

## REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

### 1. APPLICATION DETAILS

**Reference No:** HGY/2018/3155

**Ward:** Alexandra

**Address:** 20 Crescent Road N22 7RS

**Proposal:** Three-storey, mixed-use development comprising a ground floor commercial unit with a 2-bed/ 3-person self-contained residential unit on the two floors above.

**Applicant:** Buckthorne Investment Ltd

**Ownership:** Private

**Case Officer Contact:** Roland Sheldon

**Site Visit Date:** 11/12/2018

**Date received:** 15/10/2018

**Last amended date:** 03/01/2019

1.1 This planning application has been called in by Councillor Da Costa for determination by the Planning Sub-Committee in accordance with Planning Protocol Para. 2.21. The proposal has been subject to a high level of objection and the Chair has agreed for it to be determined by the Planning Sub-Committee.

#### 1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION AND APPLICATION BACKGROUND

1.3 The site has been subject to three previous planning applications to infill the site with a 3-4 storey residential development, all of which were refused by Officers under delegated powers, primarily on the basis of poor design.

1.4 The most recent application was in 2014 (reference: HGY/2014/1282) for the erection of a part 3-storey, part 4-storey building. The application was refused on design grounds, on the basis that the building would leave an insufficient separation distance between it and the adjacent residential properties, it being a cramped form of development and not respecting the terrace to which it would be attached.

1.5 This decision was subsequently appealed but dismissed by the Planning Inspectorate. The Inspector agreed with the Local Planning Authority (LPA) that

there would be insufficient separation between the building and the adjacent semi-detached dwellings to bridge the difference in height and scale. The Inspector also highlighted that there would be a stark contrast between the ground floor to the frontage of the building, which incorporated an integral garage next to the proposed residential front entrance, and the other shopfronts in the terrace to which it would be attached to. The Inspector considered that this would be out of keeping with the remainder of the terrace.

- 1.6 The current proposal seeks to address these concerns, primarily by increasing the separation distance between the flank wall of the proposed development and the adjacent property. In addition the frontage has been changed and now the scheme includes a commercial unit at ground floor with a shopfront, in keeping with the rest of this commercial parade.
- 1.7 In summary, Officers consider the proposed development now responds appropriately to its context and satisfactorily addresses the concerns raised in the 2014 appeal decision.
- 1.8 The development would provide a satisfactory standard of accommodation and now better respects the character and appearance of the street. The proposal does not impact unacceptably on the viability and function of other units within Crescent Road Local Shopping Centre or the amenity of neighbouring occupiers. Equally there would be no adverse impacts on highway and pedestrian safety or parking conditions within the immediate locality.

## **2. RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission and that the Head of Development Management or Assistant Director is authorised to issue the planning permission and impose conditions and informatives.
- 2.2 That delegated authority be granted to the Head of Development Management or the Assistant Director Planning to make any alterations, additions or deletions to the recommended conditions as set out in this report and to further delegate this power provided this authority shall be exercised in consultation with the Chairman (or in their absence the Vice-Chairman) of the Sub-Committee.

**Conditions** (the full text of recommended conditions is contained in section 7 of this report)

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Details of materials submitted for approval
- 4) Details of elevational treatment
- 5) Cycle storage
- 6) Construction Management Plan

- 7) Central dish/aerial system
- 8) Commercial unit restricted to A1 or A2 use
- 9) Section 278 agreement to remove crossover

## **Informatives**

- 1) CIL liable
  - 2) Hours of construction
  - 3) Party Wall Act
  - 4) Street Numbering
  - 5) Fire safety sprinklers
  - 6) Surface water drainage
  - 7) Thames Water pressure
- 2.5 In the event that members choose to make a decision contrary to Officers' recommendation members will need to state their reasons.
- 2.6 *That, in the absence of the agreement referred to in resolution (2.1) above being completed within the time period provided for in resolution (2.2) above, the planning permission be refused for the following reasons:*
- 2.7 *In the event that the Planning Application is refused for the reasons set out in resolution (2.6) above, the Head of Development Management (in consultation with the Chair of Planning sub-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 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.*

## **CONTENTS**

3. PROPOSED DEVELOPMENT AND SITE LOCATION DETAILS
4. CONSULTATION RESPONSE
5. LOCAL REPRESENTATIONS
6. MATERIAL PLANNING CONSIDERATIONS
7. COMMUNITY INFRASTRUCTURE LEVY
8. RECOMMENDATION
9. PLANNING CONDITIONS & INFORMATIVES

### **APPENDICES:**

- |            |   |
|------------|---|
| Appendix 1 | Consultation Responses – Internal and External Consultees |
| Appendix 2 | Plans and Images  |
| Appendix 3 | 2014 Appeal Decision                                      |

### **3.0 PROPOSED DEVELOPMENT AND LOCATION DETAILS**

#### **3.1 Proposed development**

- 3.1.1. This is an application for a three-storey, mixed-use development comprising a ground floor commercial unit with a 2-bedroom self-contained residential unit on the two floors above.
- 3.1.2. The development would be physically attached to No. 20 Crescent Road and would read as a continuation of the terrace, leaving a separation distance of 2.5 metres between the flank of the new building and the flank wall of No 22 Crescent Road. The proposal would largely reflect the scale and massing of the buildings within the terrace, with a 3-storey frontage and front parapet concealing a butterfly roof behind. The scheme would have a 2-storey rear projection to the same extent as No. 20 Crescent Road to which it would be attached to. The development would be faced in red brickwork to match the rest of the terrace.
- 3.1.3. A commercial unit would occupy the ground floor of the building, with a 2-bedroom residential unit provided in the first and second floors above, which would be accessed from a new entrance from Crescent Road.

#### **3.2 Site and Surroundings**

- 3.2.1. The application site is located on Crescent Road, which is situated off Palace Gates Road. The application site does not lie within a conservation area. Number 20 Crescent Road forms the western boundary of the Crescent Road Local Shopping Centre. The site is currently used as a yard in connection with the commercial use of No. 20. To the other side of the yard is a pair of two-storey semi-detached dwellings. The site marks the edge of the local shopping parade and the start of residential properties on Crescent Road.

#### **3.3 Relevant Planning and Enforcement history**

HGY/2014/1282: Erection of part 3 storey, part 4 storey 3 bedroom dwelling house with off street parking– Refused 04/07/2014 / Dismissed on appeal.

