

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

1. APPLICATION DETAILS	
Reference No: HGY/2014/3410	Ward: Muswell Hill
<p>Address: 9 Railway Arches St James's Lane N10 3QX</p> <p>Proposal: Demolition of existing workshop building and construction of an office and workshop building underneath the viaduct arch number 9</p> <p>Applicant: Ms Sangita Anand La Di Da Cupcakes</p> <p>Ownership: Council</p> <p>Case Officer Contact: Robbie McNaugher</p> <p>Site Visit Date: 10/12/2014</p>	
<p>Date received: 02/12/2014</p> <p>Drawing number of plans: 065_L02_02; 065_L02_04; 065_L04_01; 065_L04_02; 065_L05_01; 065_L05_02; 065_L11_01; 065_L11_02; 065_L11_03; 065_L11_04; 065_L12_02; 065_L12_03; 065_L12_04; 065_L14_01; 065_L14_02; 065_L15_01; 065_L15_02.</p>	
<p>1.1 This application is being referred to the Planning Committee because the Council is the applicant.</p>	
<p>1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION</p> <p>There is strong development plan support for the proposed increase in employment floorspace. The proposal would not impact on the amenity of the neighbouring properties and has been sensitively designed to improve the character and visual amenity of the area.</p>	

2. RECOMMENDATION

That the Committee resolve to GRANT planning permission and that the Head of Development Management is delegated authority to issue the planning permission and impose conditions and informatives

Conditions

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Hours of operation

Informatives

- 1) Hours of construction
- 2) Waste
- 3) Thames Water

In the event that members choose to make a decision contrary to officers' recommendation members will need to state their reasons.

TABLE OF CONTENTS	
3.0	PROPOSED DEVELOPMENT AND SITE LOCATION DETAILS
4.0	CONSULTATION RESPONSE
5.0	LOCAL REPRESENTATIONS
6.0	CONSULTATION
7.0	MATERIAL PLANNING CONSIDERATIONS
8.0	RECOMMENDATION
9.0	APPENDICES: Appendix 1: Consultation Responses Appendix 2 : Plans and images

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

- 3.1 This is an application for the demolition of the existing workshop building and the construction of an office and workshop building underneath the viaduct arch number 9. The workshop would have a depth of 9 metres and a width of 9.1 metres, it would be 2 storey with a height of some 5.35 metres and would have a timber facade.

Site and Surroundings

- 3.2 The application site is a railway arch set off St. James's Lane. The site is part of a larger run of railway arches with various small scale commercial uses within. The railway viaduct here formed part of the Finsbury Park to Alexandra Palace railway line constructed in the 1870s which is a locally Listed Building. This substantial brick structure now remains without a line and forms parks of Parkland Walk. The structure is a locally listed structure. The arch in question now currently contains a small scale industrial unit which is currently vacant.

Relevant Planning and Enforcement history

- 3.4 HGY/2000/0346 GTD 12-12-00 Viaduct Arch 9 St. James Lane London Change of use from motor repair workshop to builders storage unit and infilling of viaduct arch.
- 3.5 Also of material relevance is: HGY/2014/1541 GTD 28/07/2014 Demolition of an existing workshop building and construction of a new design studio building underneath the viaduct arch number 8.

4. CONSULTATION RESPONSE

- 4.1 The following were consulted regarding the application:

LBH Cleansing
LBH Property Services
LBH Transportation
Muswell Hill & Fortis Green Residents Assoc
London Fire Brigade
Friends Of The Parkland Walk
Thames Water Utilities

- 4.2 The following responses were received:

Internal:
1) Transport

No objections

2) Waste Management

No objections

External:

3) Thames Water

Sewerage infrastructure capacity - no objection.

Water infrastructure capacity- no objection

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of 1 site notice displayed in the vicinity of the site and letters to neighbouring properties. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 12

Objecting: 9

Supporting: 3

5.2 The points raised are summarised as follows and set out and addressed in detail in Appendix 1:

- Loss of privacy
- Loss of light
- Noise and fumes
- Impact on trees and ecology
- Support for the redevelopment of site
- Support for the business

5.1 The following issues raised are not material planning considerations:

- Loss of a private view (Officer Comment: This is a private matter and therefore not a material planning consideration).
- Impact on property values (Officer Comment: This is a private matter and therefore not a material planning consideration).

6. MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the proposed development are:

1. Principle of the development;
2. Impact on the amenity of adjoining occupiers;
3. Impact of the proposed development on the character and appearance of the area;
4. Parking and highway safety.

Principle of the development

6.2 The principle of additional employment floorspace is supported by Local Plan Policy SP8 and Saved UDP Policy EMP5. The policies seek to secure a strong

economy in Haringey by supporting local employment, protecting light industry provided that any trips generated by the proposal are catered for by the most sustainable and appropriate means. Therefore the proposal is acceptable in principle subject to detailed considerations.

Impact on the amenity of adjoining occupiers

- 6.3 Saved UDP Policy UD3 states that development proposals are required to demonstrate that there is no significant impact on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy, overlooking. Similarly London Plan Policy 7.6 requires buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy. Concerns have been raised in relation to the impact on neighbouring properties.
- 6.4 The application site abuts the property boundary of the terraced properties within Hillfield Park located to the west. The natural ground level of these properties and their rear gardens are some 3.5 m higher than the application site. The proposal is for the demolition of the existing single-storey workshop garage and erection of a two-storey structure to accommodate a new office and workshop. The proposed development will match the footprint of the existing workshop but there will be an increase in height from the 3.5 m to 4.9 m. Owing to the raised ground level of the Hillfield Park terrace, the proposed development would not exceed the existing rear boundary fence. As such, the proposal would not give rise to any negative effect upon the existing living conditions currently enjoyed by occupiers of Hillfield Park in terms of privacy, outlook and overshadowing.
- 6.5 In relation to noise and odours it is considered that the proposal would not result in a significant increase in noise or odours when compared with the potential to use the existing building on the site. The production of food here would also be controlled by Environmental Health Legislation.

Impact on Character and appearance of the area, the Conservation Area and the Locally Listed Building

- 6.6 Sections 66(1) and 72(1) of the 1990 Town and Country Planning Act sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area and the special architectural or historic interest of a Listed Building. The importance of properly discharging the duty conferred by these provisions and the need to pay particular attention to potential harm was recently underlined by the decision of the courts in the case of Barnwell Manor and subsequent decisions that rely on it.
- 6.7 The NPPF should be considered alongside London Plan 2011 Policies 3.5 and 7.6 and Local Plan 2013 Policy SP11, which identifies that all development

proposals, should respect their surroundings, by being sympathetic to their form, scale, materials and architectural detail.

- 6.8 London Plan Policy 7.8 requires that development affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale and architectural detail. Haringey Local Plan Policy SP12 requires the conservation of the historic significance of Haringey's heritage assets.
- 6.9 The existing dilapidated breeze block structure sits within the arch of the viaduct and is surrounded by other similar neighbouring structures within the viaduct. The proposed workshop will be finished in timber cladding to the front and corrugated steel cladding to the rear and would be no higher than the other arch developments. The proposal is considered to be a visual improvement over the existing built form and as such, the local character and amenity of the area will be enhanced in accordance to the above policies.
- 6.10 The footprint of the building would not be increased and the increase in height would similar to other structures within the railway arches and therefore it is considered that the proposal would not harm the Locally Listed Building or the setting of the adjoining Conservation Area.

Parking and highway safety

- 6.11 Local Plan (2013) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport and adopting maximum car parking standards and car free housing wherever feasible.
- 6.12 This site is located in an area that has a medium public transport accessibility level of 3 and is within reasonable walking distance of a number of local bus services available on Muswell Hill Broadway. It is considered that public transport would be viewed as a viable option for those making journeys to and from the site.
- 6.13 Although the proposal does not include the provision of allocated on-site parking spaces, it is not anticipated that the replacement workshop and office would generate any significant level of traffic generation or parking demand. Given that the above scheme is unlikely to result in any significant negative impact upon the surrounding highway network, the highway and transportation authority does not wish to raise an objection to the proposal.
- 6.14 Overall, the development is unlikely to generate any significant increase in traffic and parking demand which would have any adverse impact on the local highways network in the area surrounding the site. The proposal is therefore considered to be acceptable and would promote sustainable modes of travel over the private motor vehicles in accordance with London Plan 2011 Policy 6.9 and Local Plan 2013 Policy SP7.

