

**REPORT FOR CONSIDERATION AT PLANNING APPLICATIONS SUB COMMITTEE**

**Reference No:** HGY/2005/1932

**Ward:** Fortis Green

**Date received:** 17/10/2005

**Last amended date:** 16/12/2005

**Drawing number of plans:** 250\_DE\_1.002 Rev. A , 205\_DE\_2.002, 205\_DE\_2.003, 205\_DE\_2.006 Rev. A, 205\_DE\_2.010, 205\_DE\_3.001 Rev. A, 2510.610/Vegetation Plan/A0C.

**Address:** 79 Creighton Avenue N10

**Proposal:** Demolition of existing building and redevelopment to include erection of a three storey nursing home with associated parking and landscaping.

**Existing Use:** Dwelling House (Class C3).

**Proposed Use:** Residential Institution (Class C2).

**Applicant:** Festival Care Homes Ltd.

**Ownership:** Private

**PLANNING DESIGNATIONS**

Road - Borough  
EVS - Local Importance  
Metropolitan Open Land

**Officer Contact:** Luke Gardiner

**RECOMMENDATION**

GRANT PERMISSION subject to conditions.

**SITE AND SURROUNDINGS**

The subject site is located on the southern side of Creighton Avenue, immediately west of the Fortismere Secondary School. The site presently contains a large two-storey building with a third floor in the form of habitable loft space. The dwelling is set back from the street frontage by approximately 18 metres, and is set within a substantial plot of land that is densely landscaped with mature vegetation. The land rises significantly from street level towards the rear boundary, with a change in level of approximately 7

metres from front to rear; the existing building is elevated approximately 3m above street level.

The site is bounded to the west by the rear gardens of houses fronting Ringwood Avenue, and to the south and east by the Fortismere School playing fields and school buildings respectively. The rear two-thirds of the subject site (i.e. from just beyond the rear building line of the existing dwelling) is designated as an area of Metropolitan Open Land (MOL), and is heavily vegetated. The entire application site is designated as a Borough Grade II Area of Ecological Importance, and is the only property in this road that forms part of the Muswell Hill Area of Special Character.

Creighton Avenue and the roads running off it are uniformly characterised by two storey semi-detached and detached properties, many of which have had modest extensions. The northern side of Creighton Avenue is predominantly residential, although is punctuated in three sizeable locations by Coldfall Wood, which has frontages with Creighton Avenue. Coldfall Wood is also designated as Metropolitan Open Land and a Borough Grade I Area of Ecological Importance.

Creighton Avenue and its immediate surrounds can be characterised by the abundance of mature trees lining the streets, adding much to the visual amenity of the area.

The trees situated within the subject site, together with those within the school, gardens, and woodlands along Creighton Avenue and its immediate surrounds, are a strong visual feature of the locality.

## **PLANNING HISTORY**

02/08/45- Planning permission was granted for use of a property as a ' Nursing Home'.

02/10/63- Planning permission granted for the demolition of a house and erection of a 3-storey block of flats.

25/11/66- Permission granted to use the application property as an annex to William Grimshaw Secondary Modern School to provide additional teaching accommodation

2003/1315 - Change of Use from Class D1 (Educational) to dwelling house (Class C3) Approved

2005/0864 – Permission **refused** on 30/06/05 for the demolition of existing building and redevelopment involving excavation and erection of a five-storey building including basement providing 56-bed care home. Provision of 11 car-parking spaces and associated landscaping. Refused on the following grounds:

- Cramped appearance out of character with surrounding area
- Impact on the openness of the surrounding area
- Unduly dominant and overbearing structure causing overlooking to adjacent residential use
- Damage and loss of existing trees on site

## **DETAILS OF PROPOSAL**

Permission is sought for the demolition of the existing building, and the erection of a replacement building to be used as a care home for the elderly (Class C2). This is a resubmission of the same use that formed part of application No. 2005/0864, which was refused for the reasons outlined above.

The current proposal represents a substantial reduction in scale over the previous scheme, and involves the erection of a three-storey building plus a smaller basement area containing ancillary facilities such as plant rooms, kitchen, laundry and staff change-room facilities. The ground floor would incorporate the main entrance/ reception, kitchen/dining and lounge rooms, plus 10 bedrooms. This layout is generally replicated at first floor level. The second floor level would have 8 self-contained units, each comprising kitchen, bathroom and combined lounge/bedroom area. Each room would be single occupancy only; the site would therefore accommodate a maximum of 28 residents.

The proposal makes provision for seven car parking spaces to the front of the property, with access/egress via a one-way system utilising the existing crossovers adjacent to the eastern and western flank boundaries. There would also be seven cycle-parking spaces within the frontage. The proposal would have a gated front access drive, with a separate entrance for pedestrians. Given the sharp rise in level from the kerb, a lift platform has been incorporated to allow disabled access from the entrance up to the raised pedestrian deck, which runs adjacent to the sloping driveway, creating a level access path between the building and the front of the property.