HGY/2013/1767 - Creation of ground + 3 storey residential building comprising 1 x one bed flat at ground floor level, 1 x one bed flat at first floor level and a duplex two bed flat at second and third floor levels, with associated refuse and cycle storage areas. – Refused 22/10/2013

HGY/2012/1913 - Creation of ground + 3 storey residential building comprising 1 x one bed flat at ground floor level, 2 x two bed flats at first and second floor levels, and studio flat at third floor level, with associated refuse and cycle storage areas – Refused 26/11/2012 and appeal dismissed.

## 4. CONSULTATION RESPONSE

4.1. The following were consulted regarding the application:

- LBH Building Control
- LBH Transportation
- LBH Policy

4.2 The following responses were received:

Internal:

- 1) Transportation: The proposal can be supported on transportation grounds, subject to further details of refuse and recycling storage being provided by condition. Cycle storage should be installed prior to occupation. A S.278 agreement should be made between the local transport authority and applicant to reinstate the redundant crossover to pavement.

## 5. LOCAL REPRESENTATIONS

5.1.1 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 232  
Objecting: 232  
Supporting: 0  
Others: 0

5.1.2 The following Councillors made representations:

Cllr da Costa:

- The yard is not vacant, it is used by the company based at 20 Crescent Road;
- Previous applications were rejected and the development does not address the concerns and objections raised in the development;
- The development would remove the natural buffer between the arcade of shops and residential terrace;
- No demand for an additional retail unit.

Cllr Dixon:

- No demand for additional commercial unit;
- Development would threaten viability of existing hardware store.

Cllr Rossetti:

- Loss of current tenant would result in an integral part of the community;
- No demand for another commercial property;
- Has a safety assessment been carried with regards to the means of entrance for nearby flats;
- Noise and overlooking of neighbours;
- Exacerbate existing traffic and parking issues in the area;
- Negative impact on design and appearance of the parade.

Catherine West MP:

- Writing on behalf of a constituent, it would be a loss to the community if the current tenant of the hardware store was to be put out of business.

5.1.3 The issues raised in representations that are material to the determination of the application are set out in Appendix 1 and summarised as follows:

#### Principle

- Loss of land for use by hardware store and construction will affect the viability of the shop;
- Rear courtyard land is not vacant;
- Too much residential development in locality;
- Current occupier is a focal point of community;
- The proposed development would accelerate the demise of Crescent Road Local Shopping Centre;

#### Highways/transportation and construction

- Traffic and congestion;
- Noise and dust resulting from construction;
- Existing hydrological and geological conditions mean that development could affect structural stability of neighbouring buildings;
- Increased waste refuse;

#### Amenity and access

- Loss of light;
- Overlooking;
- No means of emergency access from rear of the site;
- What will happen to emergency escape access for existing properties;

#### Design

- Poor design out of keeping with Victorian surroundings;

5.1.4 The following issues raised are not material planning considerations:

- Retail unit may be converted into residential space

Officer comment: The LPA cannot speculate on the future use of the commercial unit. Planning permission would be required for any change of use.

- Current occupier is integral part of the community:

Officer comment: These concerns are largely private interests and ones which the LPA cannot intervene to protect. As outlined in Government guidance the planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases.

- No need for another retail unit:

Officer comment: This is a matter for the market

- No social housing provided:

Officer comment: The scheme does not exceed the threshold for affordable housing (specifically 10 or more residential units or a floorspace of 1,000 square metres).

## **6 MATERIAL PLANNING CONSIDERATIONS**

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

1. Principle of the development;
2. Design and appearance;
3. Impact on the amenity of adjoining occupiers;
4. Living conditions for future occupants;
5. Parking and highway safety;
6. Waste and refuse;
7. Emergency access.

### **6.2 Principle of the development**

#### New dwelling

6.2.1 Government policy as set out in paragraph 59 of the National Planning Policy Framework (NPPF) 2019 requires Local Planning Authorities to significantly boost the supply of housing. Paragraph 68 supports approval on small sites and outlines that such sites can make an important contribution to meeting the housing requirement of an area, and often can be built out relatively quickly.



- 6.2.2 The principle of additional housing is supported by the London Plan (2016) Policies 3.3 'Increasing Housing Supply' and 3.4 'Optimising Housing Potential'. It is also supported by Haringey's Local Plan Policy SP2 'Housing'. Policy SP2 states that the Council will seek to ensure a mix of dwelling sizes arising from development. The Haringey Local Plan set a target of 19,820 dwellings between 2011 and 2026.
- 6.2.3 The proposal would provide an additional residential unit to the site that would contribute to housing delivery targets in line with relevant adopted policy.

#### Additional commercial unit

- 6.2.4 Paragraphs 85-90 of the NPPF 2018 focuses on ensuring the vitality of town centres. Paragraph 86 states that local planning authorities should apply a sequential test to planning applications for main town centre uses. Main town centre uses should firstly be located in town centres, then in edge of centre locations; and only if suitable sites are not available should out of centre sites be considered. It is noted that Crescent Road does not form part of a town centre but rather is a Local Shopping parade.
- 6.2.5 The sequential approach is supported in policy DM41 of the Haringey Development Management DPD. The proposed building would be located immediately adjacent to the Crescent Road Local Shopping Frontage and is a small retail unit. As also outlined in the NPPF 2019 (para.87) local authorities are required to demonstrate flexibility on issues of format and scale.
- 6.2.6 The proposal here would only add an additional 54sqm of commercial floor space to the edge of this local shopping parade, and thereby would serve to extend the parade. The minor nature of the additional floorspace would not impact on the vitality and viability of the shopping parade. A large number of the objections received concern the impact on the viability and function of the neighbouring unit No. 20 Crescent Road, which is currently used as a hardware store. The concerns focus on the loss of the ability of the adjacent business to use the land (the yard) as a result of this application. This space is used by the occupier of the hardware store to store plants and goods that are sold from the premises. This matter is however a private interest between the parties in question and one which the LPA cannot protect. It is a matter between the owner and lessee of the yard. As outlined above, Government guidance outlines that the planning system does not exist to protect the private interests of one person against the activities of another.
- 6.2.7 There would be no loss of internal floorspace in connection with No 20 and that other retail units within the same parade operate without the benefit of such courtyard spaces for servicing and storage. There is no evidence to suggest the adjacent unit would become unviable in planning terms.