Conclusion

- 6.15 The proposed development is considered acceptable in principle and is sensitively designed to improve the character and visual amenity of the area with no adverse impact on the amenity of the neighbouring occupiers. The proposal would not harm the Locally Listed Building or the adjoining Conservation Area.
- 6.16 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

CIL

- 6.17 The increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for the Major or Haringey's CIL charge.

8.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s) 065_L02_02; 065_L02_04; 065_L04_01; 065_L04_02; 065_L05_01; 065_L05_02; 065_L11_01; 065_L11_02; 065_L11_03; 065_L11_04; 065_L12_02; 065_L12_03; 065_L12_04; 065_L14_01; 065_L14_02; 065_L15_01; 065_L15_02.

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to avoid doubt and in the interests of good planning.

3. The use hereby permitted shall not be operated before 10:00 hours or after 21:00 hours Monday to Friday, before 09:00 hours or after 21:00 hours Saturdays and before 09:00 hours or after 17:00 hours Sundays and Bank Holidays.

Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not

diminished consistent with Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

INFORMATIVES

Informative: Hours of Construction

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

- 8.00am - 6.00pm Monday to Friday
- 8.00am - 1.00pm Saturday
- and not at all on Sundays and Bank Holidays.

Informative: Waste

The applicant is advised that Commercial Business must ensure all waste produced on site are disposed of responsibly under their duty of care within Environmental Protection Act 1990. It is for the business to arrange a properly documented process for waste collection from a licensed contractor of their choice. Documentation must be kept by the business and be produced on request of an authorised Council Official under section 34 of the Act. Failure to do so may result in a fixed penalty fine or prosecution through the criminal Court system.

Waste must be properly contained to avoid spillage, side waste and windblown litter. Waste collection arrangements must be frequent enough to avoid spillage and waste accumulations around the bin area and surrounding land both private and public.

Informative: Thames Water

The applicant is advised that there is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

Appendix 1 Consultation Responses from internal and external agencies

No.	Stakeholder	Question/Comment	Response
	INTERNAL		
	LBH Transportation	<p>This site is located in an area that has a medium public transport accessibility level of 3 and is within reasonable walking distance of a number of local bus services available on Muswell Hill Broadway. It is considered that public transport would be viewed as a viable option for those making journeys to and from the site.</p> <p>Although the proposal does not include the provision of allocated on-site parking spaces, it is not anticipated that the replacement workshop and office would generate any significant level of traffic generation or parking demand.</p> <p>Given that the above scheme is unlikely to result in any significant negative impact upon the surrounding highway network, the highway and transportation authority does not wish to raise an objection to the proposal.</p>	Noted
	LBH Waste Management	<p>Commercial Business must ensure all waste produced on site are disposed of responsibly under their duty of care within Environmental Protection Act 1990. It is for the business to arrange a properly documented process for waste collection from a licensed contractor of their choice. Documentation must be kept by the business and be produced on request of an authorised Council Official under section 34 of the Act. Failure to do so may result in a fixed penalty fine or prosecution through the criminal Court system.</p>	Noted informative attached

No.	Stakeholder	Question/Comment	Response
		Waste must be properly contained to avoid spillage, side waste and windblown litter. Waste collection arrangements must be frequent enough to avoid spillage and waste accumulations around the bin area and surrounding land both private and public. Amber.	
	EXTERNAL		
	Thames Water	Sewerage infrastructure capacity - no objection. Water infrastructure capacity- no objection Thames Water recommend the following informative be attached to any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.	Noted and informative attached.
	Neighbour properties No of individual responses: 12 Objecting: 9 Supporting: 3	<ul style="list-style-type: none"> • The proposal to redevelop Arch 9 will reduce light and sunlight to the properties at Hillfield Park • The proposal rear window will harm the privacy of the residential properties of Hillfield Park. • At least one tree behind Arch 9 is likely to be damaged by any building work • The height of the proposed development is disproportionate with the arch height • The height should be reduced to no more than the existing structure. 	See para 6.3.2 of the report As above The proposal would be built in place of the existing building so will not require large foundations which could affect trees The building is in keeping with other developments on the arches As above See para 6.3.3 of the report