In terms of design, the original plans have been amended to take into account concerns highlighted at the Development Control Forum in regard to materials and visual appearance. Amendments are as follows:

- The metal standing seam roof covering has been changed to a more traditional slate roof;
- The timber casement windows have been replaced by timber sash windows;
- The main building will be predominantly red brick, to match surrounding dwellings;
- The east and west side extensions will be of resin render – colour to be determined; and,
- Alterations to the kerb line at the eastern access point to improve sightlines, increasing visibility along Creighton Avenue.

The proposal has been designed to preserve the existing TPO trees on site, and does not encroach into the Metropolitan Open Land at the rear of the property.

## **CONSULTATION**

2 x Site Notices erected on 11/11/05

Development Control Forum: held at Fortismere Primary School on 21/11/05

Transportation – Highways

Conservation Officer

Arboricultural Officer

Crime Prevention Officer

Waste Management

Social Services

Muswell Hill & Cromwell Area Resident's Associations

Head Teacher - Fortismere School

No's. 01-51 (consecutive) Ringwood Avenue, N10

No's. 01-180 (consecutive) Creighton Avenue, N10

No's. 01- 35 (consecutive) Beech Drive, N10

40 Church Lane, N10

3, 18, 22, 34, 39 Church Vale, N10

No's. 9, 35, 39, 47 Twyford Avenue, N10

15 Twyford Close, N10

Studio 2E, 35 Charlotte Road

One South Place, London, EC2

## **RESPONSES**

### **Highways**

Although this development proposal is located where the public transport accessibility level is low, Coppetts Road (which is 'Bus 234' route and offering 6 buses per hour between East Finchley station and Barnet) is only some 300 metres walking distance away. It is therefore considered that the feasibility of integrating 'walking' with this frequent bus service provides a good connection to the nearest East Finchley tube station. Hence, it is considered likely that a number of employees and visitors would use a combination of these travel modes to and from this site.

In addition, interrogation with TRAVL trip prediction software revealed that, based on a similar London site (Birchwood Grange Nursing Home, Brent, located where there is no controlled parking and public transport accessibility level is low), a development of this magnitude would only generate a combined traffic inflow/outflow of 3 vehicles in the am peak hour, when school related car trips are expected at this location. Similarly, none of the proposed

shift change times of 0800hrs, 1400hrs and 2000hrs coincide with the drop-off and collection times of the pupils attending the adjacent Fortismere School. Also, although some combined traffic inflow/outflow of 21 vehicles are expected in the pm peak, outside the school hours, these would not have any significant impact on the adjoining highway network.

The applicant has stated that 30 staff would be employed for the three shifts, which means that some 10 employees would be present on site at any of the work shifts. Therefore the proposed 7 car-parking spaces (including 1 disabled bay) and 7 cycle racks are considered adequate, and in line with the maximum parking requirement of 1 space per 5 occupants and 1 space per 3 staff as stipulated in the Council's SPG 7a.

However, there is concern that the proposed gate at the eastern vehicular access is sited very close to the adjacent footway, with no pocket to store at least 1 vehicle temporarily, hence culminating in footway encroachment by vehicles waiting for the gate to open whilst accessing the site.

Consequently, the highways and transportation authority would not object to this application on the condition that:

1. The proposed gate at the eastern vehicular access is relocated to be at least 5m inside the site; and,
2. 'No Entry' signage is erected at the western exit from the site.

### **Arboricultural Officer**

Trees affected by the proposed new development

Around the boundary of the site, are trees covered by Tree Preservation Orders (TPO). Along the Eastern and Western boundaries are 7 individual TPO's. At the frontage of the site, adjacent to Creighton Avenue, there is a Group TPO.

There are three trees that could be directly affected by the construction of the new building.

Oak (T1) This tree is showing signs of crown dieback. A crown reduction of 20-25% would be appropriate in the circumstances. Beech (T2) and Sycamore (T9) are in a good condition.

Proposed Structures

The foundations of the new structure are to be built at a minimum distance of 8m from the Oak, Beech and Sycamore trees. A cantilevered floor slab will be used extend the building to 4m from the Beech and 6m from the Sycamore tree. This should reduce the likelihood of damage occurring to the trees.

It is proposed to install a footpath within 4m of the Beech tree. This must be constructed using the 'No-dig' method specified in Arboricultural Practice Note (APN1) Driveways Close to Trees.

#### Tree Protection

B.S. 5837:2005 Trees in relation to construction gives recommendations on minimum distances for erecting protective fencing. A Tree Protection Zone must be created using these recommendations.

- The protective fencing must be constructed of stout wooden boards securely attached to a scaffold framework to a height of 2.4m. (BS 5837: 2005, Figure 2)
- The fencing must be erected before any construction work commences on site, be inspected by the Local Authority Tree Officer and remain until the development is complete.
- The Tree Protection Zone must remain in place until construction works are complete. No access will be allowed without prior agreement with the Local Authority Tree Officer.
- No materials are to be stored in this area and no changes to the soil levels.
- The existing hard surfacing must be retained to offer greater protection for tree roots.
- Protective fencing must also be erected along the boundary of the development site to ensure safe retention of all trees and shrubs on the designated Metropolitan Open Land to the rear.