6.2.8 As such, there is no objection to the introduction of the proposed additional commercial unit in this location. This is also established by the recent appeal decision. Officers therefore consider the principle of the development to be acceptable.

### **6.3 Design and appearance**

6.3.1 DM Policy (2017) DM1 'Delivering High Quality Design' states that development proposals should relate positively to their locality, having regard to, building heights, form, scale & massing prevailing around the site, urban grain, sense of enclosure and, where appropriate, following existing building lines, rhythm of any neighbouring or local regular plot and building widths, active, lively frontages to the public realm, and distinctive local architectural styles, detailing and materials. Local Plan (2017) Policy SP11 states that all new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use. Development shall be of the highest standard of design that respects its local context and character and historic significance, to contribute to the creation and enhancement of Haringey's sense of place and identity which is supported by London Plan (2016) Policies 7.4 and 7.6.

6.3.2 The proposed building would follow the height of the adjoining parade of buildings. There would be a gap of 2.5 metres between the flank wall of the proposed building and the side of No 22 Crescent Road, providing a sufficient separation between it and this pair of adjoining properties. The gap was only 1.1 metres in the previously refused application. The proportions of the new building, in terms of building width, is not identical to those in the rest of the terrace, but through design features it is reflective and strongly sympathetic to the rest of the terrace.

6.3.3 The street elevation would incorporate a shopfront which would read as a continuation of those to the south. The upper floors would reflect the fenestration to the rest of the terrace. The alignment of elements within the façade is an important improvement to that of the previously refused scheme. The flank elevation would have fenestration echoing the fenestration pattern at the other end of the terrace. The elevations would be finished in brick that would reflect the materials in the rest of the terrace. A butterfly roof concealed behind a front parapet is to be used, respecting the rest of the terrace.

6.3.4 The scheme represents a logical and ordered approach to extending this terrace. Whilst the degree of visual separation between the terrace and the semi-detached pair of dwellings would be reduced, this pattern of framing larger 3-storey buildings next to two-storey housing is evident elsewhere in the immediate surroundings.

6.3.5 Further details of the precise materials to be used in the development and the architectural features to be used, namely the shopfront, pilasters and corbel detail, upper floor timber window detail, lintel and brick dressing, cornice, parapet and coping detail are to be conditioned. The development is acceptable with regards to design and character.

#### **6.4 Impact on the amenity of adjoining occupiers**

6.4.1 The London Plan (2016) Policy 7.6 Architecture states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. DM Policy (2017) DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for the development's users and neighbours.

6.4.2 While the development would project forward of the front elevation of neighbouring properties Nos. 22-24 Crescent Road, given the distance in question as well as the separation distance this would not have an unacceptable impact on light outlook, nor would it have an overbearing impact on these neighbouring properties. The proposal would equally not impact unacceptably on the amenity of the flat in No 20 Crescent Road.

6.4.3 There are four upper floor windows proposed on the flank wall of the building, however these would be obscure glazed and would be set at an oblique angle to the side windows within the rear outrigger of No. 22. The rear facing windows would not afford levels of overlooking that would change the established relationship between properties within the terrace on Crescent Road and rear gardens and windows to properties on Palace Gates Road.

6.4.4 The application site currently has moderate levels of ambient noise owing to the number of vehicles passing along Crescent Road and the use of the yard. The proposal for a 2 bedroom/ 3 person residential unit is unlikely to give rise to significant noise and disturbance, and due to the enclosure of the space, is likely to be reduced.

6.4.5 Overall the proposed development would therefore not result in an unacceptable impact on the amenities of neighbouring occupants of the development.

#### **6.5 Quality of Residential Accommodation**

6.5.1 London Plan (2016) policy 3.5 requires the design of all new housing developments to enhance the quality of local places and for the dwellings in particular to be of sufficient size and quality. Local Plan (2017) Strategic Policy SP2 and Policy DM12 of the Development Management DPD 2017 reinforce this approach. The Mayor's Housing SPG sets out the space standards for new residential developments to ensure an acceptable level of living accommodation is offered.

- 6.5.2 The proposed two-bedroom 3-person unit would have an internal floorspace of 85 sq.m, which would exceed the 70sqm floorspace required to meet London Plan standards. All habitable rooms would benefit from a satisfactory level of outlook and natural light, and the development would benefit from a north and southerly aspect. The bedrooms meet London Plan floor space standards and a satisfactory area of storage would be provided at first floor level.
- 6.5.3 At second floor level a 6 sq.m internal south-west facing balcony would be provided in line with London Plan standards. The proposed development would therefore provide a satisfactory standard of accommodation for future occupants.

## **6.6 Parking and highway safety**

- 6.6.1 Local Plan (2017) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DM Policy (2017) DM31 'Sustainable Transport'.
- 6.6.2 The site benefits from a moderate Public Transport Accessibility Level (PTAL) of 3. The site is located within the Alexandra Palace (AP), Controlled Parking Zone (CPZ) with on-street parking restrictions, Monday to Friday, from 12:00 to 14:00.
- 6.6.3 No off-street parking is proposed as part of the development. However, the existing crossover providing vehicular access to the site would be required to be re-instated to footway via a Section 278 agreement, which would in turn allow for an additional on-street parking space to be provided. While it is acknowledged that there is a high level of on-street parking in this section of Crescent Road, the addition of one unit would not impact unacceptably on parking conditions in the locality, especially given that an additional on-street parking space can be provided.
- 6.6.4 An internal cycle store for 2 cycle spaces serving the residential unit would be provided at ground floor level. In addition to this, a lockable cycle store for 3 cycle spaces would be provided to the rear of the site to serve the new commercial unit. The level of cycle parking provision complies with London Plan Standards. Further details of the cycle storage can be required by condition to be submitted to and approved by the Local Planning Authority.
- 6.6.5 In order to ensure the construction works are undertaken to minimise impact on parking, traffic and highway safety, a condition requiring a construction management plan (CMP) to be submitted to the LPA for approval is being imposed. The development would be required to be constructed in accordance

with the subsequently approved details, and no works on site could commence until such a condition was discharged by the LPA.

- 6.6.6 Subject to the completion of works to reinstate the adjacent pavement to create an additional on-street parking space, compliance with conditions for a construction management plan and further details of cycle storage, the proposed development is acceptable with regards to parking and highway safety considerations.

