

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2007/2487

Ward: Highgate

Date received: 27/11/2007

Last amended date: N / A

Drawing number of plans: 237/01, 02, 03, 04, 05, 06, 07, 08, 09, 10 & 11.

Address: 426 - 428 Archway Road N6

Proposal: Demolition of existing building and erection of 7 x 2 storey three bedroom houses with associated garden and parking.

Existing Use: Vacant Residential Units / Vacant Retail Unit

Proposed Use: Residential / C3

Applicant: Acorn Homes (North London) Ltd

Ownership: Private

PLANNING DESIGNATIONS

Conservation Area

Road Network: A Class A Trunk Road

Officer Contact: Matthew Gunning

RECOMMENDATION

GRANT PERMISSION subject to conditions and subject to section 106 Legal Agreement

SITE AND SURROUNDINGS

The application site is 0.1 hectares in size and comprises of two semi-detached dwelling houses and a single storey shop unit with attached workshop. The application site is located on the north-eastern side of Archway Road; above the junction with Muswell Hill Road. The flank wall of No. 424 Archway Road, one of a pair of dwelling houses, is located along the south-eastern boundary of this site. Next to the site along its north-western boundary is No 430- 436 Archway Road, a housing/ office scheme completed in the mid 1990s. New residential development of 28 flats have been erected at No 442-452 Archway Road, while a pair of cottages at No 418-420 Archway Road have been rebuilt in the 1990s.

Railway / underground tunnels run at the rear of the site therefore restricting the development potential at the back of the site. The application site falls within Highgate Conservation Area and within the Archway Road Neighbourhood Plan area. The site is also classified as an ecological corridor and is adjacent to Metropolitan Open Land/ Historical Park (Highgate Wood).

The application site was purchased by the Department of Transport (in 1960s) to allow for Archway Road widening (now abandoned). The land forming the application site was recently sold by London Underground Ltd with a covenant to protect the Northern Line and former Great Northern Railway Tunnels. The shop unit has been used for sale of motor parts for a number of years but is currently vacant. The existing pair of semi-detached dwelling houses are built of typical London-light coloured stock brick with a slate roof and red clay ridge tiles. The pair of dwelling houses are in a poor condition and appears to have suffered from some structural damage.

PLANNING HISTORY

HGY/2006/2443 - Demolition of existing building and redevelopment of site including erection of 5 x 2 storey two bedroom houses and 4 x 3 storey four bedroom houses. – Withdrawn 02/02/2007

HGY/2006/2444 - Conservation Area Consent for demolition of existing building and redevelopment of site including erection of 5 x 2 storey two bedroom houses and 4 x 3 storey four bedroom houses – Withdrawn 02/02/2007

HGY/1989/1125 - Change of use to car park for 62 vehicles. – Withdrawn 12/09/1991

DETAILS OF PROPOSAL

This application is for the demolition of the existing buildings and the erection of 7 x 2 storey three bedroom houses with associated gardens and provision of 9 car parking spaces.

CONSULTATION

Ward Councillors
Transportation
Cleansing
Building Control
Highgate CAAC
Highgate Society
Design
Conservation Team
London Underground
1, 3 Muswell Hill Road

Local Residents - 363-393 (o), 367a, 371a, 373a, First floor flats 367a, 371a, 373a, First floor flat 363-393(o), Second floor flat 367a, 371a, 430-432 (e), 434a, b, c, d, 436 a, b, c, d, 422-440 (e) Archway Road

RESPONSES

Transportation - Since this proposal falls on TfL road network and TfL is the highway authority for these roads, this application has therefore been referred to them for comment. Comment received from TfL on 17/01/07 in a letter dated 12/01/07 reads: "Transport for London (TfL) has no objection to this application, as we believe it does not represent an additional risk to the safe operation of the Transport for London Road Network (TLRN) - A1 Archway Road. The demolition and construction aspects of this scheme could impact on the operation of the A1. The developer should be reminded that there is no stopping on the TLRN highway or footway, except during specified times and at specific locations. Scaffolding or hoardings should not be erected on the footway without TfL's prior approval."

However, we will be seeking some financial contribution towards footway improvement in the vicinity of this development. Consequently, the highway and transportation authority would not object to this application subject to the conditions that the applicant. A contribution by way of S.106 agreement, £15,000 (fifteen thousand pounds) is sought towards schemes tailored towards improvement to footway, in the vicinity of this proposed development.