#### Conclusions

An Arboricultural Method Statement must be produced indicating the chronology of events with regard to tree protection. This should also include a revised site plan showing the Tree Protection Zone. Engineering details will also be required for construction of the new footpath.

The statement must also indicate exactly where the site compound and storage area is to be located. It should also include details of where service runs are to be installed.

Once a Method Statement has been produced and its contents agreed by all, it must be conditioned into planning permission.

#### **Waste Management**

Comments to be presented to the Committee separately. Notwithstanding, the council would condition any planning consent to require a detailed scheme for the provision of refuse, waste storage and recycling facilities within the site to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. In addition, such a scheme as approved, shall be implemented and permanently retained thereafter to the satisfaction of the Local Planning Authority.

## **Social Services – Older People Team**

The move within this service is very much to move away from care homes into supporting people in their own homes. To this extent I would welcome the sheltered accommodation so long as it is “extra care” type and not just for older people who do not need support. If the care home were to be a nursing (as opposed to residential home) then this might be something we would welcome as there is a shortage of affordable supply locally.

## **Crime Prevention Officer**

No objection, but make the following comments:

- The planting at the site must not compromise security and surveillance. This is crucial in new developments where careless planting of certain vigorous plants will in a relatively short time impede natural surveillance and offer cover and concealment for an offender. This is particularly important for the formal planters located around the edge of the building. Plants must be kept low to avoid reducing lines of sight of the car park and grounds.
- The developer should consider a video entry system for visual identification of callers and good quality doors to exclude the opportunist thief. In particular, the side entrance (entrance “S”) may be vulnerable to intrusion as it is located away from the sight and control of reception. We can give further advice as necessary.
- The home and bedrooms would benefit from the enhanced security standards detailed in the “Secured by Design Scheme” ([www.securedbydesign.com](http://www.securedbydesign.com)) and I recommend that consideration is given to achieving the standards. There is good advice on the website specifically tailored to sheltered accommodation which I recommend the developer examines.

It is considered appropriate to add these recommendations to the decision notice as informatives to the applicant, should approval be granted.

## **Muswell Hill & Fortis Green Association**

Welcomes the reduction in the number of bed spaces, however the design of the building is a cause for concern. It is uninspired, institutional and the changes in elevational materials seems to be a meaningless attempt to disguise the boring nature of the proposed building. It does not meet the UDP guidelines for good design to ‘enhance the quality of the built environment’.

Comments therefore remain as per previous application:

1. Demolition needs further justification;

2. Site Limitations- TPO's: Open Space: 50% of rooms face north and rooms face an escarpment;
3. Parking and Public Transport: is there enough parking to avoid overspill onto road;
4. Design: out of character with the largely residential nature of the immediate locality; and,
5. Overdevelopment

If permission is granted, we trust the design can be revisited. Also suggest that the existence of two similar empty establishments nearby may be relevant – Clore House in Fortis Green, and another in Kings Avenue.

### **Friends of Muswell Hill Playing Fields and Coldfall Woods**

Coldfall Wood is an ecologically sensitive site which is already suffering from the impact of housing around it. This proposal will have further impacts on the environment and ecology of the Wood. Objection based on the following:

- Not in keeping with the rural setting of one of London's few ancient woodlands;
- The vegetation strategy produced at the forum does nothing to redress the damage done by felling mature trees on site, and does not provide a woodland setting constant with Coldfall Wood. Plant species selection is largely alien to the wood;
- The vegetation strategy has not been independently assessed (i.e. by the Council's conservation officer);
- Impact on the natural drainage of the area, which feeds the wood; and,
- Design is out of character with the surrounding area.

### **Comments from Lynne Featherstone - MP for Hornsey & Wood Green**

On behalf of the residents, I would like to raise objections on the following grounds:

1. The height and footprint of the new building still constitutes overdevelopment.
2. The design is totally out of character with the surrounding houses, is higher than the current house and will dominate what is currently a low-rise residential area.
3. The proposed basement will damage the local ecology due to the necessary excavations.



4. There will be a negative impact on Fortismere School as follows:
  - an increase in traffic, leading to additional danger to the schoolchildren
  - noise from building works will disturb the school for several months.
5. There is poor local public transport - therefore there will be a definite increase in the amount of traffic accessing the site.
6. There is insufficient parking on site - which will inevitably impact on local roads.
7. Negative visual impact on Ringwood Avenue and Creighton Avenue.
8. The adjoining Metropolitan Open Land will be ecologically and aesthetically damaged by building works and the proximity of the new building.
9. The remaining trees which were placed under TPOs in 2004 will be endangered by accidents during building works. Although the developers have said they will respect the TPOs, their actions in initially cutting down trees last year, which was only halted by swift action by residents, local councillors, including Lynne Featherstone's office, and the Council, leave one with little confidence that sufficient care will be taken to prevent further accidental damage.
10. Finally, the site was sold under the assumption that the original house, which is fine and fits well into the surrounding area, would largely be preserved in any development. It is aesthetically desirable to preserve this structure as far as possible, and a move that residents are in favour of.