## **6.7 Waste and Recycling**

- 6.7.1 London Plan Policy 5.16 indicates the Mayor is committed to reducing waste and facilitating a step change in the way in which waste is managed. Local Plan Policy SP6 Waste and Recycling and DPD Policy DM4, requires development proposals make adequate provision for waste and recycling storage and collection.

- 6.7.2 Space for waste storage for the commercial unit would be located to the rear of the building, accessed from a proposed secure, lockable gate. The established means of collection for commercial units is to make an arrangement with a private contractor to collect the waste on-street on collection days.

- 6.7.3 A refuse store is proposed internally at ground floor level for the residential unit. Veolia Haringey provide a regular waste collection service for flats located above the shops, as would be the case with the proposed development. Given that only 1 residential unit is to be provided there are no concerns with regards to this arrangement for collection. The proposal is acceptable with regards to waste and recycling considerations.

## **6.8 Emergency Access**

- 6.8.1 Objections have been received with regards to emergency fire access to the rear of the site and for the existing upper floor residents of No. 20 Crescent Road. There is a side gate proposed that would maintain access to the rear of the site. This would allow for a pump appliance to get within 45 metres of all points of the building. Therefore, the proposal would be in accordance with the guidance provided in Section 16 of 'Approved Document B' of Building Regulations.

## **6.9 Conclusion**

- 6.9.1 In conclusion Officers consider the proposed development now responds appropriately to its context and satisfactorily addresses the concerns raised in the 2014 appeal decision. The development now better respects the character and appearance of the street and would provide a satisfactory standard of accommodation. The proposal does not impact unacceptably on the viability and function of other units within Crescent Road Local Shopping Centre or the

amenity of neighbouring occupiers. Equally, there would be no adverse impacts on highway and pedestrian safety or parking conditions within the immediate locality

- 6.9.2 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

## 6.10 CIL

Based on the information given on the plans, the Mayoral CIL charge will be £10,583.46 (139sqm x £60 x 1.269) and the Haringey CIL charge will be £24,507.2 (85sqm x £265 x 1.088). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

## 7.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s): Planning Statement by CQ Planning and Property Services October 2018, Design & Access Statement by Former Studio October 2018, PA-001, PA-002 Rev. A, PA-003 Rev. B, PA-004, PA-005 Rev. A, PA-102 Rev. B, PA-103 Rev. B, PA-104 rev. B, PA-105 Rev. B, PA-106 Rev. B, PA-107 Rev. B, PA-108, PA-109, PA-110

Subject to the following condition(s)

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

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

2. The development hereby authorised shall be carried out in accordance with the following approved plans and specifications: Planning Statement by CQ Planning and Property Services October 2018, Design & Access Statement by Former Studio October 2018, PA-001, PA-002 Rev. A, PA-003 Rev. B, PA-004, PA-005 Rev. A, PA-102 Rev. B, PA-103 Rev. C, PA-104 rev. B, PA-105 Rev. C, PA-106 Rev. B, PA-107 Rev. C, PA-108 Rev. A, PA-109, PA-110.

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

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the external 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 ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy 7.6 of the London Plan 2016, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017

4. Notwithstanding the approved drawings fully annotated and dimensioned elevation and section drawing(s) of the proposed front elevation to Crescent Road, at a scale of 1:20, illustrating the detailed design of all architectural features (design details of the shopfront/ fascia, any roller shutter, pilasters and corbel detail, upper floors timber windows, lintel and brick dressing, cornice, parapet and coping detail) shall be submitted to and approved in writing by the Planning Authority prior to the commencement of work.

Reason: To ensure that the development is of a highest quality standard to respect the character of Crescent Road consistent with Policy 7.6 of the London Plan 2016, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017

5. No development shall take place until details of the type and location of secure and covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the cycle parking spaces have been installed in accordance with the approved details. Such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with Policies 6.1 and 6.9 of the London Plan 2016 and Policy SP7 of the Haringey Local Plan 2017.

6. No development shall take place until details of a Construction Management Plan is submitted to and approved in writing by the Local Planning Authority. The plans shall include details/ measures to address the following:
  - a. a programme of works with specific information on the timing of deliveries to the site to minimise disruption to traffic and pedestrians on Crescent Road;
  - b. storage of plant and materials used in constructing the development;
  - c. wheel washing facilities;
  - d. pedestrian and cyclist protection measures;

Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phase of the development.

Reasons: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies 6.3, 6.11 and 7.15 of the London Plan 2011, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017.

7. The proposed development shall have only one central dish/aerial system for receiving all broadcasts for residential units created.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy 7.6 of the London Plan 2016, Policy SP11 of the Haringey Local Plan 2013 and Policy DM1 of The Development Management DPD 2017.

8. The retail floorspace hereby permitted shall solely be used for Class A1 or Class A2 purposes within the Schedule to the Town and Country Planning Use Classes Order 1987 (as amended), or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the retail floorspace associated with this development does not adversely affect the residential amenities of residents occupying the building or neighbouring residents.

9. Prior to the first occupation of the development hereby the developer shall have entered into an agreement with the local highway authority under Section 278 of the Highways Act 1980 to remove the necessary section of redundant crossover across the footway into the site and to reinstate the public footpath at this location. The necessary Traffic Management Order (TMO) shall also be amended so that the existing on-street controlled parking bay on Crescent Road is extended to cover the area fronting the redundant crossover to the front of the application site.

Reason: In order to ensure that the proposed development does not prejudice the free flow of vehicular and pedestrian traffic or the conditions of general safety of the highway and consistent with Policy 6.13 of the London Plan 2016.

### **Informatives:**

#### **INFORMATIVE : CIL**

Based on the information given on the plans, the Mayoral CIL charge will be £6,173.685 (139sqm x £35 x 1.269) and the Haringey CIL charge will be



£24,507.2 (85sqm x £265 x 1.088). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

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

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

INFORMATIVE: Party Wall Act: The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

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

INFORMATIVE: The London Fire Brigade strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier. .