Waste Management – The proposed refuse storage is greater than 10 metres and every effort should be made to try and reduce this, the drawings indicate that the floor of the bin store would be a "sure sett" pebble surface, this indicate that the floor will have a tessellated effect which is difficult to keep clean and will prove problematical when trying to manoeuvre the bins. It is recommended that the surface be a flat and smooth hard surface to aid cleaning and bin movements. The refuse provision is adequate for a development of this size.

London Fire and Emergency Planning Authority – Require the removal of pinch point between Garden 1 and Garden 424 Archway Road (plan no 237/004). This will provide access to working area of 6 m width beyond this point. This will also ease the Fire Brigade access, in accordance with ADB (This has been brought to the attention of the agent/ applicant).

Building Control – Confirm that the proposal has been checked for compliance with Regulations B5 –Access for the Fire Service, and would confirm that it appears acceptable.

London Underground – The land forming the application site was sold by London Underground Ltd with a covenant to protect the Northern Line and the former Great Northern Railway tunnels under the property. It is noted that the applicant's are aware of the covenant. London Underground Ltd will pursue with the applicant any matters relating to the covenant and therefore has no comment to make on the application as submitted.

Highgate Society – (Comments from last application) These two adjoining cottages are an important element of the historic character of this part of the Conservation Area – indeed they are probably the oldest surviving elements of it - and their loss would, in our view, cause harm to it. We believe that they should be restored or, if this is no longer feasible due to the neglect they have suffered, rebuilt in their entirety, their facades retained if possible.

RELEVANT PLANNING POLICY

National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing
Planning Policy Guidance 15: Planning and the Historic Environment

London Plan

Policy 3A.1 Increasing London's supply of housing
Policy 3A.2 Borough housing targets
Policy 3A.3 Efficient use of stock
Policy 3A.4 Housing choice
Policy 4B.3 Maximising the potential of sites
Policy 4B.6 Sustainable design and construction
Policy 4C.21 Design statements
Policy 6A.5 Planning obligations
Policy 4B.10 London's built heritage
Policy 4B.11 Heritage Conservation

Adopted Unitary Development Plan, 2006

G1 Environment
G2 Housing Supply
UDI Planning Statements
UD2 Sustainable Design and Construction
UD3 General Principles
UD4 Quality Design
UD7 Waste Storage
UD8 Planning Obligations
ENV3 Water Conservation
ENV9 Mitigating Climate Change: Energy Efficiency
HSG1 New Housing Development
HSG9 Density Standards
HSG10 Dwelling Mix
M3 New Development Location and Accessibility
M10 Parking for Development
CSV1 Development in Conservation Areas
CSV7 Demolition in Conservation Areas
OS2 Metropolitan Open Land
OS5 Development Adjacent to Open Space

OS6 Ecological Valuable Sites and their Corridors
OS7 Historic Parks, Gardens and Landscapes
OS16 Green Chains
OS17 Tree Protection, Tress Messes and Spines

Supplementary Planning Guidance

SPG1a Design Guidance and Design Statements
SPG2 Conservation and Archaeology
SPG3a Density, Dwelling Mix, Floor space Minima, Conversions, Extensions and Lifetime Homes
SPG3b Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight
SPG3c Backland Development
SPG8a Waste and Recycling
SPG8b Materials
SPG9a Sustainability Statement
SPG10 The Negotiation, Management and Monitoring of Planning Obligations
SPG 12 Educational Needs Generated by New Housing Development
SPG 4.1 Revised Archway Road Neighbourhood Plan (2002)

ANALYSIS / ASSESSMENT OF THE APPLICATION

The application follows on from a withdrawn application in 2006 (LPA Ref: HGY/2006/2443) for the demolition of the existing buildings and redevelopment of site to accommodate 5 x 2 storey two bedroom houses and 4 x 3 storey four bedroom houses. This application was considered inappropriate in that it represented an overdevelopment of the site; in terms of the overall bulk and size of the buildings, the number of units and habitable rooms within the scheme, the close proximity of the two residential blocks and the excessive site coverage. The design of the proposed buildings was also considered to be an inadequate replacement for the existing building as they would have detracted from the visual amenity, continuity and cohesion of the street scene on this side of Archway Road.