#### **Comments from Cllr. Matt Davies:**

I wish to object to the planned development at 79 Creighton Avenue. The proposed building still appears to be too large for the area and a building of the same size to the current one would seem more acceptable. The design of the building does not attempt to fit in with the neighbouring residential area. Has the effect on the local area of excavating a basement been examined fully? Parking would appear to be insufficient, in an area where public transport links are poor. The increase in traffic and parking is likely to cause significant loss of amenity to local residents. The applicant does not appear to have sufficiently addressed the issue of overlooking into Ringwood Avenue from the rear.

#### **Residents Consultation:**

A Development Control Forum was held on 21st November 2005 at the Fortismere Primary School, Tetherdown, N10. The minutes from the Forum will be tabled separately at the Planning Committee. The council undertook extensive community consultation as part of the application process. One hundred and twenty one (121) letters of objection were received during the consultation period, citing the following concerns:

1. Demolition of the existing building is not acceptable
2. Already sufficient provision in the area for care homes
3. Over-development (bulk and scale) – mass far larger than existing building
4. Out of character with the context and unduly dominant, particularly as the site is elevated
5. Institutional appearance of building
6. Use of external lift creates an ‘alien’ appearance
7. Damage to ecology through excavation works for new basement
8. Negative impact to Fortismere School
9. Care home will generate considerably more traffic – expected vehicle movements seem to have been drastically understated
10. Poorly located for public transport and other facilities
11. Insufficient parking provision on site, causing increased on street parking along Creighton Ave and surrounding streets
12. Disruptive to school lessons during construction period
13. Harm to Metropolitan Open Land due to mass of building and use of a small portion of land
14. Overlooking, particularly to gardens of Ringwood Avenue
15. Potential damage to TPO tree roots during construction
16. New development should be contained to the existing footprint and height, and the design should match existing architecture in the area
17. Preference for the existing building to be retained/refurbished

## **RELEVANT PLANNING POLICY**

### **Haringey Unitary Development Plan 1998**

EMP 2 To Increase Employment Opportunities, and to Improve Access to Secure Well Paid Employment for Local People, Especially Those Discriminated Against in the Labour Market

HSG 1 To Meet Local Strategic Needs, the Council Will Seek to Make Provision for an Additional 6,700 Dwellings Between 1992 and 2006.

HSG 1.2 Sites for New Housing

HSG 2.17 Provision of Residential Care and Nursing Homes (Class C 2)

HSG 2.18 Location of Residential Care and Nursing Homes Within Haringey (CLASS C 2)

TSP 1.1 Transport and New Development

TSP 2.1 Safe Movement

TSP 2.2 Pedestrian Routes

TSP 7.1 Parking for Development

TSP 7.2 Parking for People with Disabilities

TSP 7.6 Means of Access and Crossovers

DES 1.1 Good Design and How Design Will be Assessed

DES 1.2 Assessment of Design Quality (1) Fitting New Buildings into the Surrounding Area

DES 1.3 Assessment of Design Quality (2) Enclosure, Height and Scale

DES 1.5 Assessment of Design Quality (3) Building Lines, Layout, Form

DES 1.9 Privacy and Amenity of Neighbours

DES 1.10 Overdevelopment

DES 5.1 Character of Residential Areas

DES 5.2 Demolition of Residential Buildings

OP 1.6 Tree Protection, Tree Masses and Spines

OP 3.4 Development Adjacent to Green Belt Metropolitan Open Land or Significant Open Land.

OP 4.1 Protection of Ecologically Valuable Sites in the Borough

OP 4.2 Nature Conservation and New Development

DES 8.5 Areas of Special Character - Muswell Hill

**Haringey Unitary Development Plan Revised Deposit Consultation Draft 2004**

G2-Housing Supply

G3-Employment

UD2 General Principles

UD3 Quality Design

UD8 New Development, Location and Accessibility

UD9- Parking for Development  
Appendix 1 – Parking Standards

HSG 1 New Housing Developments

HSG 7 Housing for Special Needs

HSG 8 Density Standards

OS4 Development Adjacent to Open Spaces

OS5 Ecologically Valuable Sites and Their Corridors

SPG 1a Design Guidance and Design

SPG 1b Parking in Front Gardens

SPG 3b Privacy/Overlooking/Aspect/Outlook and Daylight/Sunlight

SPG 7a Parking Standards

### **Planning Policy Statement 1 – Delivering Sustainable Development**

PPS1 “Delivering Sustainable Development” sets out the government’s overarching planning policies on the delivery of sustainable development through the planning system. Key principles are established that should be applied to ensure that development plans and decisions contribute to sustainable development. One of the key principles is that planning policies:

- *“Should promote high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact, not just for the short term but over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted” (Paragraph 13.iv).*

### **Planning Policy Guidance 3 - Housing**

The principal national policy guidance relating to residential development is contained in Planning Policy Guidance Note 3: Housing. This PPG provides guidance on a range of issues relating to the provision of housing. PPG 3 states that Local planning authorities should:

- provide sufficient housing land but give priority to re-using previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of greenfield sites;
- promote improved quality of developments which in their design, layout and allocation of space create a sense of community; and
- Introduce greater flexibility in the application of parking standards, which the Government expects to be significantly lower than at present.