INFORMATIVE:

With regards to surface water drainage, it is the responsibility of a developer to make proper provision for drainage to ground, water course, or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

INFORMATIVE: Thames Water will aim to provide customers with a minimum

pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

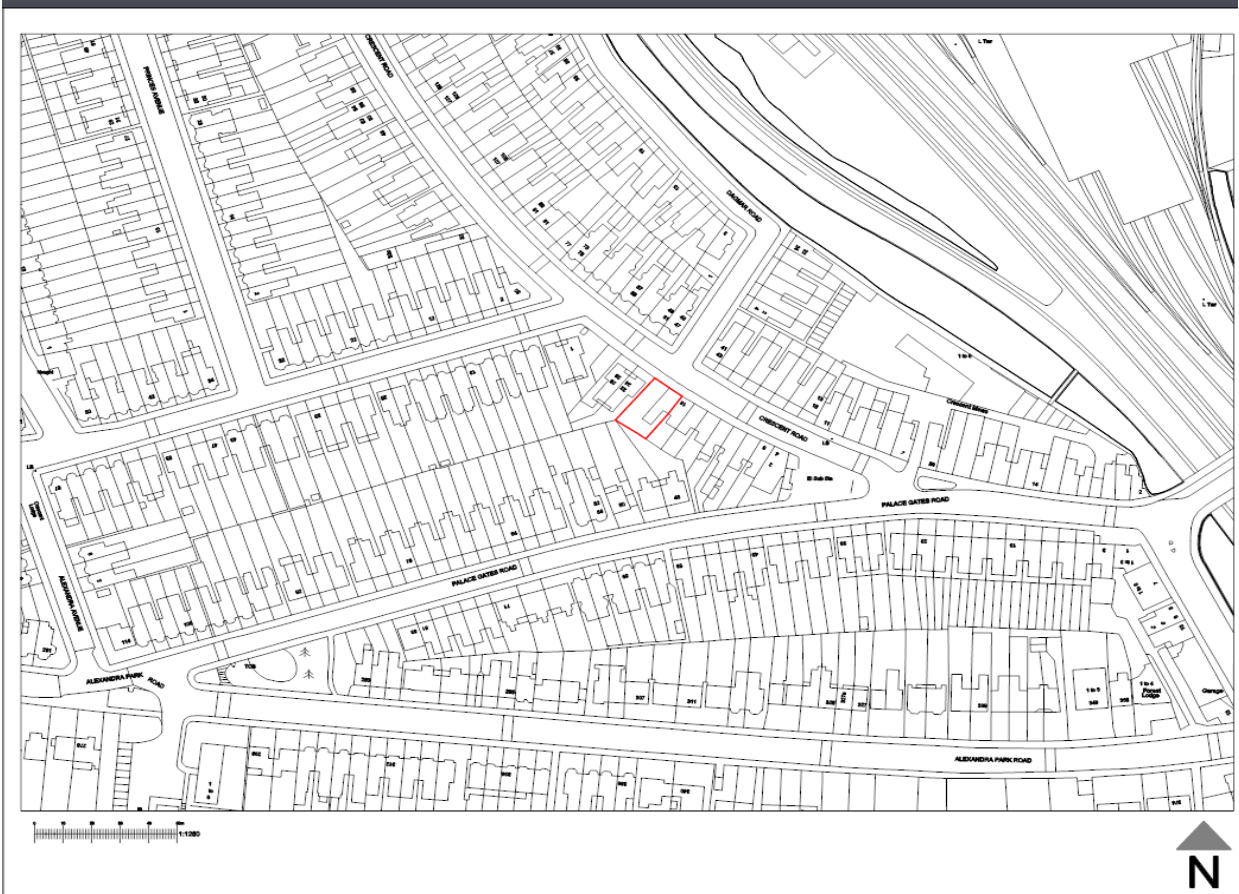
## Appendix 1 Consultation Responses from internal and external agencies

Stakeholder	Question/Comment	Response
<b>INTERNAL</b>		
<b>Transportation</b>	<p>Transportation: The proposal can be supported on transportation grounds, subject to further details of refuse and recycling storage being provided by condition. Cycle storage should be installed prior to occupation. A S.278 agreement should be made between the local transport authority and applicant to reinstate the redundant crossover to pavement.</p>	<p>Conditions 5 and 9 cover details of cycle storage and a Construction Management Plan. As regular on-street collections of waste are provided for flats above shops in the borough, further details of waste storage are not required.</p>
<b>Councillors and local MP</b>	<ul style="list-style-type: none"> <li>- Objections raised in previous schemes with regards to design have not been addressed</li> <li>- No demand for an additional commercial unit</li> <li>- Development would threaten viability of the existing hardware store at no. 20</li> <li>- Noise and overlooking</li> <li>- Impact on highway and parking conditions</li> <li>- Fire safety</li> </ul>	<ul style="list-style-type: none"> <li>- Paragraphs 1.6 and 1.7 of the report address matters raised by the Planning Inspector in the previously refused scheme.</li> <li>- Paragraphs 2.2.7-6.2.8 outline that this is not a material planning consideration</li> <li>- Paragraphs 6.2.4 – 6.2.8 of the report discuss the impact of the development on the viability and vitality of the Local Shopping Centre, including the neighbouring unit</li> <li>- Paragraphs 6.4.2 – 6.4.5 of the report considers the impact of the development on overlooking and noise on neighbouring development.</li> <li>- Paragraphs 6.6.1 – 6.6.6 address the impact of the development on highway and parking conditions</li> <li>- Issues of emergency access/fire safety are addressed at paragraph 6.8.1 of the report</li> </ul>

Stakeholder	Question/Comment	Response
<b>EXTERNAL</b>		
<b>Historical Society</b>	<ul style="list-style-type: none"> <li>- No demand for an additional commercial unit</li> <li>- Loss of valued activity is not outweighed by benefit of additional housing</li> </ul>	<ul style="list-style-type: none"> <li>- Paragraph 6.2.8 states that this is not a material planning consideration</li> <li>- Paragraphs 6.2.4 – 6.2.8 of the report discuss the impact of the development on the viability and vitality of the Local Shopping Centre, including the neighbouring unit</li> </ul>
<b>NEIGHBOURING PROPERTIES</b>		
	No need for another retail unit that will not be occupied	Paragraph 6.2.8 of the report addresses this matter.
	Loss of land for use by hardware store and construction will affect the viability of the shop	Paragraph 6.24 of the report addresses the matter of viability of the neighbouring retail unit. Condition 6 would require a construction management plan to minimise disruption for neighbouring occupants and businesses during construction.
	Too much residential development in locality	Paragraphs 6.2.1 – 6.2.3 of the report outlines that the principle of an additional unit, including on small sites, complies with relevant national, regional and local planning policy.
	Current occupier is a focal point of community	Paragraph 5.1.4 of the report addresses this matter.
	The proposed development would accelerate the demise of Crescent Road Local Shopping Centre	Paragraphs 6.2.4 – 6.2.8 of the report discuss the impact of the development on the viability and vitality of the Local Shopping Centre, including the neighbouring unit

