

LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 09/03/2009

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2009/0080

Ward:

Date received: 07/01/2009

Last amended date:

Drawing number of plans: 208053/001, 010, 030, 031, 032, 110, 120, 121, 122, 123, 130, 131, 132, 133, 134, 135

Address: 14-16 Creighton Avenue N10 1NU

Proposal: Demolition of existing houses and erection of 5 x 3 storey houses (comprising 4 x three bed and 1 x four bed) with associated parking.

Existing Use: Residential

Proposed Use: Residential

Applicant: Mr Nigel Porter

Ownership: Private

PLANNING DESIGNATIONS

Road Network: B Road

Officer Contact: Tara Jane Fisher

RECOMMENDATION

GRANT PERMISSION subject to sec. 106 Legal Agreement

SITE AND SURROUNDINGS

The application site is located on Creighton Avenue, which is situated off Pages Lane. The application site does not lie within any Conservation Area but does lie directly adjacent to an ecologically valuable site. The application site lies back to back with Pages Hill and within close proximity to the roundabout linking Tetherdown, Pages Lane and Coppetts Road.

The site holds a prominent position being on the bend in the road and being located next to the public access adjoining the allotments. The application site is currently a pair of semi-detached houses that comprise of two-storeys. The two houses have large back gardens that abut the boundary line of Pages Hill. The site is directly adjacent to some private allotments that lie within a designated

Ecological Valuable site. Creighton Avenue is characterised by two-storey houses set in significant grounds, due to the levels some of the houses are three-storey in height at the rear.

PLANNING HISTORY

Planning-[HGY/2005/0622](#)-Withdrawn-02-06-05-14-16 Creighton Avenue London - Demolition of existing pair of houses, erection of 7 x 3 storey four bedroom houses with parking.

Planning-[HGY/2005/1827](#)-Refused-23-01-06-14-16 Creighton Avenue London - Demolition of existing pair of houses and erection of 6 x 3 storey four bedroom houses with parking. Subsequently dismissed on appeal.

DETAILS OF PROPOSAL

The proposal is for the demolition of the existing pair of semi-detached houses and the erection of five x three storey houses comprising of four x three bedroom dwelling houses and one x four bedroom dwelling house with associated car parking spaces. Four of the proposed houses will form two sets of semi-detached houses; and there is one detached house. The proposed houses will have front entrance porches, concrete tiled roof; timber framed windows with a combination of white render walls and brick. The proposal will retain a line of trees around the boundaries.

CONSULTATION

Transportation Group
Cleansing
Building Control
Borough Arboriculturalist
Ward Councillors
London Fire Brigade
Creighton Avenue Allotment, 53 Muswell Avenue
90 Wilton Road
65 Tetherdown Road
Muswell Hill United Reform Church, Corner of Queens Avenue & Tetherdown
1-13 (c), 15, 17-40 (c), 41-44, 52 Creighton Avenue
9-29 (o), 30 Pages Hill
16 The Gables, Fortis Green
4 Wood Lane
19 Avon Road
35 Pages Lane
53 Muswell Avenue

RESPONSES

Building Control – No comment to make regarding Building regulations.

Scientific Officer – Condition to supply a site investigation report, risk assessment & details of any remediation required.

Fire Brigade – The Brigade is satisfied with the proposals.

Transportation Group - This proposed development is on 'Bus 234' route which offers some 6 buses per hour between East Finchley station and Barnet and, within a walking distance of the busy bus route, Colney Hatch Lane, which provides some 48 buses (two-way) per hour for frequent bus connections to Highgate tube station. We have subsequently considered that some of the prospective residents of this development would use sustainable travel modes for their journeys to and from this site. In addition, notwithstanding that this area has not been identified within the Council's UDP as that renowned to have car parking pressure, the applicant has proposed 8 car parking spaces including 1 disabled space, as indicated on the Ground Floor Plan No.208053/121 and in line with the UDP parking standard. It is therefore deemed that this development proposal would not have any significant adverse impact on the existing traffic or indeed the car parking demand on the adjacent roads.