The main issues in regards to this application are considered to be (1) the loss of a pair of Victorian cottages, (2) the design and bulk of the proposed development, (3) impact on the character and appearance of the Conservation Area, (4) residential density, mix, layout & standard of accommodation, (5) car parking and transportation, (6) impact on trees/ Metropolitan Open Land/ Ecological Corridor, (7) landscaping and boundary treatment, (8) impact of the proposed development on the amenity of neighbouring occupiers, (9) sustainability & environmental issues, (10) waste storage and (11) planning obligations/ Section 106.

Demolition of existing Victorian Cottages

Policy CSV7 'Demolition in Conservation Areas' seeks to protect building within Conservation Areas, by refusing applications for their demolition or substantial demolition if it would have an adverse impact on the character and appearance of the Conservation Area. Applications for demolition would not be agreed where the building or part of the building positively contributes to the overall character or appearance of the building, its setting, or the wider conservation area or setting.

The two properties identified for removal (No's 426 & 428 Archway Road) are identified in the draft Conservation Area Appraisal for Highgate as making a positive contribution to the character of the local environment. However, their state of dereliction has also been noted in the Archway Neighbourhood Plan.

In respect of the '2006 application' Highgate Society objected to the proposal as they considers that the removal of these adjoining cottages would result in the removal of the historical character of this part of the conservation area, which are probably the oldest surviving elements of it. Highgate Society indicated that the cottages should be restored or, if this is no longer possible due to the neglect should be rebuilt in their entirety and if possible their facades retained.

A report prepared by Ellis & Moore Consulting Engineers (accompanied with a photographic survey) has been submitted with this application to assess the possibility of repairing/ refurbishing the building, and reports that:

- The rear annexes to these cottages have been removed, as it is understood they have fallen down.
- Half of the front wall has been completely rebuilt in the past. This is evident in the stitch bonding of the brickwork up to the centreline. The newer brickwork is delaminating from the flank wall.
- The original brickwork in the front elevation is badly cracked, is more than likely due to subsidence caused by the adjacent tress.
- The northwest wall has a substantial bow which is in excess of 150mm. It has been propped in to prevent collapse and is in a precarious condition.
- The south-east elevation has a vertical crack over the central door. It is also delaminating from the front and back walls.

The Consulting Engineers state that the only part of the structure which is not beyond repair is the front wall which has been previously rebuilt and south-east elevation. The rest of the structure, they considered, which includes the roof, the first floor, the internal partition, and the external walls, would have to be demolished and replaced. This would mean that those walls which are retained would be unstable in the temporary condition unless they were supported by external framework. Overall the Consulting Engineers considered the option of refurbishing the property to be impractical, grossly uncommercial and a dangerous exercise.

Overall it is accepted that there is clear damage to the buildings from being derelict and neglected and on balance it is considered that there is sufficient evidence to show that the building suffers from poor structural stability and cannot be restored.

Although the replacement building to the front of the site will be a small terrace, as opposed to a pair of semi-detached cottages, it is considered that given the constraints of the site this building form is acceptable. It would not be possible to create two pairs of semi-detached dwellings along the frontage of the site, given the need (by way of covenant) to provide access to back of the site for possible works to the Northern Line/Great Northern Railway Tunnels.

As discussed below the exterior of the front terrace will be formed from reclaimed brick, the fenestration pattern will be of an appropriate scale, proportion and overall the proposed replacement building to the street frontage will be sensitive to the adjoining buildings and the character and appearance of this part of the Conservation Area.

Design & Bulk of the Proposed Terraces

The proposal will involve the erection of two blocks of terrace houses; one lining up with the properties to either side (No 430/432 & No 424) and fronting onto Archway Road and the other to the rear (sitting at a slight angle). Both of these terraces will be two-storey in height and will have accommodation within their roof space.

The terrace to the front will be 19.4 metres in width, 9.5 metres in depth, 5.7 metres in height at roof eaves level and 8.36 metres at roof ridge level. The terrace will line up with the eaves and roof ridge line of the adjacent property: No 424. This front terrace will accommodate 4 x three bedroom dwellings (Units 1 to 4), all of which will have 7 metre deep rear gardens.

The rear terrace (which will be slightly angled in relation to the front terrace) will be sited 8.3 metres away from the front terrace at the closes point. The terrace will be 16.3 in width, 10 metres in depth and will be of comparable height to the front terrace. This terrace will accommodate 3 x three bedroom dwellings. (Unit's 5, 6 & 7). The rear terrace will be stepped back from the railway/underground tunnels located to the rear of the site.