## **Planning Policy Guidance 13 - Transport**

Planning Policy Guidance 13 Transport was issued in March 2001. It aims to:

- promote more sustainable transport choices for people & for moving freight
- promote accessibility to jobs, shopping by public transport/walking/ cycling
- reduce the need to travel especially by car

## **The London Plan**

The London Plan forms the emerging Spatial Development Strategy for Greater London. It contains key policies covering housing, transport, design and sustainability in the capital. For special needs and specialist housing, the Mayor, by way of Policies 3A.10, 3A.14 and 3A.15 encourages boroughs to ensure that UDP policies make provision for such accommodation based upon up-to date estimates of need.

## **ANALYSIS/ASSESSMENT OF THE APPLICATION**

The main issues in this case are considered to be:

1. The principle of the proposed demolition;
2. The principle of the use in this location;
3. The impact of the development on the character and appearance of the locality;
4. Impact on the amenities of adjoining residents;
5. Impact on the Metropolitan Open Land to the rear;
6. Impact on Trees;
7. Ecological Impacts;
8. Impact on the Highway; and,
9. Employment Provision.

## **The Principle of the Demolition**

The principle of demolition of the house could be agreed provided the replacement building was considered acceptable. Although in a poor state of repair, the existing house is generally of good architectural quality and interest, however it is noted that the building is not locally listed. Policy DES 5.2 'Demolition of Residential Buildings' indicates that the Council will encourage the retention and re-use of buildings. However it is noted that retrofitting for nursing home use is particularly difficult due to the operational requirements for facilities such as lifts, provision of access for the disabled, and adequacy of room sizes. It is therefore considered that provided a suitable replacement building can be agreed, demolition of the existing building is supported.

## The Principle of the Proposed Use

The London Plan states that adequate provision for social infrastructure and community facilities should be ensured in accordance with policy 3A.15. This includes services for older people.

Policy HSG 2.17 “Provision of Residential Care and Nursing Homes (Class C2)” and HSG 2.18 “Location of Residential Care and Nursing Homes (Class C2)” asserts that, in considering applications for residential care and nursing homes, the Council will have regard to their geographical distribution throughout the borough. Where an undue concentration exists, which creates local amenity problems the Council may refuse application for further homes in the area. Conversely, more favourable considerations will be given to proposals for residential care or nursing homes in areas with deficient provision.

Policy HSG 7 “Housing For Special Needs” provides advice in respect of housing for special needs. It advises that the Council will support applications for housing developments that meet specific housing needs within the borough including residential care and nursing homes.

Policy HSG 2.17 makes it clear that such uses should be located within 400m of shops and public transport services. The site lies outside the Restricted Care Home Zone of Muswell Hill identified in Policy HSG 2.18. Two care homes have closed nearby; one in Queens Avenue and more recently in Kings Avenue. Another – Charles Clore House has recently been refurbished and is due to open soon. In relation to UDP policy, the site is considered to be outside the 400m radius. There is a single shop within 400m of the site, however this is not considered sufficient to meet the requirements of the policy. Notwithstanding, it is considered that a suitable nursing home could be provided on this site; many of the residents within the care home would not be physically able to visit shops, however some (particularly those in the self-contained accommodation) would still require this facility. In this case, there is a bus route to local shops. Despite its somewhat isolated position it is considered the siting of a nursing home in this position close to significant amenity space such as Coldfall Wood has merit in terms of providing a high quality residential environment for its future occupants. The use of the site as a Care Home for the elderly is considered to be acceptable in principle. The Council acknowledges that the site can make a contribution to providing housing for those with special needs. The principle of redeveloping the site for a Care Home is in line with The London Plan and policy HSG 2.17, HSG 2.18 and HSG7 of the Unitary Development Plans (1998) and The Haringey Unitary Development Plan - Second Deposit (2004).

## Impact on the Character and Appearance of the Locality

Policies DES 1.1 ‘Good Design and How Design Will Be Assessed’, DES 1.2 ‘Assessment of Design Quality (1): Fitting New Buildings into the Surrounding Area’, DES 1.3 ‘Assessment of Design Quality (2): Enclosure, Height and

Scale' and DES 1.4 'Assessment of Design Quality (3): Building Lines, Layout, Form, Rhythm and Massing' require that new buildings are of an acceptable standard of design and be in keeping with the character of the surrounding area. The overriding aim of these policies is to encourage good design of new buildings in order to enhance the overall quality of the built environment and the amenity of residents.

In addition, the council wishes to ensure that the amenities of adjacent occupiers and the area as a whole are not materially harmed as a result of a proposed development. Policy DES 1.9 seeks to protect the reasonable amenity of neighbours by ensuring that new developments do not unacceptably reduce the degree of privacy enjoyed by adjoining properties and that new problems of overlooking are not created.

The existing building is two storeys in height with rooms in the roof-space, and is sited on a rising gradient in the site. The building has space on all sides with small ancillary buildings along the school boundary side. The surrounding land use is predominantly residential. The most common housing types are two-storey detached and semi-detached dwellings, located along Creighton Road and Ringwood Avenue.

