

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

**Reference No:** HGY/2006/0057

**Ward:** Bounds Green

**Date received:** 13/01/2006

**Last amended date:** N/A

**Drawing number of plans:** 2842/P01B, P02A & P03A.

**Address:** R/O Palm Court, Lionel House, Maxwell House and Lawrence House, Palmerston Road N22

**Proposal:** Demolition of existing garages and erection of 3 x 2 storey blocks comprising 4 x two bed and 5 x three bed dwelling houses with integral garages, 5 parking bays, 3 bin stores and landscaping.

**Existing Use:** Garages

**Proposed Use:** Residential

**Applicant:** Mithril Homes Ltd.

**Ownership:** Private

**PLANNING DESIGNATIONS**

Conservation Area  
Ecological Corridor  
EVS - Metropolitan  
Road - Classified

**Officer contact:** Ruma Nowaz

**RECOMMENDATION**

REFUSE PERMISSION

**SITE AND SURROUNDINGS**

The application site comprises of a row of 35 lock-up garages behind four blocks of flats, comprising of Palm Court (18 units), Lionel House (12 units), Maxwell House (18 units) and Lawrence House (18 units). The site is adjacent to the Bowes Park Conservation Area, the ecological corridor and a proposed Green Chain through which the canal runs. As such, the proposed development would be highly visible from New River, which is within the conservation area. The site is a backland site. Across the New River are located a row of residential terrace properties.

## PLANNING HISTORY

- In 1986 planning permission was refused for the erection of 13 lock up garages on existing open car park.
- On 22/9/2000 Planning permission was refused for the demolition of 35 lock up garages and the erection of twelve dwelling houses with garden terraces and forty two garage parking spaces under (HGY/2000/0774).
- 30.04.01 - demolition of 35 existing garages and erection of 7 dwelling houses with garden terraces. Consent refused ref: HGY/2001/0607 for the following reasons:-
  1. The loss of the lock-up garages would result in a loss of valuable parking facilities in a congested area which would, as a consequence, prejudice the free-flow of traffic and conditions of general safety along the neighbouring highway as a result of the increased demand for on-street parking contrary to Policy TSP 7.4 'Loss Of Garages' of the Haringey Unitary Development Plan.
  2. The proposal is contrary to Policy HSG 2.3 'Backland Housing' and DES 1.9 Privacy and amenity of neighbours, of the Haringey Unitary Development Plan as it would constitute an unsatisfactory form of backland development which is out of character with the existing form of development in the area. This would give rise to an unacceptable relationship between the existing pattern of development and the proposal to the detriment of adjacent properties particularly and the amenity of the area generally.
  3. The proposal would be out of keeping with the general pattern, standard and character of the area by reason of general bulk and massing within the site thereby resulting in an incongruous pattern of development detrimental to the amenities of the area contrary to Policy DES 1.1' Good Design and how it will be assessed', DES 1.2 'Assessment of Design quality(1): Fitting new buildings into surrounding areas and DES 1.4 'Assessment Of Design Quality (3): Building Lines, Layout, Form, Rhythm and Massing' of the Haringey Unitary Development Plan.
  4. The proposed development represents overdevelopment in relation to the area of the site and the properties in the locality contrary to Policy DES 1.10 'Overdevelopment' and DES 1.9 'Privacy and Amenity of Neighbours' of the Haringey Unitary Development Plan by reason of: - the overall size and bulk, height, excessive site coverage and massing, excessive site coverage prejudicing the provision of adequate communal space, the creation of unnecessary problems of overlooking and loss of privacy to adjacent properties, the poor relationship to the existing pattern of development and excessive site coverage prejudicing sufficient provision for parking.

5. The proposed development, by reason of the absence of adequate parking accommodation, contrary to Policy TSP 7.1 'Parking For Development' would result in the obstruction of the surrounding streets by waiting vehicle which would give rise to conditions which would prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.
- On the 1/9/2005 and 3/10/2005 respectively Conservation Area Consent and an application for planning permission for the demolition of garages and erection of 5x2 bed and 4x3 bed three x two storey houses units, were withdrawn.

## **DETAILS OF PROPOSAL**

The current proposal seeks the demolition of existing garages and erection of 3 x 2 storey blocks comprising 4 x two bed and 5 x three bed dwelling houses with integral garages, 5 parking bays, 3 bin stores and landscaping.

## **CONSULTATION**

27/01/2006

157 Whittington Road  
Mall House, 10b Archway Road N 22  
77a High Street EN11  
60-90 Palmerston Road N22  
1-18 (c) Palm Court, Palmerston Road N 22  
1-12 (c) Lionel House  
1-18(c) Maxwell House  
1-18(c) Lawrence House  
43, 45 Palmerston Road  
46-60 (e) Myddleton Road  
1-19(c) Grassmere Court, Palmerston Road  
45-55 Palmerston Road

## **RESPONSES**

13 Letters of objection received from neighbouring properties and management services of Lawrence House, on the following grounds:-

1. Gross overdevelopment of a narrow strip of land in close proximity to existing properties, resulting in greater density compared to the existing 35 lock-up garages on site.
2. The loss of lock up garages likely to lead to additional street parking, thereby adding to the already serious problems of traffic flow and road safety in Palmerston Road.