Furthermore, concerning the bend in Creighton Avenue at the northern and southern approach to the proposed vehicle access, there are speed reduction/pedestrian safety measures being implemented along this road as part of the 20mph scheme, which are near completion. We have thus concluded that these would assist vehicles entering and exiting these premises. However, with the introduction of a new vehicle access to this development, we will ask that the existing dropped kerb be closed and the footway reinstated.

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

The applicant closes off the existing vehicle crossover and returns the footway along the entire frontage of this development to its original state.

Reason: To improve the conditions for pedestrians at this location.

Informative

1. The proposed development requires a redundant crossover to be removed and a new crossover to be made over the footway. The necessary works will be carried out by the Council at the applicant's expense once all the necessary internal site works have been completed. The applicant should telephone 020-8489 1316 to obtain a cost estimate and to arrange for the works to be carried out.

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

Waste Management – The drawings for this application indicate that the bin storage area is either side of the front entrance to the estate, the area shown looks to be a little tight for size, storage will be required for the following: 3 bed houses 1 x 240ltr wheelie bin, 1 x green recycling box, 1 x organic waste caddie & 1 garden waste bag per house. 4 bed house 1 x 360ltr wheelie bin, 2 x green recycling boxes, 1 organic waste caddie & 1 garden waste bag.

Given the size of the gardens it may be necessary to issue 2 garden waste bags per house.

Lynne Featherstone, Cllr Matt Davies, Muswell Hill & Fortis Green Association and 25 Local Residents objected on the following grounds:

- A similar application has already been refused
- The houses would alter the whole character of the area
- It would increase traffic and congestion along Creighton Avenue & Pages Lane
- Increase the population in the area without sufficient schools & doctors
- No more than 3 houses should be implemented
- It would set an unwanted precedent
- Unsympathetic to the existing residential character
- Entrance to houses would be on a dangerous bend
- Area is verging on overdevelopment
- Existing houses are perfectly in keeping with the area
- The tall buildings will have an impact on the allotments
- It will cause a reduction in light & increased residential noise & disturbance
- The detached house would be out of character
- Would create a cramped form of development
- The detached house will cause loss of privacy
- The bin stores will appear unsightly
- Added noise & disturbances
- The proposed heights are same as rejected scheme
- Proposed houses will be closer to Pages Hill than existing
- It would destroy architecture of Creighton Avenue
- Increase housing density
- Overbearing to existing residents
- Bats on the site

RELEVANT PLANNING POLICY

UD3 General Principles

UD4 Quality Design

UD7 Waste Storage

HSG1 New Housing Developments

HSG9 Density Standards

M10 Parking for Development

OS17 Tree Protection, Tree Masses and Spines

SPG1a Design Guidance

SPG1b Parking in Front Gardens

SPG3b Privacy, Overlooking, Aspect, Outlook & Daylight, Sunlight

SPD Housing

ANALYSIS/ASSESSMENT OF THE APPLICATION

The proposal is for the demolition of the two semi-detached houses and the erection of five x three storey houses, four that are three bedroom dwellings and one that is a four bedroom dwelling. The proposal includes association parking

DELLIST

List of delegated recommendations

spaces. The proposed houses are laid out to have two pairs of semi-detached houses and a detached house. This application is a resubmission from a previous scheme that was refused and dismissed on appeal. The previously refused scheme was for six x three storey houses comprising of four bedrooms. This application was refused on the grounds that:

The site is currently occupied by a pair of semi-detached dwellings close to the road frontage to Creighton Avenue; with the rear garden as a substantially open and grassed area. The proposed development would bring buildings towards the rear of site closer to the boundary of the site with the back gardens of properties in Pages Hill to the east. Due to the topography of the site, the central pair of the six proposed semi-detached houses (Units 3 & 4) would be very prominent in views from the rear of properties in Pages Hill; and would be overbearing, of excessive height and detrimental to the amenities of occupiers of properties in Pages Hill. As such, it would be contrary to Policies DES 1.9 (Privacy & Amenity) and DES 1.3 (Design Quality, Enclosure, Height & Scale) of the adopted Haringey Development Plan.