The siting, height, scale and bulk of the proposed building has evolved partly to facilitate the functional requirements of the care home whilst attempting to maintain the existing building height as far as is practicable. The constraints of the site in terms of the TPO trees, the surrounding residential dwellings and the Metropolitan Open Land to the rear have also had an influence on the design and layout. Whilst the height of the new building is comparable to the existing building on the site (albeit 500mm higher), the bulk and scale, and building footprint are substantially increased. This is due to the new building incorporating an additional floor. In order to achieve this without a significant increase in the overall height of the building, the eaves height has been raised, and the pitch of the roof lowered substantially. Although larger than the existing building, the new structure is set well back from the street and is centrally located within this substantial plot of land, and would be partially screened from the street elevation by the row of mature TPO pine trees, particularly when approached from the west.

In terms of design, the structure does not attempt to replicate the form of the existing building or surrounding dwellings; rather it would introduce a new feature into the street scene, having a more modern appearance, but constructed in traditional materials to integrate into the surrounding environment. It has been contended by many objectors to the scheme that the building is too 'institutional' in appearance, due to its regularly spaced rows of large windows and uninspired façade. Although it is acknowledged that the character of the surrounding area is largely residential, the adjacent property to the east is a school comprising a number of two to three storey buildings. These buildings cannot be described as having a residential character, and indeed may themselves be considered to be 'institutional' in appearance. It must be acknowledged that the subject property does not form part of a row of houses with an established character; rather it is a stand-alone property

located between the rear gardens of residential dwellings to the west and school buildings to the east, meaning that there is no specific frame of reference which can be attributed to this plot, other than the building which presently exists on the site, which is in a poor state of repair. The proposed new care home can therefore be seen as having an independence of form and design, offering a varied element to the street scene. On balance, it is considered that the overall height, bulk and scale is deemed to be appropriate for the location and is generally in line with the aims of policy DES 1.1, DES 1.2, DES 1.3, DES1.4 and UD3.

### Impact on Amenities of Adjoining Residents

The residents most directly affected by the proposal are those to the west of the application site in Ringwood Avenue. These are detached properties with significant rear gardens of 25-30m in depth. The gardens of these houses rise up to meet the application site; the houses themselves are set down at a lower level.

The proposed building would be sited closer to the rear boundaries of these dwellings, and be set back further than the existing building. The angle of the new building has also been altered slightly; it has been rotated slightly northwest to be more in alignment with the angle of the front boundary. This also makes the flank of the building to be parallel with the rear boundary of properties fronting Ringwood Avenue. Concern has been expressed by residents of Ringwood Avenue over increased levels of overlooking from the new building, as well as the proximity of the western flank entrance to their rear boundaries. The squaring up of the new building serves to reduce any potential overlooking to an oblique angle only. Furthermore, given the depth of the rear gardens of properties fronting Ringwood Avenue, the separation distances involved between windows would be in excess of 40 metres, which is well in excess of that required by the SPG for directly opposing windows, let alone those at 90 degrees to the affected dwellings. Furthermore, there is mature vegetation along much of this boundary to further reduce overlooking potential.

In terms of the western entrance to the building, this would be used primarily by the occupiers of the 8 self-contained units, so would not be expected to generate a large volume or frequency of use. Given the topography of the site in relation to the western flank boundary, the entrance would be sited some 1.1m below the base of the western boundary fence, meaning there would be no potential for overlooking, and minimal disturbance from sound. Although there are windows in this elevation, they serve a stair well and toilets only. The toilet windows are obscure glazed, and those serving the stairwell can be conditioned to be fixed and obscure glazed. This will alleviate any potential for direct overlooking from this elevation.

The proposed Care Home is not considered to result in any significant issues of overlooking or loss of privacy to neighbouring properties, in compliance with policy DES 1.9



### Impact on Metropolitan Open Land

The boundary of the metropolitan open land runs just beyond the rear building line of the existing dwelling. The rear elevation of the new building will essentially form the boundary with the Metropolitan Open Land.

Policy OP 3.4 emphasises that development next to any open land must be carefully designed in order that the open character of the open land itself is not diminished. This policy is supported by Policy OS4 Development Adjacent to Open Spaces in the emerging UDP.

The new building will have some impact on the MOL; the new building would be set back further, bringing it closer to the boundary than the present building. Notwithstanding, this area of MOL is fully enclosed and forms the rear amenity space to this plot. There is no public access to the MOL. The proposal intends to landscape a small portion of the MOL land directly beyond the rear building line, making it more accessible to the residents. It is also intended to introduce new indigenous species to encourage more habitable wildlife. In this regard, it is not considered that the proposal would harm the objectives of the site's MOL status.

### Impact on Trees

The site contains a significant amount of vegetation, much of which is protected by Tree Preservation Orders (TPO's) and/or Metropolitan Open Land status. The front portion of the proposal site (i.e. outside of the M.O.L) contains three individual TPO's, plus a group TPO covering the row of mature pine trees along the front boundary. The siting of the new building was conducted in consultation with the Borough's Arboricultural Officer in order to avoid conflict with Trees. The design incorporates a cantilevered slab in areas where it encroaches into the tree root protection zones. It is considered that the development can be accommodated without compromising the existing significant trees on the site. The Arboricultural Officer has not objected to the scheme, subject to appropriate conditions.