There will be no clear glazed windows on the first floor front windows of the front terrace therefore preventing overlooking to the gardens and windows to the properties in the front terrace. There will also be timber clad bays inserted to the gable ends of the both of terrace blocks at first floor level. These features have been incorporated to provide light and outlook from first floor rooms.

In terms of facing material the exterior of the front terrace will be formed from reclaimed brick from the existing Victorian cottages. The brickwork on houses No 5, 6 & 7 will be complementary to the reclaimed brickwork to the front terrace and will be approved as part of a conditions application to be submitted to the Local Planning Authority. The fenestration to the front terrace will be of comparable size to that along the front elevation of No 424. The proposed development will use painted sash windows and stone sills as well as hardwood panelled front doors.

The dormer windows along the rear roof slopes of the front and rear terrace blocks will have a lead finish (including cheeks) and overall will be subordinate features on the roof slopes. The choice of materials will reflect the material palate found along Archway Road will be sensitive to the adjoining buildings and the distinctiveness and character of the surrounding area. The proposal is considered to be in keeping with the provisions of policies UD3 and UD4 and SPG1a and SPG8b.

Impact on character & appearance of Conservation Area

The issue of appropriate design for development in conservation areas and the role that local planning authorities should play through their development control decisions is set out in PPG15. This policy guidance states that the design of new buildings intended to stand alongside historic buildings needs very careful consideration and that this:

“can be done, provided that the new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. This does not mean that new buildings have to copy their older neighbours in detail. Some of the most interesting streets in our towns and villages include a variety of building styles, materials, and forms of construction, of many different periods, but together forming a harmonious group”

As discussed above the proposed replacement building to the street frontage will be sensitive to the adjoining buildings and the character and appearance of this part of the Conservation Area.

Paragraph 4.17 of PPG15 states that:

“Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own.”

The existing shop unit with attached workshop makes no positive contribution and indeed detracts from, the character and appearance of the Conservation Area. Its demolition and replacement will enhance the character and appearance of the area.

Overall it is considered that the design, form and external finish of the replacement buildings will be sympathetic to the architectural character of this part of Archway Road and Highgate Conservation Area.

Residential Density, Mix, Layout & Standard of Accommodation

As discussed above the residential accommodation will consist of 7 residential units. The smallest unit in this residential scheme will be 95 sqm in size and meets the floorspace standards for a three bedroom unit (73 sqm) as set out in SPG3a.

All of the unit sizes and room sizes are consistent with the floorspace minima identified in SPG 3a. Many of the units will have additional storage space within the attic space as well as study rooms. The four front properties will have 7 metre deep rear gardens and will have an average size of 33 sq. m. The size of these gardens falls below the 50 sq. m required for family houses. However, given the constraints of the site the amenity space for these units is considered acceptable. The residential units to the back will have larger rear gardens (16 metre deep) and meet the amenity space minima.

In terms of the dwelling mix policy HSG10 seeks to ensure a mix of housing types and sizes within developments to meet the range of housing needs in the borough. The recommended mix for private market housing is set out in SPG3a and requires a dwelling mix of 37% -1 bedroom units, 30% -2 bedroom units, 22% - 3 bedroom units and 11% 4 bedroom units.

As outlined above the proposed development will consist of 7 x three bed units. Whilst it is acknowledged that this does not accord with the dwelling mix policy, it is considered that given the constraints of the site and the strong need to provide family housing within the borough the proposed mix is considered to be acceptable.

The site area together with 6m width of the road is 0.117ha in size and the proposal has 30 habitable rooms, although the 7 kitchen/ living/ dining rooms are shown on the plan to be above 20sqm. The density of the proposed development would therefore be 316 habitable rooms per hectare (HRH). The Adopted Unitary Development Plan (UDP) states that residential development in the borough as a general guideline should be in the density range of 200-700 habitable rooms per hectares.

In terms of the London Plan (2004), the plan categorises density ranges in terms of location, setting, existing building form and massing. Based on the density matrix (as shown in Table 4b.of the plan) the site is considered to be within an urban area with terrace house and flats are the predominant housing type, the site is close to a town centre and therefore a density of 200-450

HRH would be acceptable. The proposed residential density is therefore considered to be acceptable and to be in keeping with both the density standards of the Adopted UDP and the London Plan.