The main points to address in this application are: density, design of the houses, suitability of the site, parking & traffic and the affect on the local character and neighbours and their amenities and whether the revised scheme has overcome the concerns which led an Inspector to dismiss an earlier appeal.

1. Density

The density of the scheme is at 167 habitable rooms per hectare, this density is a little lower than the recommended density range of between 200-700 habitable rooms per hectare. However the Unitary Development Plan states that the density range will be applied flexibly in light of local circumstances and that the Council will adopt a design-led approach to density.

Given the above there are no objections to having a lower density scheme on this site.

2. Design of the Houses and suitability of the site

In principle, the site can benefit from some form of residential development. There has been a concern from previous proposals and it has been raised once again this time round as a result of public consultation that this is a backland site. However, whilst of an unusual shape, the site does have a frontage to a road, with two existing houses, No 12 and 14, on the road frontage within 6 metres of the pavement and therefore can not be defined as a backland development.

The site does not lie within any Conservation Area and the form of development chosen, family housing, is compatible with the form of housing found in Creighton Avenue and Pages Hill. The site is eminently suitable for residential, family home development and the design is thought to be acceptable within its context.

The five houses will accommodate between three and four bedrooms. The proposed houses will appear two-storey from the front elevation and due to the

slope of the land will appear three-storey to the rear. This is precisely the same arrangement as found at No's 10-12 Creighton Avenue adjoining; i.e. two-storey at front and three storeys at the rear. The ridge height of the semi-detached houses is lower than the ridge height of the adjacent properties in Creighton Avenue. The detached house has a pitched roof with an even lower ridge height. The previous proposal that was refused had a ridge height that was the same height as the adjacent properties. In addition the previous development proposed houses that had a greater width than this application. The overall bulk and mass of the proposed houses has been reduced to have a smaller footprint and less impact on the surrounding properties. This is considered to have overcome the issue which led the Planning Inspector to dismiss the appeal into the previous scheme.

The application site is on a downward gradient that slopes towards Pages Hill. The properties in Pages Hill are on a slight upward gradient. Therefore the boundary line between Pages Hill and Creighton Avenue is in a valley. The four properties with rearward elevations facing Pages Hill are three-storey in appearance, however these properties are some 26 metres away from the boundary. This proposal has moved the siting of the houses forwards by 3 metres towards the front boundary of the curtilage than the previously refused scheme.

Four of the proposed houses are traditional semi-detached houses that have a combination of white render and timber cladding. They would benefit from front gable features with pitched roofs and canopies to the rear. The detached house will also have a pitched roof is only two-storey, plus rooms in the roof. This property will also have an external staircase with solar panels on the roof.

In terms of design the proposed houses are quite typical of the area. In the streetscene they appear predominantly two-storey, but as the land level changes the additional storey becomes more apparent. The front elevations in the streetscene appear similar to the existing houses in Creighton Avenue and share similar proportions including similar gable features and cill heights.

3. Parking and Traffic

The proposal will provide 8 off-street car parking spaces including 1 disabled space. This means that each unit will have at least one car-parking space. The front boundary of the site will have a 0.5 metre brick wall with metal railings on top and shrubbery behind. This will go some way to obscuring the parked cars and making the visual appearance from the streetscene more attractive.

There has been no objection raised from the Highways and Transportation Team and it has been considered that the site lies within reach of bus routes, therefore no more parking spaces are required. In addition it has been noted that the site lies on a bend (which has raised concern for local residents also) and the approach to vehicle access would be located here, however there have been speed reductions/pedestrian safety measure implemented along road as part of the 20mph scheme, which are near completion. It has been concluded that these measures would assist vehicles entering and existing the site.

A number of letters of objections received gave the increase traffic to the area and the safety of pedestrians as a concern. Although there will be a slight increase in traffic to the area it is not considered to be any more detrimental to the safety of the highway and pedestrians, especially with the safety measures being implemented.

4. The affect on the local character and the residential amenities

In its existing form the application site has a verdant setting and is felt to contribute to the attractiveness of the locality. The proposal will retain a line of trees and shrubbery along all boundaries that will provide some screening and privacy.

