suggested by many. There would certainly be a reduction in the number of potential commercial vehicles in completion of the development."
- 8.9.5 There interrogation of the TRAVL database supports the above statement and indicates that when using a comparable site (Crown Road, EN1 1TX ) as the basis for assessment, the existing use of some 290sqm GFA would typically generate ten vehicle movements (in/out of this development combined) during the morning peak hour and five vehicle movements (in/out) during the school afternoon peak hour. However, the database indicates that the proposed development consisting of two dwellings (seven bedrooms) is likely to generate two vehicle movements (in/out) during the morning peak hour and two vehicle movements (in/out) during the school afternoon peak hour. This represents a significant decrease in daily traffic particularly larger sized commercial vehicles.
- 8.9.6 Furthermore, the access road measures approximately 5.5metres in width. According to guidance contained within Manual for Streets a minimum width of 4.1metres is required to enable two cars to pass each other. Due to the low level traffic using this access it is anticipated that occurrences where two vehicles will need to pass each other will be infrequent. However, in such circumstances, it is considered that the access is wide enough to accommodate both passing vehicles and pedestrian traffic. Additionally, despite the fact that there is already an existing level of traffic using this access road, recent accident statistics have revealed that there have been no personal injury collisions recorded for this access road during the 36 months leading up to 30 November 2012.
- 8.9.7 They would however seek to safeguard child safety during the construction phase and will therefore be requiring that the applicant/developer submit a construction management strategy which prevents construction vehicles arriving/leaving the site between 08:30am-09:15am and 02:45pm-03:30pm and requiring a Steward to oversee vehicles over 10tonnes entering and leaving the site.
- 8.9.8 Notwithstanding that the application site does not fall within an area that has been identified within the Local Plan and Saved UDP Policies as that suffering from high on-street parking pressure, the proposal includes one parking space for each unit in accordance with the maximum levels set out within the UDP.



The proposed development is unlikely to result in any increase in traffic generation or parking demand above that already associated with the sites existing use class.

## **8.10 Landscaping**

8.10.1 London Plan Policy 7.5 states that public spaces should incorporate the highest quality landscaping and planting. Local Plan Policy SP11 seeks to ensure that development proposals demonstrate that opportunities for soft landscaping have been taken into account. This is also reflected in Saved UDP policy UD3

8.10.2 The site currently has no landscaping. The proposed scheme would deliver a significant amount of soft landscaping to the front, rear and side of the site, in the form of grass, new tree planting, flower beds and hedging. Hard landscaping is also proposed to the front.

8.10.3 The details can be addressed in a planning condition consistent with London Plan Policy 7.5, Local Plan Policy SP11 and Saved UDP Policy UD3.

## **8.11 Waste Management**

London Plan Policy 5.17 'Waste Capacity' and Saved UDP Policy UD7 'Waste Storage' require development proposals make adequate provision for waste and recycling storage and collection.

Any concerns relating to waste management can be addressed in a planning condition consistent with Local Plan Policy SP6 and saved UDP policy UD7.

## **8.12 Energy and sustainability**

8.12.1 Chapter 5 of the London Plan 2011 sets out the approach to climate change and requires developments to make the fullest contribution to minimizing carbon dioxide emissions.

8.12.2 The development has the potential for Code for Sustainable Homes Level 4, this is equivalent to a 25% reduction emissions over a Building Regulations 2010 baseline. A condition will be applied securing this.

8.6.4 The development would therefore comply with Policy 5.2 of the London Plan.

## **8.13 Basement Impact**

8.13.1 The site slopes upwards to the rear towards the properties on Lauradale Road. The proposed new houses would have a basement level that require excavation. In addition the site would be flattened and lowered at ground level by 400mm in relation to the current level by 400mm in relation to the current levels at the front of the site.

8.13.2 To address any concerns, Haringey's draft Basement Guidance Note sets out how these concerns should be addressed. The Note recommends that conditions be applied requiring the submission of a Construction Management Plan and hydrological and hydro-geological assessments to the Local Planning Authority prior to commencement of development. A condition will also be applied requiring the site or contract to be registered with the Considerate Constructors Scheme. The development will also be subject to the Building Regulations 2010.

8.13.3 There are no trees which are likely to be affected by the excavation.

8.13.4 Subject to these conditions, the impact of the excavation will be mitigated.

#### **8.14 Construction Noise/disturbance**

8.14.1 Objections have been received raising concerns about the impact on construction on amenity. Conditions will be applied requiring a Construction Management Plan and the site being registered with the Considerate Constructors Scheme in order to minimise harm.

8.14.1 The proposed development is therefore considered to cause no significant harm to residential amenity in compliance with the above policies.

#### **8.15 Planning obligations and Community Infrastructure Levy (CIL)**

8.15.1 The development creates two residential units. As such, it does not trigger a requirement for affordable housing or a contribution towards school places. As such, no s106 contributions are sought.

8.15.2 The development will be liable for the Mayors Community Infrastructure Levy (CIL). The development creates 717m<sup>2</sup> of new floor space. The existing buildings are 290m<sup>2</sup> in area, resulting in a net increase in floor space of 420m<sup>2</sup>. Using the standard formula, the development will be liable for £14,945.