No.	Stakeholder	Question/Comment	Response
		<ul style="list-style-type: none"> • The proposed use is for food manufacture and is in close proximity to residential properties, concern about the likelihood of, or control of any odours produced. • Any digging for sewerage infrastructure will be at the rear and below of properties on Hillfield Park, any excavations should be back filled and retained as necessary to ensure no danger of future land slips. • The application should provide additional assessments including noise, air quality, drainage and ecology • A planning condition should be added with similar restrictions as the 1980 lease to protect residents • The proposed building is not in keeping with the Conservation Area <p><u>Support</u></p> <ul style="list-style-type: none"> • The proposal will help the improvement of the area, clearly not being properly looked after. Hope other applications will follow. • Pleased to support an application for an environmentally friendly small business that does require additional parking or vehicle access, will not bring noise or pollution and so should not impact negatively on local residents' quality of life. • The proposal will be an improvement to the current empty property, and to the other 	<p>This will be dealt with through Building Regulations</p> <p>These are not necessary under the Council's current Local List of application requirements The proposal would not raise sufficient concerns to warrant the imposition of such a condition The proposal is not considered to impact on the neighbouring Conservation Area.</p> <p>The points of support are noted.</p>

No.	Stakeholder	Question/Comment	Response
		<p>garage businesses which create environmental hazards in the area and which are an eyesore.</p> <ul style="list-style-type: none"> • The proposed building will not be higher than the current one and will therefore maintain the character of the arches and not obscure light and open space above the new building. 	

