

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

ADDENDUM REPORT

Reference No: HGY/2008/1432

Ward: Highgate

Date received: 02/07/2008

Last amended date: 24/11/2008

Drawing number of plans: 646-L-1.001, 002, 003; 646-L-2.001A, 002A, 003A, 004A, 005A, 006A, 007A, 008A, 010, 011, 012, 013, 014, 015, 020A, 021A, 022A, 023A, 024A, 025; 646-L-3.001A, 002A, 010; 646-L-4.001A, 002A, 003A, 004A, 005A, 010, 020, 021, 022, 023; 646-L-5.001, 002, 003

Address: Furnival House, 50 Cholmeley Park N6

Proposal: Change of use from hostel to residential (C3) and conversion of property into 15 residential units comprising of 6 x 3 bed, 7 x 2 bed 2 x 1 bed flats that will include erection of two storey rear stepped infill extension and replacement top floor structure to create new unit. Excavation of lower ground floor and new basement to accommodate leisure facilities, 11 car parking spaces in basement area and four parking spaces externally, 15 cycle spaces. Refuse/re-cycling facilities and associated landscaping. (Revised Description)

Existing Use: C2

Proposed Use: C3

Applicant: Rozbelle Limited

Ownership: Private

PLANNING DESIGNATIONS

Road Network: Borough Road
Conservation Area

Officer Contact: Valerie Okeiyi

RECOMMENDATION

Re-resolve to grant planning permission Subject to Conditions and Subject to Direction from GOL

ADDENDUM REPORT

PLANNING CONSIDERATIONS

The Planning Committee at its meeting on the 25th of September 2008 resolved to grant planning permission for the development of the site as described above.

On the 7th of October 2008 English Heritage notified the Council that Furnival House had been made a statutory listed building. At the time of listing the Section 106 Agreement Subject to which the planning permission had been resolved to be granted had not been signed, therefore no decision notice granting planning permission had been sent out. A copy of the Listing Notice and description is attached.

The listing of the building took effect immediately and constitutes a legal change in the considerations to which the Planning Authority is required to take into account. Under Section 70 of the Town and Country Planning Act 1990 the power to determine planning application is subject to important substantive duties in relation to listed buildings and required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In dealing with this matter by submitting the listed building consent the applicants in discussions with English Heritage amended the proposals. The extent of the amendments is as reported in relation to the listed building consent application before members for consideration at this committee.

The committee is asked to note the letter from English Heritage dated 25th November 2008 and referred to in the listed building application also on this agenda which states that English Heritage have no objection to the proposals as revised subject to Direction of GOL.

PPG 15 at Paragraphs 3.12 to 3.15 advises on alterations to listed buildings. Particularly relevant passages are:

“Where new uses are proposed, it is important to balance the effect of any changes on the special interest of the listed building against the viability of any proposed use and of the alternative...In judging the effect of any alteration or extension it is essential to have assessed the elements that make up the special interest of the building in question” (paragraph 3.12)

“Achieving a proper balance between the special interest of a listed building and proposals for alterations or extensions is demanding and should always be based on specialist expertise; but it is rarely impossible, if reasonable flexibility, and imagination are shown by all parties involved.” (paragraph 3.15)

In the light of the listed building application and the letter from English Heritage on the revised proposals and the fact that the listing has been so recent it is considered that the special interest of the listed building may be taken to have been uppermost in the minds of the officers of English Heritage in tendering the advice to the Committee in their letter of the 25th November 2008. Subject to the drawings as

revised and to any direction from GOL the original recommendations and conditions are accordingly considered to remain appropriate and are re—submitted for determination.

The original report by members is attached as Appendix 1. The Listing notice is Appendix 2 and the letter from English Heritage is Appendix 3

RECOMMENDATION

That the committee consider the changes made to the previously approved proposals and resolve to grant planning permission on the basis of the revised drawings in the context of the listing of the building and the special interest of the building subject to the direction of GOL and the conditions set out in the previous report Appendix 1