### **9.0 CONCLUSION**

9.1 The development proposal accords with the development plan. The Committee is accordingly obliged in development plan terms to give this proposal favourable consideration consistent with Haringey Local Plan Policy

SP0. There are a number of benefits to this scheme to which outweigh any perceived disbenefits to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

9.2 The benefits to the scheme are as follows;

- The scheme optimises the potential of the site for high quality housing;
- It is a more neighbourly use compared to the existing commercial uses on the site where family housing would be appropriate
- The dwellings would give the site an appearance that would not detract from the open character of the SLOL and the area as a whole.
- The design, form and choice of materials for the proposed dwellings have been designed sensitively to the character of the surrounding area
- The development has sensitively addressed the impact on living conditions of neighbouring properties.
- The quality of accommodation is considered appropriate built to Life Time Homes Standards.
- The scheme would introduce measures to reduce the energy emissions of the proposed building.
- Adequate car parking has been provided

The proposal is considered to be in accordance with National Guidance and London and Local Policy and planning permission should therefore be granted subject to conditions.

## 10.0 RECOMMENDATIONS

GRANT PERMISSION subject to

- Conditions as set out below;

### *IMPLEMENTATION*

1. The development hereby authorised must be begun not later than the expiration of three years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

2. Notwithstanding the information submitted with the application, the development hereby permitted shall only be built in accordance with the following approved plans: 33-000, 33-000-A, 33-100-A, 33-001-B, 33-002-B, 33-003, 33-004-A, 33-201-A, 33-301-A, 33-302-A, 33-303-A

Reason: To avoid doubt and in the interests of good planning.

### *PRE-COMMENCEMENT CONDITIONS*

#### **Materials**

3. Samples of all materials to be used in conjunction with the proposed development for all the external surfaces of buildings hereby approved, areas of hard landscaping and boundary walls shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references. The development shall be implemented in accordance with the approved samples.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

#### **Landscaping**

4. Notwithstanding the details of landscaping referred to in the application, a scheme for hard and soft the landscaping and treatment of the surroundings of the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Any planting details approved shall be carried out and implemented in accordance with the approved details in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner). Any plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the local planning authority.

Reason: In order for the Local Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area.

#### **Boundary Treatment**

5. Details of the proposed boundary treatment shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The approved boundary treatment shall thereafter be installed prior to occupation of the new residential unit.

Reason: In the interest of the visual amenity of the area and residential amenities of neighbouring occupiers.

### **Construction Management Plan**

6. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall include identification of potential impacts of basement developments methods of mitigation of such impacts and details of ongoing monitoring of the actions being taken. The approved plans should be adhered to throughout the construction period and shall provide details on:
- i) The phasing programming and timing of the works.
  - ii) The steps taken to consider the cumulative impact of existing and additional basement development in the neighbourhood on hydrology.
  - iii) Site management and access, including the storage of plant and materials used in constructing the development;
  - iv) Measures to ensure the stability of adjoining properties,
  - v) Vehicle and machinery specifications

Reason: In order to protect the residential amenity and highways safety of the locality

### **Hydrology Assessment**

7. Prior to the commencement of the development hereby permitted an assessment of the hydrological and hydro-geological impacts of the development and any necessary mitigation measures found to be necessary shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the details approved.

Reason: To ensure the development provides satisfactory means of drainage on site and to reduce the risk of localised flooding.

### **Contractor Company**

8. The site or contractor company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out on the site.

Reason: In the interests of residential amenity.

9. **Waste Storage**

- . No development shall take place until a detailed scheme for the provision of refuse and waste storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented and permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Policy UD7 'Waste Storage' of the Haringey Unitary Development Plan and Policy 5.17 'Waste Capacity' of The London Plan.

**Construction Management Strategy**

10. The applicant shall submit a construction management strategy which is to be approved by the Transport Planning Team and is to show the routing of traffic around the immediate road network and ensure that freight and waste deliveries are timed to avoid the peak traffic hours and pupil arrival/departure times between 08:30am-09:15am and 02:45pm-03:30pm. Additionally, a Steward is required to oversee vehicles over 10tonnes entering and leaving the site.

Reason: To minimise vehicular conflict and the disruption to pedestrian and vehicular traffic on the adjoining roads at this location and in the interest of highway safety.

11. **Control of Construction Dust**

- . No works shall be carried out on the site until a detailed report, including Risk Assessment, detailing management of demolition and construction dust has been submitted and approved in writing by the local planning authority, with reference to the London Code of Construction Practice. Proof of registration that the site or Contractor Company is registered with the Considerate Constructors Scheme must be sent to the local planning authority prior to any works being carried out on the site.

Reason: In order to ensure that the effects of the construction upon air quality is minimised

**Sustainable construction**

- .12. The development shall not be occupied until the development has been demonstrated to meet Code for Sustainable Homes Level 4.

Reason: To promote sustainable construction in accordance with Chapter 5 of the London Plan.

**Levels**

13. The details of all levels on the site in relation to the surrounding area be submitted and approved by the Local Planning Authority.

Reason: In order to ensure that any works in conjunction with the permission hereby granted respects the height of adjacent properties through suitable levels on the site.

#### **GPDO – No Permitted Development**

14. Notwithstanding the provisions of Article 3 of the Town & Country Planning General Permitted Development Order 1995 as amended by the (No.2) (England) Order 2008 or any Order revoking or re-enacting that Order, no development within Part 1 (Classes A-H) [AND Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and to prevent overdevelopment of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies UD3 'General Principles' of the Haringey Unitary Development Plan and Local Plan Policy SP11 and Policy 7.4 'Local Character' of the London Plan.

#### **Protection of Trees**

15. The works required in connection with the protection of trees on the site shall be carried out only under the supervision of the Council's Arboriculturalist. Such works to be completed to the satisfaction of the Arboriculturalist acting on behalf of the Local Planning Authority.