3. The existing entrance to the site is barely 3m wide and too narrow to permit access to heavy vehicles, builders lorries etc. Fire engines would experience great difficulty in getting through to the site in case of fire.
4. The proposal results in the loss of view to existing flats and will affect the amount of natural light received by those at ground and first floor level which will decrease their quality of living. There will be a further invasion of privacy as the proposed blocks are only 20m away from the existing blocks.
5. The proposed development is in close proximity to the new river, and the drilling of foundations could affect the water table.
6. Elderly residents would be affected by the noise and dust pollution from the building site for several months; their quality of life will be further diminished.
7. Already a degree of subsidence between Lawrence house and Maxwell House caused by Council rubbish trucks collecting rubbish.
8. A fence would have to be erected at the rear of the green space. The canal behind has a large amount of wildlife, especially birds/waterfowl. Serious concerns about how this development may impact on the flora and fauna.
9. Currently no provision for sewage, water, electricity cables.
10. Houses would be next to an electricity sub-station.
11. The present driveway is 8ft wide, and with the proposed erection of a fence by residents of Maxwell House and Lawrence House, to be erected on both sides of the narrow gap would reduce the access way further.
12. The narrow roadway between Lawrence House and Maxwell House has outside Gas pipes running down the length of exterior walls.
13. 45c Palmerston Road, -Garden will be overlooked by town houses and as the garden shares a garage wall, this would result in loss of shrubs and plants in my garden and privacy during construction.
14. Location is unsuitable for proposed development.
15. New flats will mean traffic coming and going directly inches from my bedroom window.
16. It will detract from the character and appearance of the open space.
17. Where will the occupants of 35 existing garages park their cars?
18. Do these houses have separate gardens?
19. The lawns at the rear are private property and new flat occupiers will not have access. The privacy of these lawns would be lost if these were to go ahead.

Building Control:- Site access for fire fighting vehicles and personnel can be considered acceptable subject to the minimum width of the Road being 3.7m and the construction capable of sustaining minimum 12.5 Tonnes. The applicants have stated that a letter has been received from LFEPA dated 8<sup>th</sup> November 2005.

Conservation Officer:- Does not object on design grounds subject to conditions regarding materials, fenestration etc.

## **RELEVANT PLANNING POLICY**

OP 1.1 Protection of urban open space  
OP 1.2 Informal Open Space  
OP 1.5 Green Chains  
OP 1.4 Protection of Ecologically valuable sites and Ecological corridors.  
HSG 2.3 Backland Housing  
SPG 3c Backland Developments  
DES 1.10 Overdevelopment  
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 2.2 Preservation and Enhancement of Conservation Areas.  
SPG3a Density, Dwelling Mix, Floorspace minima  
DES 1.9 Privacy and Amenity of Neighbours  
TSP 7.1 Parking for Development

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

The main issues here are considered to be :-

1. Principle of development adjacent to informal open space and Conservation Area.
2. Density and design.
3. Privacy and amenity of neighbouring residents.
4. Parking and access.

### **1. Principle of development adjacent to informal Open Space and Conservation Area**

The site is immediately adjacent to the grassy banks of the New River: from which the existing low garage block on the site is screened by a line of low trees and shrubs at the top of the embankment. This section of the New River is an Ecologically valuable site of Metropolitan importance (OP 4.1) and is an Ecological Corridor. It is also adjacent to a Conservation Area. This area is also a proposed extension to a Green Chain. The Open Space Study 2003, has identified the potential to increase the Green Chains and also to use them to increase accessibility to existing open space. This study suggests improved walking and cycling links and greening of these links.

Policy OS5 Ecologically valuable sites and their corridors in the Haringey Unitary Development plan Revised Deposit Draft 2004, states that 'these corridors should be protected and their green nature enhanced, in order that they do not become fragmented and thereby diminish their ecological value.

The locality of this ecological corridor and green chain is fairly open and green in character. Whilst a development close to this boundary would provide some security, a development 90m long, directly adjacent to this boundary, would

lead to a deterioration of the quality and green nature of the informal open space in a greater degree of urbanisation of this locality, contrary to Policy OS9 Other Open Space and OS5 Ecologically valuable sites.

Policy OP 1.5 states that development adjacent to existing or proposed Green Chains will be assessed in detail in terms of any detrimental impact they have on the function of the Green Chain.

Section 4.25 of the Unitary Development Plan states that value of Green chains include nature Conservation Areas, public access, recreation, walks, breaks in urban areas and delineation of separate communities...the protection of these Green Chains will enable breaks in the built up environment to be maintained securing a positive visual contribution and variety to the Borough. This policy is reinforced in Policy OS15 Green Chains of the Revised Deposit Consultation Draft Haringey Unitary Development Plan 2004.