Many of the objection letters received make reference to the history of the site, in particular, the cutting down of several large trees. This is not a valid planning consideration in the assessment of this proposal. Subject to the preparation of an approved Arboricultural Method Statement prior to commencement of works, it is considered that the proposal can be accommodated without harming the trees on site.

### Ecology

The entire application site is designated as an Ecologically Valuable Site of Local importance. This is the lowest grade of listing in regard to ecological value. In view of this designation, the applicant commissioned *Planet Earth Ltd.* to undertake an 'Environmental and Ecological Survey' of the site. A

biodiversity survey was undertaken as part of the brief; the survey concluded that there are no protected species under the Countryside and Wildlife Act 1981 on the site. The survey makes a number of recommendations designed to enhance the range and variety of flora and fauna on the site in order to enhance its ecological value. At the time of writing this report, the consultant from Planet Earth Ltd. was liaising with a representative of 'Friends of Coldfall Woods' in order to ensure that species chosen for the planting schedule are appropriate within the context of Coldfall Woods.

A large part of the site is to be retained as a private garden, and the existing trees on site are to be protected, thus the ecological interests of the site should remain unaltered. A landscaping condition has been included to ensure that only appropriate species are used for any replanting.

### Transportation – Access, Traffic, Car Parking and Cycling

National planning policy seeks to reduce the dependence on the private car in urban areas such as Haringey. The advice in both PPG3 Housing and PPG13 Transport make clear recommendations to this effect. This position is also reflected in the London Plan. Unitary Development Plan Policy TSP 7.1 and UD9 "Parking for Development" sets out the Council's parking requirements for new developments. A full report from the Highways Service is produced in the relevant section above. This type of use does not generally cause significant impacts in terms of highways, and the application accords with the parking requirements of SPG 7a. Concern has been expressed by surrounding residents that insufficient parking has been provided on site, however the number of parking spaces is in accordance with the requirements of the Unitary Development Plan, and there are no on street parking restrictions along Creighton Road.

The access to the proposed care home would be from the existing driveway to Creighton Avenue, adjacent to the driveway serving the Fortismere School. This access point is considered to provide a suitable access to the care home site without prejudicing the free-flow of traffic or highway safety and would not be out of keeping with the character of the area. As such the proposed access is found to be in line with the requirements of policy TSP 7.6 "Means of Access and Crossovers".

### Employment Provision

The scheme would provide up to 30 new jobs. The provision of local jobs is considered consistent with policy EMP2, which encourages the provision of employment opportunities.

## **SUMMARY AND CONCLUSION**

On balance the principle of the use is considered acceptable with some slight reservations due to its position at some distance from local services, however it is considered that this factor is outweighed by other factors, such as the proximity to excellent passive recreation facilities such as Coldfall Woods. The height of the new building is in keeping with that of the building it intends to replace, albeit with a larger footprint and greater bulk. Notwithstanding this, the plot is large, and would retain a significant amount of natural vegetation and open space, both within the frontage and to the rear. The proposal would not have a significantly greater impact on the openness of the Metropolitan Open Land than the existing building. The design retains all TPO trees on site, and its impact on the amenities of the surrounding residents is not considered to be so severe as to warrant refusal of the application.

## **RECOMMENDATION**

### **GRANT PERMISSION**

Registered No. HGY/2005/1932

Applicant's drawing No.(s) 250\_DE\_1.002 Rev. A , 205\_DE\_2.002, 205\_DE\_2.003, 205\_DE\_2.006 Rev. A, 205\_DE\_2.010, 205\_DE\_3.001 Rev. A, 2510.610/Vegetation Plan/A0C

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. Samples of all materials to be used for the external surfaces of the development 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.

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.

4. Development shall not commence until a scheme demonstrating the following:

a) That the proposed access gate at the eastern vehicular entrance will open away from the highway only, and is recessed at least 5 metres from the front boundary of the plot; and,

b) A 'No Entry' sign is erected at the western exit from the site,

have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the safe movement of pedestrians on the footpath and vehicular traffic on the highway.

5. Development shall not commence until an arboricultural Method Statement has been produced and agreed in writing by the Local Planning Authority. The Method Statement shall indicate the proposed chronology of events with regard to tree protection, as well as a revised site plan clearly showing the Tree Protection Zones. Engineering details will also be required for the construction of the proposed footpath. In addition to the above, the method statement shall also indicate the location of the site compound and storage area, including details of where service runs are to be installed.

Reason: In order to ensure the safety of trees during constructional works.

6. The existing trees on the site shall not be lopped, felled or otherwise affected in any way (including raising and lowering soil levels under the crown spread of the trees) and no excavation shall be cut under the crown spread of the trees without the prior written permission of the Local Planning Authority.

Reason: In order to safeguard the trees in the interest of visual amenity of the area.

7. Before any works herein permitted are commenced, all those trees to be retained, as indicated on the approved drawings, shall be protected by secure, stout, exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS 5837:2005 and to a suitable height. Any works connected with the approved scheme within the branch spread of the trees shall be by hand only. No storage of materials, supplies or plant machinery shall be stored, parked, or allowed access beneath the branch spread of the trees or within the exclusion fencing.