Reason: In order to ensure appropriate protective measures are implemented to satisfactory standards prior to the commencement of works in order to safeguard the existing trees on the site.

#### *POST-COMMENCEMENT CONDITIONS*

#### **Lifetime Homes**

16. The residential units hereby approved shall be designed to Lifetime Homes Standard.

Reason: To ensure that the proposed development meets the Council's standards in relation to the provision of Lifetime Homes.

#### **Surface Water Drainage**

17. The applicant shall ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to

discharge to a public sewer, prior approval from Thames Water Developer Services will be required

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

**INFORMATIVE – Commercial Environmental health**

Prior to demolition existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.

**INFORMATIVE – Naming**

The new development will require naming. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

**INFORMATIVE - Waste**

The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site in order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance

**13.0 APPENDICES**



## APPENDIX 1

	Stakeholder	Question/Comment.	Response
	INTERNAL		
	Transportation	<p>The site has a low public transport accessibility level (PTAL) level of 2, but is within reasonable walking distance of the 102 and 234 bus routes on Fortis Green and the 43 and 134 bus routes on Muswell Hill Road, which provide frequent links to East Finchley and Highgate underground stations. The site does not fall within any controlled parking zone. Although it is likely that the prospective residents would use sustainable modes of transport for some of their journeys to and from the site, it is also likely that residents may use private vehicles.</p> <p>The site is served by a private access road, which is used habitually by individuals during the morning and evening to gain access to and from three local schools within the immediate area. The site is occupied by a builders yard, which doesn't currently generate a significant level of vehicular traffic. However, we agree with the Inspectors findings from a previous appeal on this site (Appeal decision APP/Y5420/A/04/1140413) that states "it is reasonable to assume that if use as an employment site continued, perhaps by another organisation, there could be a significant increase in car or commercial vehicle traffic in mornings and evenings. I do not therefore agree that this residential proposal would necessarily lead to an increase in the</p>	As noted in para. 8.9.1-8.9.8. Condition 10 would require a Construction Management Strategy.

potential, as opposed to the actual number of vehicles using it, as suggested by many. There would certainly be a reduction in the number of potential commercial vehicles in completion of the development.”

Our interrogation of the TRAVL database supports the above statement and indicates that when using a comparable site (Crown Road, EN1 1TX ) as the basis for assessment, the existing use of some 290sqm GFA would typically generate ten vehicle movements (in/out of this development combined) during the morning peak hour and five vehicle movements (in/out) during the school afternoon peak hour. However, the database indicates that the proposed development consisting of two dwellings (seven bedrooms) is likely to generate two vehicle movements (in/out) during the morning peak hour and two vehicle movements (in/out) during the school afternoon peak hour. This represents a significant decrease in daily traffic particularly larger sized commercial vehicles.

Furthermore, the access road measures approximately 5.5metres in width. According to guidance contained within Manual for Streets a minimum width of 4.1metres is required to enable two cars to pass each other. Due to the low level traffic using this access it is anticipated that occurrences where two vehicles will need to pass each other will be infrequent. However, in such circumstances, it is considered that the access is wide enough to accommodate both passing vehicles and pedestrian traffic.

Additionally, despite the fact that there is already an existing level of traffic using this access road, recent accident statistics have revealed that there have been no personal injury collisions recorded for this access

		<p>road during the 36 months leading up to 30 November 2012.</p> <p>We would however seek to safeguard child safety during the construction phase and will therefore be requiring that the applicant/developer submit a construction management strategy which prevents construction vehicles arriving/leaving the site between 08:30am-09:15am and 02:45pm-03:30pm and requiring a Steward to oversee vehicles over 10tonnes entering and leaving the site.</p> <p>Notwithstanding that the application site does not fall within an area that has been identified within the Haringey Council adopted UDP as that suffering from high on-street parking pressure, the proposal includes one parking space for each unit in accordance with the maximum levels set out within the UDP.</p> <p>The proposed development is unlikely to result in any increase in traffic generation or parking demand above that already associated with the sites existing use class. Therefore, there are no highways and transportation objections to the above development proposal subject to condition</p>	
	Waste Management	Adequate storage and collection arrangements must be in place to service 1 x 3 bed House and 1 x 3-4 bed House.	Noted condition 9 would require full details of proposed waste storage and collection arrangements.

	Commercial Environmental Health	<p><b><u>Control of Construction Dust:</u></b></p> <p><b>Control of Construction Dust:</b> No works shall be carried out on the site until a detailed report, including Risk Assessment, detailing management of demolition and construction dust has been submitted and approved by the LPA. (Reference to the London Code of Construction Practice) and that the site or Contractor Company be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.</p> <p><b>As an informative:</b> Prior to demolition existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.</p>	Condition 11 attached to the recommendation would ensure the risk on site is limited. An informative is also in place.
	Building Control	This work will be subject to Building Regulations and a Full plans application should be submitted to this office prior to works commencing on site.	
	<b>EXTERNAL</b>		
	Thames Water	<p><u>Waste Comments</u> There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3</p>	<p>An informative is in place to address the waste comments.</p> <p>Condition 17 would ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p>

		<p>metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.</p> <p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.</p> <p>Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system. Water Comments.</p> <p>On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.</p>	
	WARD		