Stakeholder	Question/Comment	Response
	No social housing in development	Paragraph 5.1.4 of the report addresses matters of social housing
	Traffic and congestion, noise and dust resulting from construction	Condition 6 would require a construction management plan to minimise disruption for neighbouring occupants and businesses during construction.
	Existing hydrological and geological conditions mean that development could affect structural stability of neighbouring buildings	The development would require compliance with building regulations in order to implement any planning permission.
	Increased waste refuse	Paragraphs 6.7.1-6.7.3 of the report address matters of waste and refuse.
	Loss of light	Paragraphs 6.4.1 – 6.4.2 of the report address the impact of the development on neighbouring amenity with regards to light.
	Overlooking	Paragraph 6.4.3 of the report addresses the impact of the development on neighbouring amenity with regards to overlooking.
	No means of emergency access from rear of the site/means of escape for existing residential properties of no. 20 Crescent Road	Issues of emergency access/fire safety are addressed at paragraph 6.8.1 of the report
	Poor design out of keeping with Victorian surroundings	Paragraphs 6.3.1 – 6.3.5 focus on the design and character merits of the proposal. Conditions 3 and 4 require further details of materials and details of the front elevation of the building, in order to ensure a satisfactory standard of development.

**Appendix 2 Plans and Images**



**Location Plan**



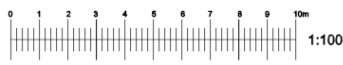
Image of Frontage of the Site



REV. DATE DESCRIPTION A 22/05/13 Changes to front facade as requested by planning officer		CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK OR SHOP DRAWINGS. FIGURED DIMENSIONS ARE TO BE USED IN PREFERENCE TO WORDS OR DIMENSIONS. IF THIS DRAWING EXCEEDS THE CONVENTION TAKEN IN ANY WAY, THE ARCHITECT'S ARE TO BE ENFORMED BEFORE THE WORK IS INSTALLED. www.farchitecture.co.uk	
<b>if...architecture</b> West Yard House Salford Grove Greenwich London SE10 8JT studio@farchitecture.co.uk www.farchitecture.co.uk		CLIENT  JOB Yard adjacent to 20 Crescent Road  TITLE Proposed Front Elevation	SCALE A3 @ 1:100 DATE March 2014 DRAWING No. IF 14 - 200 REVISION No.



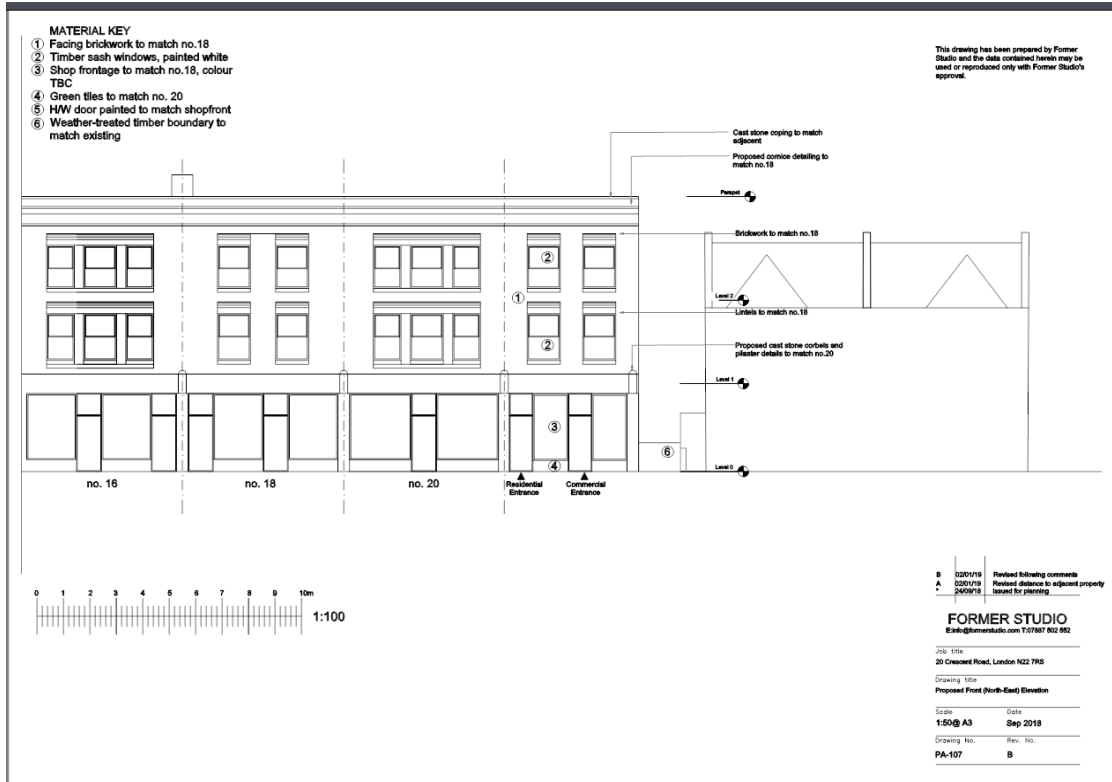
**Proposed front elevation of previously refused scheme HGY/2014/1282**