The houses are designed to comply with Part M of the Building Regulations in terms of access and internal layout. The entrance thresholds to all of the houses will be level and all of the residential units will have downstairs wc. Pedestrian access from Archway will be via a level footpath.

Transportation & Car Parking

Access to the site will be via a newly reformed cross-over point on the eastern boundary of the site. A driveway will run along the eastern boundary of the site. Nine off street car parking space (including 1 motorcycle space) will be provided and will be sited towards the back of the site at right angle to the eastern boundary. As noted above there is need (by way of covenant) to provide access to back of the site for any potential works to the Northern Line/Great Northern Railway Tunnels.

The application site falls within a PTAL 3 area and is within walking distance of Highgate Tube Station and a number of different bus services. Bicycle storage could be stored within the demise of the properties themselves. Comments have not been received from TFL as yet. However, it is noted in respect of the '2006 application' that TFL raised concern in respect of the demolition and construction aspect of the scheme as there is no permitted stopping on the highway or footway except during specific times and locations. TFL states then that scaffolding and hoardings should not be erected on the footway without TfL's approval. A informative to advise the applicant's/ agent/ developers of these restriction will be placed on the approved consent.

Impact on Trees / Metropolitan Open Land / Ecological Corridor

There are a number of trees in the site. It has been established that the two trees on the north-western corner of the site (1 sycamore and 1 Ash) have been approved for felling by the Council's Arboriculturist as they are in poor condition. A condition requires that these are replaced. Two trees (lime trees) towards the middle of the site will also need to be removed to make way for the rear terrace. The Council's Arboriculturist has states that these trees do not merit protection by way of a TPO. There are three large trees at the rear, including two lime trees to be retained.

The application site backs onto Metropolitan Open Land (Highgate Woods) and is also part of the Ecological corridor. Overall it is accepted that the scheme has been well designed to minimise its impact on the MOL, the ecological corridor and its habitats, in particular through the retention of trees to the back of the site and creation of large rear gardens for the residential units in the rear terrace. It is also acknowledged that the site would provide a degree of ecological enhancement, namely through the removal of the storage building to the rear of the site.

Landscaping / Boundary Treatment

Along the front elevation of the site a low brick wall with black painted cast iron railings will be erected to match the adjacent front boundary treatment. A strip of landscaping will be created immediately inside this front boundary. All existing fencing and railings along the perimeters of the site will be replaced. The side access road and rear car parking area will be hardsurfaced (material has not been specified). The kerb edging of the access route will be formed with granite sett strip. The fencing between the gardens plots will be 1.8 metre high chestnut fencing. The rear garden boundary which will sit close to the ground floor front windows of the rear terrace will be a vertical green screen.

Impact on Residential Amenity

The proposed buildings have been designed in such a way so not to have an adverse impact on neighbouring properties. The buildings will have a minimal amount of side opening on their side elevations, except for some small windows (some of which are conditioned to be obscure glazed). There will be no clear glazed windows on the first floor front elevation of the rear terrace therefore preventing overlooking to the gardens and windows to the properties in the front terrace. The proposal is considered to be in accordance with the SPG3b 'Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight'.

Sustainability & Environmental Issues

In accordance with the requirement of SPG9 a Sustainability Statement and Checklist have been submitted with this application. The proposed scheme is sustainable in a number of ways; namely by re-using the existing bricks from the site, being a brownfield development site and being highly accessible to public transport. In terms of renewable energy there is limited potential to incorporate such devices/ technology on site. In the case of photovoltaics the incorporation of such features (i.e. on the street fronting roof elevation) would have a dramatic impact on the roofscape and the character and appearance of the Conservation Area.

Waste Storage

A bin/ recycling enclosure on a level 'sure sett' pebble surface will be provided on the south-eastern boundary of the site next to the car parking space (26 metres away from the frontage of site). The concern regarding this proposed surface has been brought to the attention of the agent/ applicant. This bin/ recycling enclosure will provide 1100 liter bins (2 no. for household waste and 1 no. for recycling). The refuse provision is adequate for a development of this size and in accordance with requirements of Planning Obligations / Section 106

Under Section 106 of the Town and Country Planning Act, the terms of Circular 05/2005 Planning Obligations, and in line with Policy UD8 and Supplementary Planning Guidance 10a 'The Negotiation, Management and

Monitoring of Planning Obligations' the Local Planning Authority (LPA) will seek financial contributions towards a range of associated improvements immediately outside the boundary of the site.