	<b>COUNCILLORS</b>		
	<p>Cllr Davis Cllr Newton Cllr Ejiofor Cllr Erskine</p>	<p>The proposed scheme would have a serious negative impact on the quality of the SLOL</p> <p>The site remains suitable for employment use</p> <p>The proposal will affect the use of the path as the access road is heavily used by pedestrians, including the access for Tetherdown school.</p> <p>The scheme would threaten the safety of the children who use the path daily</p> <p>The path would lead to increased traffic</p> <p>This alleyway is completely unsuitable for such regular vehicular access during construction and once the properties are built</p> <p>The proposal would have a detrimental impact on the neighbouring properties and the users of the allotments</p> <p>A full hydrology report should be submitted before a decision is made to ensure appropriate drainage.</p>	<p>As noted in para. 8.3.7, the scheme would not detract from the open character of the SLOL and the area as a whole.</p> <p>As noted in para. 8.4.5, it is the Officers view that the proposed change of use is acceptable given the nature of the site and the inspectors observations.</p> <p>Noted in para. 8.9.1 – 8.9.8 which addresses the concerns related to increased traffic and the affect the proposal will have on the existing access</p> <p>As noted in para.8.7 – 8.74, the scheme would not have a detrimental impact on the neighbouring properties. In addition the scheme would not affect the users of the allotment.</p> <p>As noted in condition 7, an assessment of the hydrological and hydro-geological impacts of the development is required.</p>
	<p>Lynne Featherstone MP for Hornsey and Wood Green</p>	<p>There is a particularly strong objection to the plans amongst residents with plots at the Fortis Green allotments and parents of children at Tetherdown School as the access road to the site is a narrow road privately owned by Thames Water and used by parents and children of Tetherdown School and is the only access to the allotments</p>	<p>Noted in para. 8.9.1 – 8.9.8 which addresses the concerns related to the existing access.</p>
	<b>AMENITY GROUP</b>	<b>Question/Comment</b>	<b>Response</b>

<p>Muswell Hill/Fortis Green Residence Association</p>	<p>The scheme would detract from the site's open nature and character</p> <p>The proposed large houses would occupy a large proportion of the site, leaving very little green open space around the building for tree planting.</p> <p>The proposed houses will be very prominent and adversely affect the out look and amenity of the occupants of the properties on Lauradale Road, in particular no. 12.</p>	<p>As noted in para. 8.3.7, the scheme would not detract from the open character of the SLOL and the area as a whole.</p> <p>As noted in para. 8.10.2, the scheme would deliver a significant amount of soft landscaping to the front, rear and side of the site. Condition 4 would ensure a satisfactory setting for the scheme.</p> <p>As noted in para.8.7 – 8.74, the scheme would not have a detrimental impact on the neighbouring properties.</p>
<p>Cranley Gardens Residence Association</p>	<p>The passageway is not sufficiently wide for two vehicles to pass</p> <p>The scheme would have an adverse affect on the nature conservation value of the site.</p> <p>The type of development does not meet the criteria for a designated SLOL</p>	<p>Noted in para. 8.9.1 – 8.9.8 which addresses the concerns related to the vehicles</p> <p>The scheme would not have an adverse affect on the nature conservation value of the site. As noted in para. 8.3.5 the entire site is currently hard surfaced. The scheme would introduce soft landscaping as set out in para. 8.10.2 and condition 4 would ensure a satisfactory setting for the scheme.</p> <p>As noted in para. 8.3.7, the scheme would not detract from the open character of the SLOL and the area as a whole</p> <p>With regards to the criteria for a designated SLOL, para. 4 of the 2011 appeal decision states that It is clear that the development would not meet this requirement. However, this must be seen in the context of the existing use, which also has no relevance to any open space function. It would not be reasonable to reject the proposal on this basis.</p>

	<p>Fortis Green Community Allotments Trust</p>	<p>The proposal will impact on the character and appearance of the area and the SLOL</p> <p>There is no proposal for surface water drainage</p> <p>The hydrology report is insufficient</p> <p>The car parking is inadequate</p> <p>The proposal will affect the use of the path as an access road is heavily used by pedestrians, and the only means of access for the allotment users</p> <p>The access gate into the proposed development would affect access into the allotment</p> <p>The construction work would result in increased vehicular traffic and increased risk of injury to the users of the allotment.</p> <p>The proposed building will not be in keeping with the neighbouring properties and the adjacent Conservation Area</p>	<p>As noted in para. 8.3.7, the scheme would not detract from the open character of the SLOL and the area as a whole</p> <p>Condition 17 will ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p> <p>As noted in condition 7, an assessment of the hydrological and hydro-geological impacts of the development is required</p> <p>As noted in para. 8.9.1-8.9.4, there are no highways and transportation objections to the development proposal, including the car parking proposed.</p> <p>Noted in para. 8.9.1 – 8.9.8 which addresses the concerns related to the existing access</p> <p>Condition 5 would require details of the boundary treatment of the proposed development, in the interest of the visual amenity of the area and residential amenities of neighbouring occupiers</p> <p>Condition 10 seeks to minimise vehicular conflict and the disruption to the traffic on the adjoining roads at this location and in the interest of highway safety.</p> <p>As noted in para. 8.5.4; the design form and choice of materials of the proposed dwellings have been designed sensitively to the character of the surrounding area.</p> <p>The scheme would not have an adverse affect on the nature conservation value of the site. As noted in para. 8.3.5 the entire site is currently hard surfaced. The scheme would introduce soft landscaping as set out in para. 8.10.2 which would support biodiversity. Condition 4 would support this</p>