Reason: In order to ensure the safety and well being of the trees on the site during constructional works that are to remain after building works are completed.

8. The trunks of those trees to be retained shall be protected by two layers of chestnut paling or hessian sacking.

Reason: In order to ensure the safety of tree trunks during constructional works.

9. Notwithstanding the details of landscaping referred to in the application, a scheme for the landscaping and treatment of the surroundings of the proposed development to include detailed drawings of:

a. those existing trees to be retained.

b. those existing trees to be removed.

c. those existing trees which will require thinning, pruning, pollarding or lopping as a result of this consent. All such work to be agreed with the Council's Arboriculturalist.

d. Those new trees and shrubs to be planted together with a schedule of species shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. Such an approved scheme of planting, seeding or turfing comprised in the approved details of landscaping shall be carried out and implemented in strict 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 trees or plants 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.

10. 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.

11. Before the building is occupied, seven (7) car parking spaces and adequate manoeuvring space shall be provided and marked out within the curtilage of the building in accordance with the details indicated on the approved plans, and such space shall thereafter be retained permanently for the accommodation of the vehicles of the occupiers or users of, and persons calling at the building only and shall not be used for any other purpose.

Reason: In order to ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

12. That a detailed scheme for the provision of recycling and refuse and waste storage within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. Such a scheme as approved shall be implemented and permanently retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of the 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.

14. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works for redevelopment of the site has been made and planning permission granted for the redevelopment for which the contract provides.

Reason: In order to ensure that the site is not left open and vacant to the detriment of the character and visual amenities of the locality.

15. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected, including any existing boundary treatment to be retained. The boundary treatment shall be completed before the building is occupied and any existing boundary treatment shown as retained shall be permanently retained. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity.

16. Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 (as amended) the premises shall be used as a Residential Care Home only and shall not be used for any other purpose including any purpose within Class C2 unless approval is obtained to a variation of this condition through the submission of a planning application.

Reason: In order to restrict the use of the premises to one compatible with the surrounding area because other uses within the same Use Class or another Use Class are not necessarily considered to be acceptable.

17. All windows other than those at ground floor level in the western flank elevation of the building shall be of a fixed design and obscure glazed.

Reason: In the interests of the privacy of adjoining residential occupiers.

INFORMATIVE 1: With regard to crime prevention, the proposal has been assessed by Haringey Borough Police - Crime Prevention Design Advisor, who commented as follows:

- The planting at the site must not compromise security and surveillance. This is crucial in new developments where careless planting of certain vigorous plants will in a relatively short time impede natural surveillance and offer cover and concealment for an offender. This is particularly important for the formal planters located around the edge of the building. Plants must be kept low to avoid reducing lines of sight of the car park and grounds.

- The developer should consider a video entry system for visual identification of callers and good quality doors to exclude the opportunist thief. In particular, the side entrance (entrance "S") may be vulnerable to intrusion as it is located away from the sight and control of reception. We can give further advice as necessary.

- The home and bedrooms would benefit from the enhanced security standards detailed in the "Secured by Design Scheme" ([www.securedbydesign.com](http://www.securedbydesign.com)) and I recommend that consideration is given to achieving the standards. There is good advice on the website specifically tailored to sheltered accommodation which I recommend the developer examines.

The design and planning stage of the development is the ideal opportunity to reduce crime opportunities. The Crime Prevention Department can meet with the developer to discuss the scheme as required. We can be contacted on 020 8345 2164.

INFORMATIVE 2: The new development will require naming/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 3: With regard to Condition No. 5 above, your attention is drawn to the following:

- The protective fencing must be constructed of stout wooden boards securely attached to a scaffold framework to a height of 2.4m. (BS 5837: 2005, Figure 2);
- The fencing must be erected before any construction work commences on site, be inspected by the Local Authority Tree Officer and remain until the development is complete;
- The Tree Protection Zone must remain in place until construction works are complete. No access will be allowed without prior agreement with the Local Authority Tree Officer;
- No materials are to be stored in this area and no changes to the soil levels;
- The existing hard surfacing must be retained to offer greater protection for tree roots; and,
- Protective fencing must also be erected along the boundary of the development site to ensure safe retention of all trees and shrubs on the designated Metropolitan Open Land to the rear.

REASONS FOR APPROVAL: Planning permission has been granted as the principle of the use is considered acceptable with some slight reservations due to its position at some distance from local services, however it is considered that this factor is outweighed by other factors, such as the proximity to excellent passive recreation facilities such as Coldfall Woods. The height of the new building is in keeping with that of the building it intends to replace, albeit with a larger footprint and greater bulk. Notwithstanding this, the plot is large, and would retain a significant amount of natural vegetation and open space, both within the frontage and to the rear. The proposal would not have a significantly greater impact on the openness of the Metropolitan Open Land than the existing building. The design retains all TPO trees on site, and its impact on the amenities of the surrounding residents is not considered to be so severe as to warrant refusal of the application.