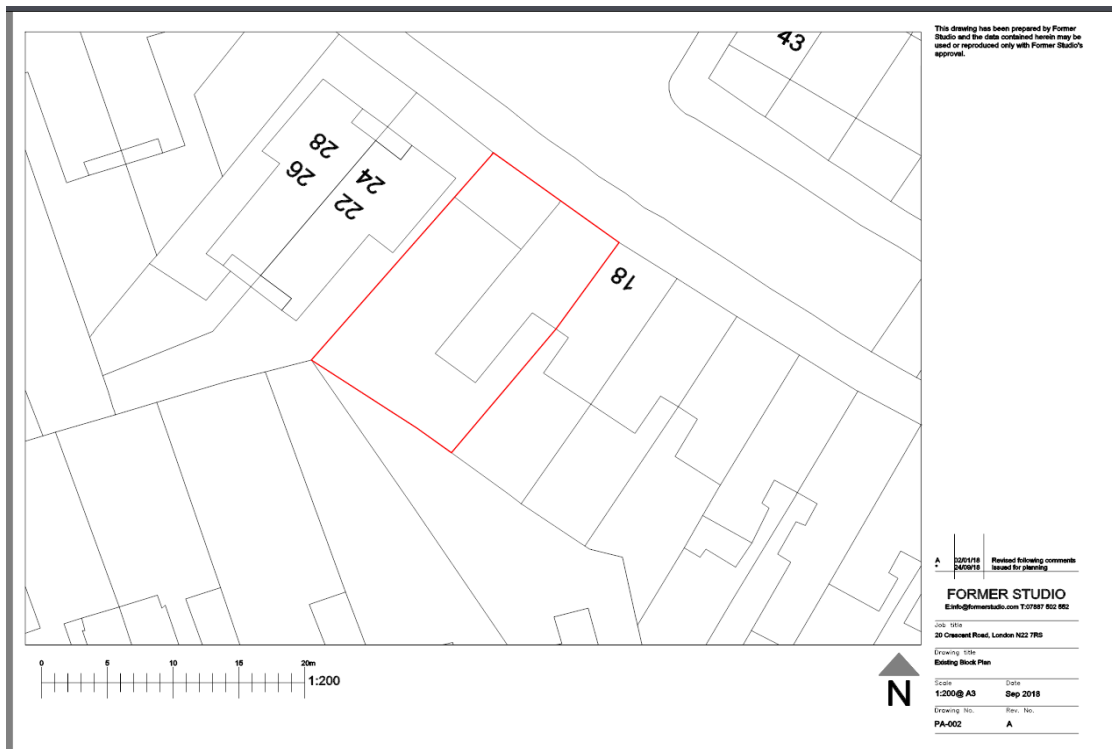
B	22/05/13	Revised following comments
A	22/05/13	Revised drawings to adjacent property
-	24/05/13	Issued for planning
<b>FORMER STUDIO</b> Einfo@formerstudio.com T57887 802 882		
JOB title 20 Crescent Road, London N22 7RS		
Drawing title Existing Front (North-East) Elevation		
Scale	Date	
1:100 @ A3	Sep 2018	
Drawing No.	Rev. No.	
PA-003	B	

**Existing front elevation**

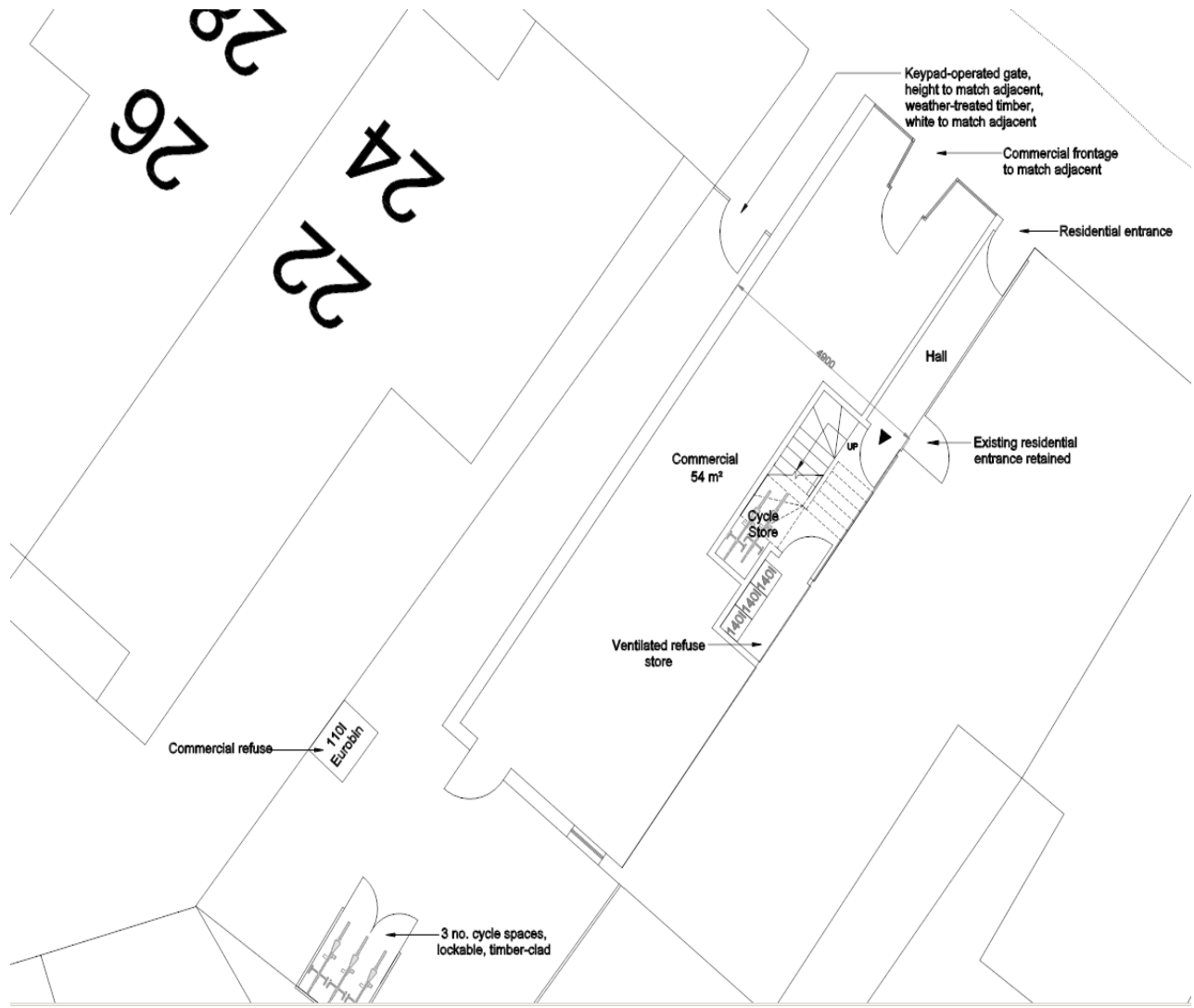




**Proposed Front Elevation**



**Existing Block Plan**



**Proposed Ground Floor Plan**

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## Appeal Decision

Site visit made on 31 October 2014

**by K R Seward Solicitor**

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

Decision date: 28 November 2014

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**Appeal Ref: APP/Y5420/A/14/2223507**