		No development should be considered without a proper assessment of the ecological impact	
	<b>NEIGHBOURS CONSULTED</b>	<b>objection letters received including letters received after amendments made</b>	<b>Response</b>
		<p>The proposal will affect the use of the path as an access road is heavily used by pedestrians, including the access for Tetherdown school. In the 2011 appeal decision, the inspector stated that the access to the site is far from ideal.</p> <p>The proposal will lead to increased traffic</p> <p>The parking proposed is inadequate</p> <p>The proposed drawings and plans are insufficient</p>	<p>Noted in para. 8.9.1 – 8.9.8 which addresses the concerns related to increased traffic and the affect the proposal will have on the existing access</p> <p>As noted in para. 8.9.1-8.9.4, there are no highways and transportation objections to the development proposal, including the car parking proposed.</p> <p>.</p> <p>The revised scheme dated 28<sup>th</sup> December 2012 clarifies any inaccuracies and plans have been submitted showing the outlines of the existing buildings and existing front boundary all relative to the proposed development.</p> <p>With regards to the criteria for a designated SLOL, para. 4 of the 2011 appeal decision states that It is clear that the development would not meet this requirement. However, this must be seen in the context of the existing use, which also has no relevance to any open space function. It would not be reasonable to reject the proposal on this basis.</p>