In line with Supplementary Planning Guidance SPG10c, it is appropriate for the Local Planning Authority to seek a financial contribution towards the cost associated with the provision of facilities and services arising from additional demand generated for school places. The education contribution associated with this development is calculated to amount to £64,000.

As outlined above the Local Planning Authority seeks some financial contribution towards schemes tailored towards improvement to footways, in the vicinity of this proposed development. A contribution of £15,000.00 is therefore sought.

SUMMARY AND CONCLUSION

The proposed replacement buildings has been carefully designed to respect the scale, height, mass, alignment, architectural detail and materials of neighbouring buildings along this side of Archway Road. The proposed development has been carefully sited to respect the constraints of the site, in particular to achieve an acceptable relationship with the adjoining Metropolitan Open Land to the back of the site and Ecological Corridor. The proposal will not give rise to significant overlooking or loss of privacy to neighbouring occupiers or adversely affect local residential amenities. As such the proposal is considered to be in accordance with policies UD3 'General Principles', UD4 'Quality Design', UD7 'Waste Storage', UD8 'Planning Obligations', HSG1 'New Housing Development', HSG9 'Density Standards', M10 'Parking for Development', CSV1 'Development in Conservation Areas', CSV7 'Demolition in Conservation Areas', OS5 'Development Adjacent to Open Space', OS6 'Ecological Valuable Sites and their Corridors', OS16 'Green Chains' and OS17 'Tree Protection, Tress Messes and Spines' of the adopted Haringey Unitary Development (2006) and with Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology', SPG3a 'Density, Dwelling Mix, Floor Space Minima, Conversions, Extensions and Lifetime Homes', SPG3b 'Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight', SPG3c 'Backland Development', SPG8a 'Waste and Recycling', SPG8b 'Materials', SPG10 'The Negotiation, Management and Monitoring of Planning Obligations' and SPG 12 'Educational Needs Generated by New Housing Development'. Given the above this application is recommended for APPROVAL.

RECOMMENDATION 1

The Sub-Committee is recommended to RESOLVE as follows: (1) That planning permission be granted in accordance with planning application no. HGY/2007/2487, subject to a pre-condition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under Section 106 of the Town & Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974 in order to secure:

(1.1) A contribution of £64,000.00 towards educational facilities within the Borough (£30,200.00 for primary and £33,800.00 for secondary) according to the formula set out in Policy UD8 and Supplementary Planning Guidance 10c of the Haringey Unitary Development Plan July 2006.

(1.2) A contribution of £15,000.00 towards improvement to footways, in the vicinity of this proposed development.

(1.3) Plus 5% of this amount as recovery costs / administration / monitoring which equates to £3,950.00. This gives a total amount for the contribution of £82,950.00.

RECOMMENDATION 2

That in the absence of the Agreement referred to in resolution (1) above being completed by 18th January 2008, planning application reference number HGY/2007/2487 be refused for the following reason: In the absence of a formal undertaking to secure a Section 106 Agreement for appropriate contribution towards education.

In the absence of a formal undertaking to secure a Section 106 Agreement for appropriate contribution towards education, cycle route improvements and environmental improvements the proposal is contrary to Policy UD8 'Planning Obligations' of the adopted Haringey Unitary Development (2006) and Supplementary Planning Guidance SPG10a 'The Negotiation, Management and Monitoring of Planning Obligations' and SPG10c 'Educational Needs Generated by New Housing Development'.

RECOMMENDATION 3

In the event that the Planning Application is refused for the reasons set out in resolution (4) above, the Assistant Director (PEPP) (in consultation with the Chair of Planning Committee) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:

- (i) there has not been any material change in circumstances in the relevant planning considerations, and
- (ii) the further application for planning permission is submitted to and approved by the Assistant Director (PEPP) within a period of not more than 12 months from the date of the said refusal, and
- (iii) the relevant parties shall have previously entered into the agreement contemplated in resolution (1) above to secure the obligations specified therein.