The demolition of the existing semi-detached houses needs to be considered in relation to the streetscene and the residential character of the area. At present the road follows a curved path of semi-detached properties. However units 1-4 which will still comprise of two sets of semi-detached properties (although smaller in volume) would almost replicate the houses along Creighton Avenue.

The front building line of the proposed houses (units 1-4) are set back approximately 1 metre from the existing properties at 10 and 12 Creighton Avenue, and then extend beyond the rear building lines to the rear. However the proposal is still quite sympathetic with the alignment of the existing properties directly adjacent to the site.

The fifth house does not align with any existing building line; however the size and height of this unit is modest and set away from the boundary between No 18 and the application site.

The existing gardens of number 12 and 14 Creighton Avenue are quite large and do have an open aspect, which to some degree will be reduced by the introduction of five new houses. There is a slight concern about the verdant character and loss of part of the rear garden, but it is felt that the houses are of a quality design with a green backdrop that has sited the houses to respect the minimum distances between proposed windows and existing windows. The proposal also provides five houses that meet the minimum floorspace required by SPD Housing with each room benefiting from natural lighting and ventilation.

The impact on the privacy and amenities of the residents in Creighton Avenue and Pages Hill is minimal. As a result of the proposal there will not be any direct overlooking into any surrounding property. Unit 1 is quite close to the boundary however there will be a 1.8 metre boundary wall to minimise any adverse affect. It is also considered that the introduction of this house will not necessarily cause any additional problems to what currently exist. All the other houses are set away from boundaries and any facing windows.

There is concern from residents in Pages Hill that the proposed houses will have an overbearing affect on their properties. The previous application was refused namely because of the adverse affect on these properties. As stated before, the

houses to be built have been positioned over 20 metres from the rear boundary, then coupled with the fact that the depth of the gardens of the houses in Pages Hill are approximately 20 metres there will be over 40 metres between the proposed houses and the existing. To the rear the properties are three-storey in appearance with a pitched roof. The previous application incorporated rooms in the roof, making the proposal appear more bulky. These houses do not have rooms in the roof, so will therefore be less bulky and will be less overbearing, when viewed from Pages Hill. The building to building distance of 44 metres comfortably exceeds the privacy distance standards in the Housing SPD.

5. Other Issues

As a result of public consultation, there were over 25 objections received. This application goes some way to overcoming the previous reason for refusal. The siting of the houses has been pushed forward so that there is a greater distance from the new houses to the previously affected residents in Pages Hill. The proposal does not really lead to overlooking and has been designed to be attractive and fit into the streetscene. Having five units on this site is acceptable given the size of the land.

There has also been a concern raised that the introduction of five new family homes would result in the lack of local facilities, especially with regard to the local schools, however the granting of this application is subject to a Section 106 agreement that would require an Educational Contribution. Further, it should be noted that local schools at Alexandra Park and Coldfall Primary have undergone expansion; it is planned to have an expansion at Fortismere School.

6. S106 Agreement

Educational Contribution

It is recommended that the applicant enters into an Agreement or Agreements with the Council in order to secure £35,382.74 educational contribution because of the expected child yield from the development. This figure is based on the guidance (formula) set out in Supplementary Planning Guidance 10c (SPG10c), adapted in line with the 08/09 values.

Recovery Costs

As part of the Section 106, it is recommended that a financial contribution is required from this development through a legal agreement in order to secure a contribution towards recovery costs.

SUMMARY AND CONCLUSION

The proposal for the demolition of two semi-detached houses and the erection of five new houses that are three-storey and one detached house of two-storeys are thought to be acceptable. Although there have been a number of objections as a result of public consultation, it is felt that on balance the proposal complies with the relevant policies. The proposal should be approved on the grounds that the

site is suitable for low-density residential development. The proposed houses are traditional semi-detached properties with one detached property that benefit from a road frontage. The style, design and detailing of the properties means that they are similar to other properties within the area. The houses have been sited within the plot to have minimum affect on the privacy and amenities of any surrounding properties, the proposed dwellings have been sited closer to the street frontage than any previous application making the distance between the proposed properties and the existing houses in Pages Hill greater. The line of trees on the boundaries will be retained to further eliminate any adverse affect.