		<p>and inaccurate</p> <p>The type of development does not meet the criteria for a designated SLOL (Significant Local Open Land) area</p> <p>The proposed scheme would have a serious negative impact on the character and appearance of the SLOL</p> <p>The architect only consulted with neighbours at 2, 12 and 10 Lauradale Road and not the rest of the neighbours on the road</p> <p>There are concerns with the noise and disturbance during the construction phase</p> <p>The scheme would restrict the allotment users</p> <p>The proposed scheme will not enhance the activities associated with the particular nature and character of the area</p>	<p>As noted in para. 8.3.7, the scheme would not detract from the open character of the SLOL and the area as a whole</p> <p>The architect pointed out that in their consultation with the neighbours at the concept stage all neighbours indicated they wanted the houses as far from their gardens as possible whilst only no. 2 and 12 actually abut the land at the rear.</p> <p>.</p> <p>Condition 6 and 10 will address noise and disturbance issues during the construction phase</p> <p>Condition 10 will ensure that vehicular conflict would be minimal and the disruption to the traffic on the adjoining roads at this location and in the interest of highway safety.</p> <p>The existing buildings do not enhance the activities associated with the particular nature and character of the area. The scheme would introduce soft landscaping as set out in para. 8.10.2 and condition 4 would ensure a satisfactory setting for the scheme.</p> <p>As noted in para. 8.4.5, it is the Officers view that the proposed change of use is acceptable given the nature of the site and the inspectors observations.</p> <p>If the private housing is built for commercial gain, this is not considered a planning issue.</p> <p>As noted in condition 7, an assessment of the hydrological and hydro-</p>
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		<p>The change of use from business to residential is undesirable, and it will set a precedent for future residential developments</p> <p>The private housing will be built for commercial gain</p> <p>There are concerns with the impact of the basement development</p> <p>The application should be seen in conjunction with the development proposal at St Lukes Hospital</p> <p>The additional Birch tree proposed would not be acceptable</p> <p>The overall massing and height of the proposed scheme would be significantly greater than the existing buildings</p> <p>The application has been rejected many times in the past and this current scheme has not materially changed.</p> <p>There are concerns that the housing would be part of a gated community</p>	<p>geological impacts of the development is required and Condition 6 would address any concerns with the impact of the basement development.</p> <p>The proposed St Lukes Hospital development is a major schemes with a large number of residential units. The proposed scheme would only make a modest increase in additional homes, supported by policy, as set out in para. 8.2.1</p> <p>Condition 4 would require the details of the landscaping proposed.</p> <p>Noted para. 8.5.5 the scale of the scheme meets the requirements set out in the policies in para. 8.5.1</p> <p>Noted 8.3.6 shows that the current scheme has materially changed.</p> <p>Para 19 of the appeal decision states that since the gates are an existing feature, beyond the confines of the appeal site and not part of the proposal before the inspector, this issues had no bearing on the decision.</p> <p>Noted para. 8.1.2 the proposed scheme seeks to optimise the potential of the site.</p> <p>The proposed scheme would only make a modest increase in additional homes, therefore it would not be detrimental to the existing services in the area and local schools.</p> <p>The proposed scheme would not detract from the visual appearance, as para 8.5.2 points out that the existing single storey buildings have little architectural merit and detracts from the appearance of the area.</p>
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		<p>The site could be used as a playing field for the school rather than built development</p> <p>Further development in the area would be detrimental to the existing services in the area and local schools.</p> <p>The proposed scheme would impact on the visual appearance</p> <p>The proposed houses represent overdevelopment of the site</p> <p>The proposed scheme would seriously affect the living conditions and amenity of the neighbouring properties, in particular no. 12 Lauradale Road</p> <p>The proposed scheme will impact on the environment and biodiversity</p> <p>There was no arboricultural Impact Assessment submitted with the scheme as it could cause damage to the trees along the boundary of the properties at Lauradale Road.</p> <p>If planning permission is granted a condition should be attached to prevent future</p>	<p>Noted para 8.5.3 the proposed massing would not be significantly larger than the existing buildings on the site.</p> <p>As noted in para. 8.7.2 – 8.7.4 the proposed scheme would not seriously affect the living conditions and amenity of the property at 12 Lauradale Road.</p> <p>Noted in para. 8.10.2, the proposed scheme would not impact on biodiversity.</p> <p>Condition 16 will ensure that the existing trees are safeguarded on the site.</p> <p>Condition 14 would restrict alterations and extensions to the property.</p> <p>The site is not located within the conservation area.</p> <p>The proposed scheme would be traditional houses that acknowledge the elements of the adjacent house at 87 Woodside Avenue as noted in para. 8.5.3</p> <p>Noted para. 8.1.2 the proposed scheme seeks to optimise the potential of the site and the scheme would only make a modest increase in additional homes</p>
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		<p>alterations/extensions to the property.</p> <p>The development would detract from the conservation area</p> <p>The proposed houses are not cottages</p> <p>The amendments are very minor.</p> <p>Permission to build the bungalow and outbuildings adjacent to the reservoir was only granted because Thames Water needed an employee on site to monitor the reservoir. The bungalow was subsequently sold off and the buildings let to a building contractor. It was never the intention that this open land should be developed for housing and it should not be the case now.</p> <p>There is also already a significant problem with the capacity of the drainage and sewerage system in Woodside Avenue, into which these houses would connect.</p>	<p>Condition17 will ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p>
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		<p>The proposal will affect the use of the path as an access road is heavily used by pedestrians, including the access for Tetherdown school. In the 2011 appeal decision, the inspector stated that the access to the site is far from ideal.</p> <p>The proposal will lead to increased traffic</p> <p>The parking proposed is inadequate</p> <p>The proposed drawings and plans are insufficient and inaccurate</p> <p>The type of development does not meet the criteria for a designated SLOL (Significant Local Open Land) area</p>	<p>Noted in para. 8.9.1 – 8.9.8 which addresses the concerns related to increased traffic and the affect the proposal will have on the existing access</p> <p>As noted in para. 8.9.1-8.9.4, there are no highways and transportation objections to the development proposal, including the car parking proposed.</p> <p>.</p> <p>The revised scheme dated 28<sup>th</sup> December 2012 clarifies any inaccuracies and plans have been submitted showing the outlines of the existing buildings and existing front boundary all relative to the proposed development.</p> <p>With regards to the criteria for a designated SLOL, para. 4 of the 2011 appeal decision states that It is clear that the development would not meet this requirement. However, this must be seen in the context of the existing use, which also has no relevance to any open space function. It would not be reasonable to reject the proposal on this basis.</p> <p>As noted in para. 8.3.7, the scheme would not detract from the open character of the SLOL and the area as a whole</p> <p>The architect pointed out that in their consultation with the neighbours at the concept stage all neighbours indicated they wanted the houses as far from their gardens as possible whilst only no. 2 and 12 actually abut the land at the rear.</p>
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		<p>The proposed scheme would have a serious negative impact on the character and appearance of the SLOL</p> <p>The architect only consulted with neighbours at 2, 12 and 10 Lauradale Road and not the rest of the neighbours on the road</p> <p>There are concerns with the noise and disturbance during the construction phase</p> <p>The scheme would restrict the allotment users</p> <p>The proposed scheme will not enhance the activities associated with the particular nature and character of the area</p> <p>The change of use from business to residential is undesirable, and it will set a precedent for future residential developments</p> <p>The private housing will be built for commercial gain</p>	<p>Condition 6 and 10 will address noise and disturbance issues during the construction phase</p> <p>Condition 10 will ensure that vehicular conflict would be minimal and the disruption to the traffic on the adjoining roads at this location and in the interest of highway safety.</p> <p>The existing buildings do not enhance the activities associated with the particular nature and character of the area. The scheme would introduce soft landscaping as set out in para. 8.10.2 and condition 4 would ensure a satisfactory setting for the scheme.</p> <p>As noted in para. 8.4.5, it is the Officers view that the proposed change of use is acceptable given the nature of the site and the inspectors observations.</p> <p>If the private housing is built for commercial gain, this is not considered a planning issue.</p> <p>As noted in condition 7, an assessment of the hydrological and hydro-geological impacts of the development is required and Condition 6 would address any concerns with the impact of the basement development.</p> <p>The proposed St Lukes Hospital development is a major schemes with a large number of residential units. The proposed scheme would only make a modest increase in additional homes, supported by policy, as set out in para. 8.2.1</p>
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	<p>There are concerns with the impact of the basement development</p> <p>The application should be seen in conjunction with the development proposal at St Lukes Hospital</p> <p>The additional Birch tree proposed would not be acceptable</p> <p>The overall massing and height of the proposed scheme would be significantly greater than the existing buildings</p> <p>The application has been rejected many times in the past and this current scheme has not materially changed.</p> <p>There are concerns that the housing would be part of a gated community</p> <p>The site could be used as a playing field for the school rather than built development</p> <p>Further development in the area would be detrimental to the existing services in the area and local schools.</p>	<p>Condition 4 would require the details of the landscaping proposed.</p> <p>Noted para. 8.5.5 the scale of the scheme meets the requirements set out in the policies in para. 8.5.1</p> <p>Noted 8.3.6 shows that the current scheme has materially changed.</p> <p>Para 19 of the appeal decision states that since the gates are an existing feature, beyond the confines of the appeal site and not part of the proposal before the inspector, this issues had no bearing on the decision.</p> <p>Noted para. 8.1.2 the proposed scheme seeks to optimise the potential of the site.</p> <p>The proposed scheme would only make a modest increase in additional homes, therefore it would not be detrimental to the existing services in the area and local schools.</p> <p>The proposed scheme would not detract from the visual appearance, as para 8.5.2 points out that the existing single storey buildings have little architectural merit and detracts from the appearance of the area.</p> <p>Noted para 8.5.3 the proposed massing would not be significantly larger than the existing buildings on the site.</p> <p>As noted in para. 8.7.2 – 8.7.4 the proposed scheme would not seriously</p>
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		<p>The proposed scheme would impact on the visual appearance</p> <p>The proposed houses represent overdevelopment of the site</p> <p>The proposed scheme would seriously affect the living conditions and amenity of the neighbouring properties, in particular no. 12 Lauradale Road</p> <p>The proposed scheme will impact on the environment and biodiversity</p> <p>There was no arboricultural Impact Assessment submitted with the scheme as it could cause damage to the trees along the boundary of the properties at Lauradale Road.</p> <p>If planning permission is granted a condition should be attached to prevent future alterations/extensions to the property.</p> <p>The development would detract from the conservation area</p> <p>The proposed houses are not cottages</p> <p>The amendments are very minor.</p> <p>Permission to build the bungalow and</p>	<p>affect the living conditions and amenity of the property at 12 Lauradale Road.</p> <p>Noted in para. 8.10.2, the proposed scheme would not impact on biodiversity.</p> <p>Condition 16 will ensure that the existing trees are safeguarded on the site.</p> <p>Condition 14 would restrict alterations and extensions to the property.</p> <p>The site is not located within the conservation area.</p> <p>The proposed scheme would be traditional houses that acknowledge the elements of the adjacent house at 87 Woodside Avenue as noted in para. 8.5.3</p> <p>Noted para. 8.1.2 the proposed scheme seeks to optimise the potential of the site and the scheme would only make a modest increase in additional homes</p> <p>Condition 18 will ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p>
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		<p>outbuildings adjacent to the reservoir was only granted because Thames Water needed an employee on site to monitor the reservoir. The bungalow was subsequently sold off and the buildings let to a building contractor. It was never the intention that this open land should be developed for housing and it should not be the case now.</p> <p>There is also already a significant problem with the capacity of the drainage and sewerage system in Woodside Avenue, into which these houses would connect.</p>	
	<b>NEIGHBOURS CONSULTED</b>	<b>Support letters received including letters received after amendments made</b>	
		<p>There is more risk towards the existing access users in retaining the existing use as a depot.</p> <p>Family housing is much needed in the area</p> <p>The houses would create less noise than the noisy depot</p> <p>The traditional design is sensitive and sympathetic to the surroundings</p> <p>Two houses would be modest</p>	