RECOMMENDATION 4

That following completion of the Agreement referred to in (1) above, planning permission be GRANTED in accordance with planning application no HGY/2007/2487 and Applicant's drawing No.(s) 237/01, 02, 03, 04, 05, 06, 07, 08, 09, 10 & 11 and subject to the following conditions:

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 complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in connection with the development hereby permitted have been submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.

4. That 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

5. Notwithstanding the details of landscaping referred to in the application, a scheme of hard and soft landscaping including details of existing trees to be retained shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted, is commenced.

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.

6. The species, size and siting of the replacement trees shall be agreed in writing by the Local Planning Authority and the trees shall be planted within 6 months (or as otherwise agreed in writing) of the commencement of the approved treatment (either wholly or in part). The replacement trees shall be maintained and/or replaced as necessary until they are established in growth.
Reason: To maintain the visual amenities of the area.

7. Before the development hereby permitted is occupied the parking spaces shown on Plan No 237/004 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with this approved residential development.

Reason: To ensure that parking is provided in accordance with the Council's standards, in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

8. Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins and/or other refuse storage containers where applicable, shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the two additional units are occupied.

Reason: To ensure a satisfactory appearance for the development and to safeguard the amenities of the area.

9. A pre-commencement site meeting must take place with the Architect, the consulting Arboriculturist, the Local Authority Arboriculturist, the Planning Officer to confirm tree protective measures to be implemented. All protective measures must be installed prior to the commencement of works on site and remain until works are complete.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

10. Details including the type, specification and location of external lighting shall be submitted to and approved in writing by the Local Planning Authority before the residential units are occupied and thereafter carried out in accordance with the approved details.

Reason: To prevent adverse light pollution to neighbouring properties and Highgate Woods.

11. Notwithstanding the detail shown on drawing No 237/005 & 237/010 the windows shown on the side elevation of dwelling No 5 at first floor level shall be glazed with obscure glass and permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy and amenities of occupiers of adjoining/neighbouring residential properties

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-

enacting that Order with or without modification), no development otherwise permitted by any part of Class A, D & E of Part 1 to Schedule 2 of that Order shall be carried out on site.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality.

13. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

INFORMATIVE: The new development will require numbering. The applicant should contact the Transportation Group at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address

INFORMATIVE: Transport for London (TFL) would ask the developer to observe that restrictions apply to the contractors as follows:

- The Archway Road (A1) is a Transport for London Road Network (Red Route) therefore no stopping is permitted during the operating hours of the Red Route and footway, except at during specific times and at specific locations
- Scaffolding or hoardings should not be erected on the footway without Tfl's prior approval.
- In order to co-ordinate construction works with TFL's general maintenance and improvement programme, please contact TFL's Road Network Management.

Gordon Adam
Principal Development Control Engineer
Road Network Development (North Area)
Transport for London
4th Floor. 84 Eccleston Square
London
SW1V 1PX

REASONS FOR APPROVAL

The proposed replacement buildings has been carefully designed to respect the scale, height, mass, alignment, architectural detail and materials of neighbouring buildings along this side of Archway Road. The proposed development has been carefully sited to respect the constraints of the site, in particular to achieve an acceptable relationship with the adjoining Metropolitan Open Land to the back of the site and Ecological Corridor. The proposal will not give rise to significant overlooking or loss of privacy to neighbouring

occupiers or adversely affect local residential amenities. As such the proposal is considered to be in accordance with Policies UD3 'General Principles', UD4 'Quality Design', UD7 'Waste Storage', UD8 'Planning Obligations', HSG1 'New Housing Development', HSG9 'Density Standards', M10 'Parking for Development', CSV1 'Development in Conservation Areas', CSV7 'Demolition in Conservation Areas', OS5 'Development Adjacent to Open Space', OS6 'Ecological Valuable Sites and their Corridors', OS16 'Green Chains' and OS17 'Tree Protection, Tress Messes and Spines' of the adopted Haringey Unitary Development (2006) and with Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology', SPG3a 'Density, Dwelling Mix, Floor Space Minima, Conversions, Extensions and Lifetime Homes', SPG3b 'Privacy / Overlooking, Aspect / Outlook and Daylight / Sunlight', SPG3c 'Backland Development', SPG8a 'Waste and Recycling', SPG8b 'Materials', SPG10 'The Negotiation, Management and Monitoring of Planning Obligations' and SPG 12 'Educational Needs Generated by New Housing Development'.