Appendix 2 Plans and Images

Site Local Plan



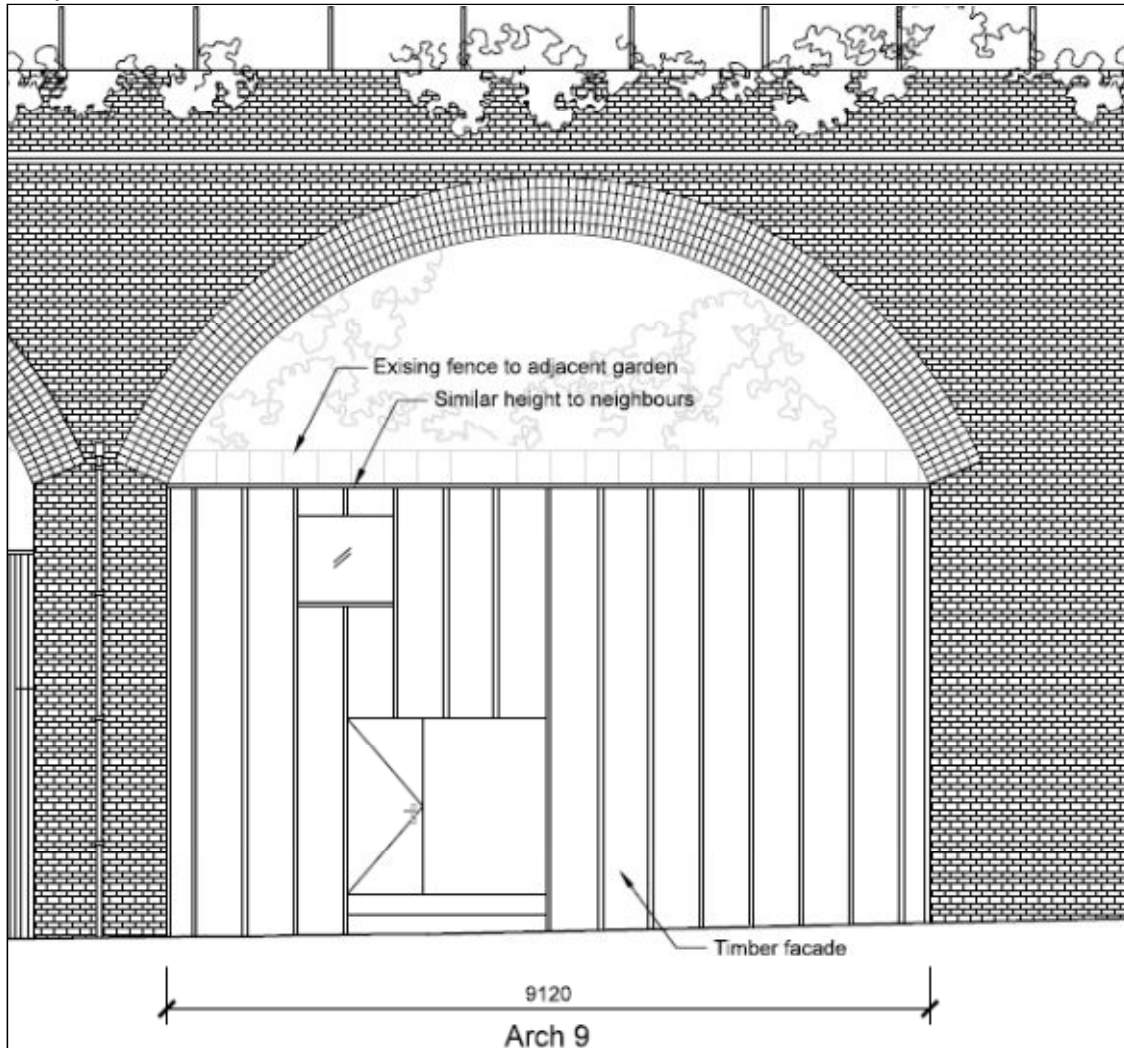
Existing building



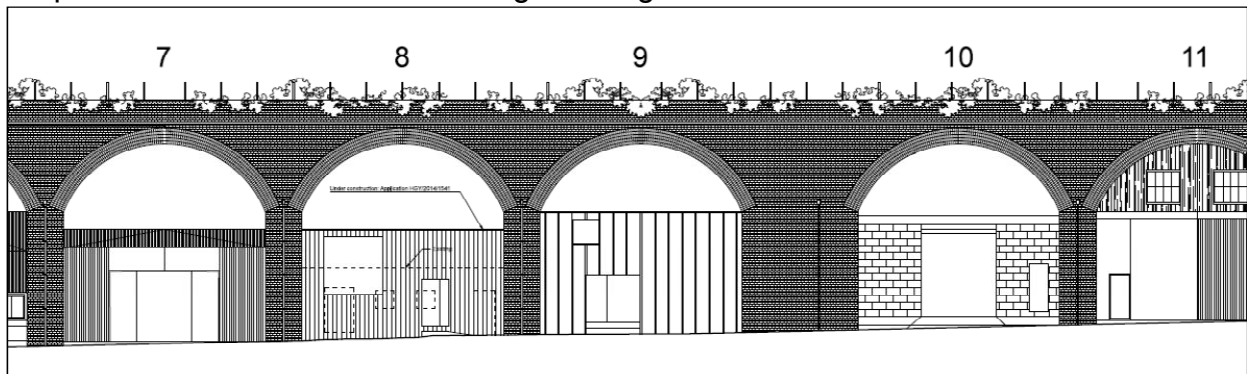
Neighbouring buildings



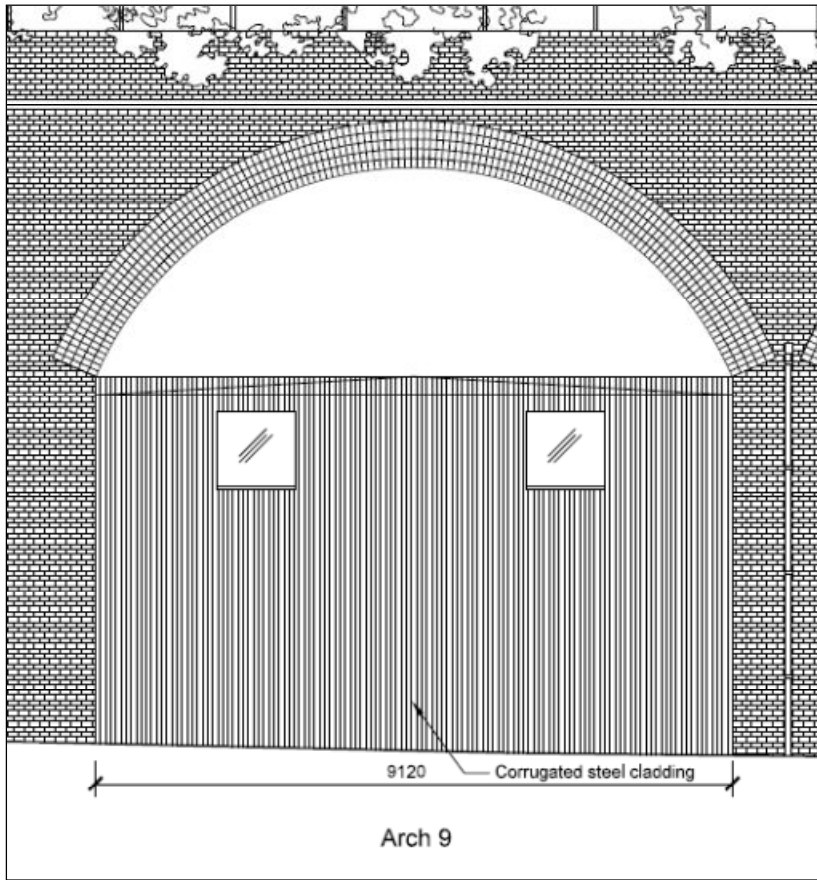