		<p>Small cars using the path is better than large commercial vehicles</p> <p>The proposal provides good quality housing</p> <p>The houses would not affect the visual appearance and views of the open land, as the site is already built up with unattractive buildings</p> <p>The scheme is a significant improvement to the previous scheme</p> <p>The scheme would enhance the appearance of the site</p> <p>The school uses large vehicles daily for deliveries, and these remain parked on the road.</p> <p>The traffic generated by two houses will be much less than the existing use</p> <p>The proposed houses will complement the character and appearance of the area</p> <p>The scheme will add soft landscaping to the site that would improve its overall setting.</p> <p>The proposed buildings will be modest in height.</p>	
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## APPENDIX 2



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# Appeal Decision

Site visit made on 16 September 2011

by **Peter Willows BA DipUED MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 September 2011

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**Appeal Ref: APP/Y5420/A/11/2153377**  
**85 Woodside Avenue, London N10 3HF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Cilusum Holdings Ltd against the Council of the London Borough of Haringey.
  - The application Ref HGY/2011/0474, is dated 10 March 2011.
  - The development proposed is change of use from a builders depot to residential and the construction of 3 detached dwellings comprised of 1 no. two bed house and 2 no. three bed houses.
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### Decision

1. The appeal is dismissed and planning permission for change of use from a builders depot to residential and the construction of 3 detached dwellings comprised of 1 no. two bed house and 2 no. three bed houses is refused.

### Main Issues

2. Although the Council did not determine the appeal proposal, it has produced a statement explaining its position. Having regard to this and the wide range of matters raised by others, I consider the main issues in this case to be:
  - the effect of the development on the character and appearance of the locality and whether the development proposed would run counter to the aims of the site's designation as Significant Local Open Land;
  - the effect of the development on the living conditions of neighbouring occupiers; and
  - whether the site should be retained for employment use.

### Reasons

*Character, appearance and SLOL*

3. The site is included within a Significant Local Open Land (SLOL) designation in the adopted Haringey Unitary Development Plan. The designation includes a covered reservoir, which is used for recreation, and allotments, as well as land occupied by schools. Thus, the appeal site is a relatively small part of the designation. Nevertheless, while the land has no recreational function, it is a significant part of the SLOL because it forms part of the setting of the other

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[www.planningportal.gov.uk/planninginspectorate](http://www.planningportal.gov.uk/planninginspectorate)

areas of the designation. Thus, its development must be considered with proper regard to the objectives for the SLOL.