In addition the proposal provides five new units that have adequate floor space to meet the minimum standards as set out in SPD Housing. Each unit will benefit from their own private amenity space; each room contained within the dwellings will benefit from natural lighting and ventilation and will have at least one off-street parking space per unit.

As such the proposal is compliant with Policies UD3 General Principles, UD4 Quality Design, HSG1 New Housing Development, OS17 Tree Protection, Tree Masses and Spines and SPD Housing of the Haringey Unitary Development Plan.

RECOMMENDATION 1

- (1) That planning Permission be granted in accordance with Planning Reference HGY/2009/0080, subject to a pre-condition that Mr Nigel Porter and [the owner(s)] of the application site shall have first entered into an Agreement of Agreements with the Council under Section 106 of the Town and Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974 in order to secure £35,382.74 as an Educational Contribution and £1.769.13 as recovery costs.

RECOMMENDATION 2

That the Agreement referred to in Resolution (1) above is to be completed no later than 09/05/09 or within such extended times as the Council's Assistant Director (Planning and Regeneration) shall in his sole discretion allow; and

RECOMMENDATION 3

That in the absence of the Agreement referred to in the resolution (1) above being completed within the time period provided for the resolution (2) above, the planning application reference number HGY/2009/0080 be refused for the following reason:

The proposal fails to provide an education contribution in accordance with the requirements set out in Supplementary Planning Guidance 10c 'Educational Needs Generated by New Housing Development' attached to the Adopted Haringey Unitary Development Plan.

Registered No. HGY/2009/0080

Applicant's drawing No.(s) 208053/001, 010, 030, 031, 032, 110, 120, 121, 122, 123, 130, 131, 132, 133, 134, 135

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 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. That the levels of all thresholds and details of boundary treatment be submitted to and approved by the Local Planning Authority.
Reason: In order to safeguard the visual amenity of the area and to ensure adequate means of enclosure for the proposed development.
4. Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning General Permitted Development Order 1995, no enlargement, improvement or other alteration of any of the dwellings hereby approved in the form of development falling within Classes A to H shall be carried out without the submission of a particular planning application to the Local Planning Authority for its determination.
Reason: To avoid overdevelopment of the site.
5. Before the commencement of any works, 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 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 the building works are completed.
6. 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.

7. That a detailed scheme for the provision of 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.

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

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

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 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, either existing or 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.

REASONS FOR APPROVAL

The proposal should be approved on the grounds that the site is suitable for low-density residential development. The proposed houses are traditional semi-detached properties with one detached property that benefit from a road frontage. The style, design and detailing of the properties means that they are similar to other properties within the area. The houses have been sited within the plot to have minimum affect on the privacy and amenities of any surrounding properties, the proposed dwellings have been sited closer to the street frontage than any previous application making the distance between the proposed properties and

the existing houses in Pages Hill greater. The line of trees on the boundaries will be retained to further eliminate any adverse affect. This overcomes the reasons for the dismissal of an aerlier appeal.

In addition the proposal provides five new units that have adequate floor space to meet the minimum standards as set out in SPD Housing. Each unit will benefit from their own private amenity space; each room contained within the dwellings will benefit from natural lighting and ventilation and will have at least one off-street parking space per unit.

As such the proposal is compliant with Policies UD3 General Principles, UD4 Quality Design, HSG1 New Housing Development, OS17 Tree Protection, Tree Masses and Spines and SPD Housing of the Haringey Unitary Development Plan.

REDUNDANT CROSSOVER - REMOVAL

INFORMATIVE: The proposed development requires a redundant crossover to be removed and a new crossover to be made over the footway. The necessary works will be carried out by the Council at the applicant's expense once all the necessary internal site works have been completed. The applicant should telephone 020-8489 1316 to obtain a cost estimate and to arrange for the works to be carried out.

NAMING/NUMBERING

INFORMATIVE: 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.