**Yard adjacent to 20 Crescent Road, London N22 7RS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Buckthorn Investment Ltd against the decision of the Council of the London Borough of Haringey.
  - The application Ref HGY/2014/1282, dated 24 April 2014, was refused by notice dated 4 July 2014.
  - The development proposed is 3 storey single dwelling house comprising 3 bedrooms and off street parking.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The original application was made by Mr Richard Young of Washington Young LLP as agent for Buckthorn Investment Ltd. Mr Young has provided written confirmation that his name appeared erroneously in the application and should be substituted by his client company in whose name the appeal is made.

### Main Issue

3. The main issue raised is the effect of the proposed development on the character and appearance of the surrounding area.

### Reasons

4. Crescent Road is characterised by older style semi-detached houses and long terraced properties. They are mainly two storey and in residential use. There are, however, three storey terraces with commercial premises at street level towards one end of the road approaching the junction with Palace Gates Road. These include Nos 2-20, a long three storey Victorian terrace with a variety of small shops at ground floor and residential accommodation above. Due to its height, size, scale and position near the end of the road, the building is a prominent feature in the street scene. It forms part of the Crescent Road local shopping centre as identified in the Council's development plan.
5. The appeal site is a hard surfaced yard area at the side of No 20 which is outside the designated local shopping centre. At the time of my site visit the yard was filled with shrubs and other plants for sale by the hardware shop at No 20. On the other side of the yard at Nos 22/24 is a two storey pair of semi-detached houses. The pair is also from the Victorian period but the styles are

very different. The terrace is of uniform appearance with alternate properties having a gently curving façade at second and third storey. Raised brickwork along the roofline gives a flat roof appearance. In contrast, the pair of houses has a sloping slate pitched roof and projecting side gable and appears in the style of a villa. The houses are much smaller in size and scale than the terrace.

6. The proposal is to build against the flank wall of No 20 to create a new end of terrace three storey house, being four storey at the rear. A previous proposal to extend the terrace was dismissed on appeal<sup>1</sup> on grounds concerning design, size and scale and lack of parking provision. This proposal seeks to overcome those reasons for dismissal.
7. The appeal property would be built very close to the shared boundary with No 22. Only a little more than the space taken by a pedestrian gate at the side of No 22 would separate the buildings. Whilst a lower and recessed element to this boundary could give the impression of slightly more space, it would not suffice to avoid the dwelling appearing crammed against the boundary.
8. Moreover, the yard provides an important buffer between the terrace and neighbouring pair of houses by visually segregating the differing heights and styles between the two Victorian buildings. The width of the recessed section would be so narrow that it would not effectively bridge the significant difference in height and scale between the terrace and neighbouring pair of houses. Instead, the visual separation which currently exists between the buildings would be compromised to the detriment of the street scene in this prominent location.
9. To a large extent the architectural design replicates the existing terrace. The terrace would be continued in the same style and with matching materials. The first and second floor windows of the front elevation would reflect the size, shape and spacing of those in the terrace. The decorative render above the windows and door would also continue the theme. The overall proportions of the main part of the proposed dwelling would correspond with the remainder of the terrace. In these ways the proposal would be in keeping.
10. However, there would be a stark contrast between its ground floor appearance compared with the rest of the terrace. Whereas, all other properties in the row have commercial units at street level, the proposed development would have an integral garage next to the front door. Such parking provision would fulfil the Council's parking standards for a terraced property as set out in the Haringey Unitary Development Plan (UDP), 2006. Nevertheless, a garage door at the end of a long row of glazed shop fronts would be highly noticeable and out of keeping with the remainder of the terrace. Even though it has been designed to give the appearance of a traditional stable door, the electronically opening door would be a most discordant feature, particularly given its prominent position alongside the pavement.
11. Furthermore, the three storey recessed element would draw the eye due its sharply contrasting contemporary grey metal panelling forming a high and narrow strip at the end of the row. Rather than blending into the streetscape as suggested by the appellant, the proposal would thereby detract from the remainder of the brick terrace.

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<sup>1</sup> Appeal reference APP/Y5420/A/13/2190808 dated 29 July 2013

12. I therefore conclude that the proposed development would be significantly harmful to the character and appearance of the terrace and the surrounding area. This would be contrary to saved UDP Policy UD3, Policy SP11 of the Haringey Local Plan, 2013, Policies 7.4 and 7.6 of the London Plan 2011 and Paragraphs 56 and 58 of the National Planning Policy Framework (the Framework). All of these documents, amongst other things, seek high quality design which responds to local character.

**Other Matters**

13. The appellant has argued that the proposal would deliver a sustainable dwelling making best use of an under used site. Paragraph 7 of the Framework identifies three dimensions to sustainable development; economic, social and environmental. A new dwelling would have economic benefits in terms of work created and demand for building supplies during construction and subsequent use of local services by future occupiers.
14. The social role concerns supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations. I have no information before me to indicate that the Council does not have a deliverable 5 year housing land supply. I note that the Council acknowledges in its delegated officer's report that the proposal would deliver "a much wanted family sized unit". However, as a single dwelling, the social benefit would be very limited and the extent to which the existing community would be enlivened and strengthened as a result would be minimal.
15. In environmental terms, the location would be sustainable due to the close proximity and accessibility of services and facilities including public transport. However, the environmental role also encompasses contributing to protecting and enhancing our natural, built and historic environment. As set out above, I have identified significant harm in this respect. It is clear in Paragraph 8 of the Framework that these roles should not be taken in isolation, because they are mutually dependant. This is not therefore sustainable development for the purposes of the Framework. In such circumstances, I give very limited weight to the argument that the proposal would make better use of the land.

**Conclusion**

16. Although I recognise that there would be some benefits in economic terms and from the sustainability of the location, these factors do not outweigh my concerns regarding the effect on the character and appearance of the surrounding area.
17. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*KR Seward*

INSPECTOR