Proposed front elevation



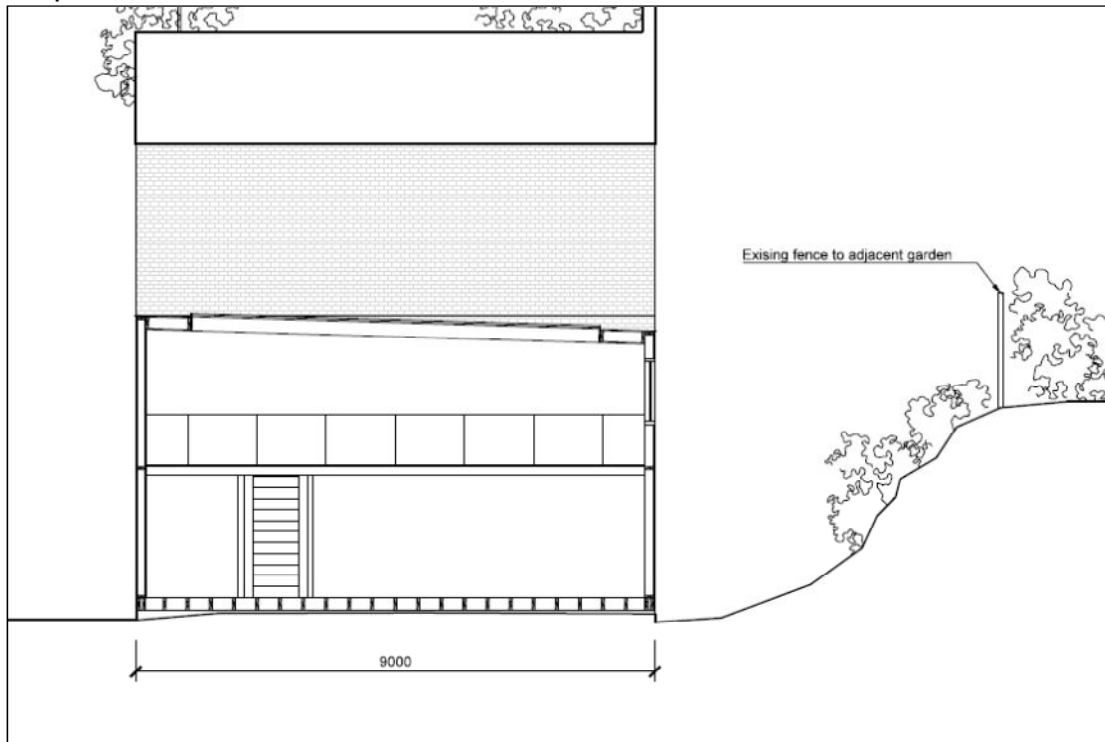
Proposed elevation in relation to neighbouring arches



Proposed rear elevation



Proposed cross section



Proposed floor plan (including mezzanine level)