4. UDP policy OS3 sets out a range of criteria that should be met if SLOL land is to be developed. The first of these requires that the development should be ancillary to the use of the open space. It is clear that the development would not meet this requirement. However, this must be seen in the context of the existing use, which also has no relevance to any open space function. It would not be reasonable to reject the proposal on this basis.
5. Nevertheless, the policy contains other criteria which, it seems to me, are relevant to the proposal, including requirements that development does not detract from the site's open nature and character and that it positively contributes to the setting and quality of the open space.
6. Such criteria should be considered with regard to current development within the site. The entire site is hard-surfaced. It contains office and industrial/storage buildings and a boundary wall and gates. However, the buildings are single storey only with low roofs. While an office building is close to the front of the site, the industrial/storage building is set well back within it. Consequently, the site has a low-key character rather than appearing intensively developed.
7. The appeal proposal would very substantially change the appearance of the site. The houses would all have 2 storeys above ground level and would be positioned close to the front of the site facing towards the allotments. Although reduced in scale compared to previous proposals, the houses would nevertheless form a substantial mass of development. Compared to the structures that currently occupy the site, their overall bulk and positioning means that they would be far more prominent from other areas of the SLOL.
8. Thus, despite their location close to existing housing and greenery, and notwithstanding the planting proposed, the dwellings would give the site a more built-up appearance. This would detract from the open character of the SLOL and the area as a whole. Consequently, the proposal is at odds with the aims of those elements of policy OS3 that I have highlighted and with policy UD3, which requires proposals to complement the character of the local area and be of a nature and scale that is sensitive to the surrounding area.
9. In considering this issue I have been mindful of the nearby school which has recently been built on SLOL land. However, that is a very different proposal, and I do not have sufficient information regarding its background to draw meaningful comparisons between the schemes. I have considered this current proposal with regard to the current characteristics of the area, which include the school.

#### *Living Conditions*

10. The appeal site abuts residential property to the rear and side. In particular, the extensive and irregularly-shaped rear garden of 12 Lauradale Road shares a significant length of boundary with the site. While not part of the original garden of the property, those parts of the garden close to the appeal site have a secluded character, a little remote from the other houses on Lauradale Road, and I can appreciate why they are valued by the occupiers of the property.

11. The proposed House 3 would be close to the boundary to No 12 but would have no windows that would overlook the garden. However, House 2 would have 2 first floor windows on the rear elevation. The plot is deeper here compared to the site of House 3, and the first floor element of House 2 would be set in. Nevertheless, the gap to the rear boundary would be insufficient to prevent overlooking. Moreover, the shape of the boundary is such that there would also be angled views of part of the garden to the side at closer quarters. Overall, the windows would be an intrusive feature that would erode the privacy currently experienced in the garden.
12. I appreciate that there are windows in an existing commercial building on the site facing the garden at close quarters. However, these would be less harmful in my view. The hours of use of the business premises are unlikely to be continuous, and could well leave the unit little-used during evenings and weekends, the very times when people may wish to use their gardens. Moreover, the higher level of the proposed windows would allow more extensive views of the garden.
13. For these reasons I conclude that the proposal would materially harm the living conditions of the occupiers of 12 Lauradale Road. I have taken account of existing boundary treatment and the potential for additional planting, but these considerations do not overcome my concerns.
14. I have considered also whether the dwellings would be overbearing in relation to the neighbouring garden or result in any loss of light. However, the massing and siting of the buildings have successfully addressed this issue and the proposed buildings would be no more overbearing than the existing ones in my judgement.
15. I also saw that the site abuts the gardens of other properties and is visible from them as well. However, the position of the proposed dwellings, the nature of the ground levels in the area and existing screening mean that the development would not materially harm the living conditions of the occupiers of these other dwellings. Nevertheless, the harm I have found in relation to No 12 means that the proposal conflicts with the aims for residential amenity within UDP policy UD3.

*Whether the site should be retained for employment use*

16. Policy EMP4 of the UDP sets out the approach to dealing with proposals for the re-use of land and buildings in employment-generating uses. It indicates that planning permission will only be granted for uses that do not generate employment if the land is no longer suitable for business or industry use and there is well documented evidence of an unsuccessful attempt to market the site, normally for a period of at least 18 months.
17. In this case, it appears to me that the site's poor access and proximity to dwellings significantly restrict its suitability for most employment uses. However, the evidence of previous marketing of the site available to me is less than comprehensive. While it is evident that some marketing has taken place in the past, it clearly falls short of the 18 month period of marketing suggested in policy EMP4. Thus the requirements of the policy have not been fully met.
18. However, the appellant has submitted an Employment Land Viability Assessment which concludes that the site is unlikely to be taken up for commercial uses in the foreseeable future. This evidence has not been

challenged by the Council. Given this and the evident deficiencies of the site for most employment uses, I am not persuaded that any planning purpose would be served by retaining the site for that reason. Accordingly, notwithstanding the conflict with EMP4, this consideration does not contribute to my decision to dismiss the appeal.

*Other Matters*

19. The Council raises concerns regarding the gates at the entrance of the site. However, since these are an existing feature, beyond the confines of the appeal site and not part of the proposal before me, they have no bearing on my decision.
20. It is clear that the access to the site is less than ideal, particularly given its use by the school and others. However, any use of the property is likely to generate a degree of traffic. Moreover, it appears that it may be lawfully used for business purposes, and that could generate the movement of larger vehicles, a potential further hazard. The fact that the lane already serves a dwelling means that users must already expect domestic vehicles to use it. I am also mindful that the Council's Transportation section did not object to the proposal. Weighing these factors in the balance, I conclude that the unsatisfactory nature of the access is not a reason to withhold planning permission.
21. My attention has been drawn to a previous appeal decision relating to the property. However, that clearly related to a very different proposal, which limits the extent to which it is relevant to the current appeal, which I have considered on its own merits.
22. I have been referred to a wide range of development plan policies but regard those I have highlighted as the most relevant to the proposal and issues before me.

*Conclusion*

23. For the reasons set out above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

*Peter Willows*

INSPECTOR