Although to the north of the site is a three-storey development, this is set back from the Open Space by about 4 metres. By contrast, the current proposal would be built up to the boundary and is predominantly two storey with some gaps. The length of this development is 90m long with small gaps along this boundary. It would have windows to bedrooms right on the boundary, without apparent fencing. It is considered due to the length, scale and height of the development itself and when taken cumulatively with the adjoining development would result in an unacceptable urbanising effect on the Green Chain. The scheme would adversely affect the setting of the adjacent Conservation Area. This proposal is therefore in conflict with the provisions of Policies OP1.5 and OS 15 Green Chains.

## **2. Density, Design and Layout**

Planning permission was previously refused on the grounds that it constituted an unsatisfactory form of backland development, which is out of character with the existing form of development in the area. Furthermore, it was refused on the grounds of being out of keeping with the general pattern, standard and character of the area by reason of general bulk and massing within the site thereby resulting in an incongruous pattern of development detrimental to the amenities of the area.

The application site has no direct road frontage, being accessed by two narrow roads between the frontage apartment blocks. It is thus a backland site.

The backs of the dwellings, to that of the existing flats is now 28 to 30m distance and meets the back to back distances required for two storey developments.

### Density

The site area of the land is 1887 sqm. The number of habitable rooms is 32. The density of the site is therefore 177hrh. This is over the 145hrh outlined in the Adopted Haringey Unitary Development Plan DES 2.3 Backland sites. Policy HSG 8 of the Revised UDP does not specify a density range for backland sites, but seeks to ensure lower densities on backland sites in order to prevent town cramming. The proposal is in conflict with the provisions of this policy.

The land was originally part of the four blocks of flats at the front and used for parking. The policy states that where the site was originally, in whole or in part, the private garden land of an existing residential building, the number of habitable rooms existing will be taken into account. In this case the proposal would result in an overdevelopment of the site.

### Design

The design of the proposed development is in three blocks, 21m, 25m and 27m in length with gaps between the blocks of 8 and 6m length. The main windows of the two storey development look out onto the River, with the smaller bathroom windows and garage being accessed from the access way from the rear of the flats. Flat and ridged roofs modulate the design of the development. The Conservation Team have not objected to this proposal on design grounds, subject to detailed consideration of materials and fenestration.

The east elevation, facing the back of the apartment blocks (Palm Court, Lionel, Maxwell and Lawrence Houses), has very small windows and is largely brick work with few detailing features. This relative absence of windows does help to reduce any overlooking back towards Palm Court, Lionel House etc)

### Layout

Block A comprises of three x two bedroom dwelling houses, comprising of 80sqm, 76 and 74sqm floor areas. Block B comprises of two x three bedroom, five person units and one x 2 bed four person unit.. Block C comprises of 3 x 3 bedroom five person units. These units also meet the required floor standards for four and five person units. The rooms sizes also meet the required standards although a small number of bedrooms are slightly under size. The main issue in respect of floor areas is the external amenity space for each unit. For the two bedroom units, this is approximately 7sqm and for the three bedroom units approximately 14.5sqm.

The proposal is therefore in keeping with the overall provisions of HSG 2.8 Layout and SPG 3a, however, there is a significant deficiency in the provision of external amenity space, the requirement for family units being 50sqm. This indicates an overdevelopment of the site and is in conflict with the provisions of Policy DES 1.10 Overdevelopment.

### **3.Privacy and Amenity of Neighbours**

The main issues are the impact of the overdevelopment of the site on the amenity of the existing residents, and the effect on privacy and overlooking.

The distance from the new dwellings to the rear of the frontage apartment blocks is 28 metres, and this is sufficient to prevent undue loss of privacy; there are also some substantial screening trees at the end of the communal open spaces serving the frontage blocks, and where there are gaps in this screening extra planting could be provided if the scheme were acceptable in principle.

However, because of its scale and degree of site coverage, with only two small gaps between the three blocks, the proposal development would be seen as an intrusive feature, impacting on the amenity of the existing residents, due to the number of units, and the increased intensity of use of the rear of the site.

### **4. Parking and Access**

#### **Loss of Lock up garages and parking for development**

There are 35 garages on the site; presumably originally provided for occupants of the apartment blocks on the Palmerston Road frontage. These garages are in a good situation and adequate condition whereby they could be used by the residents of Palm Court, Lionel, and Maxwell etc Houses. Whereas under Adopted Unitary Plan Policy TSP 7.4, 'Loss of Lock-Up Garages' the loss of such garages would have had to be justified by means of a user survey, this policy has itself been lost from the Revised Deposit Consultation Draft UDP. On this basis, Transportation has not objected to the loss of lock-up garages. Transportation has required that apart from the provision of integral garages, a further five parking spaces would be adequate. The proposal therefore meets the requirements of Policy TSP 7.1 Parking for Development.

#### **Access**

In order to overcome the narrow vehicular access width to the site, the applicants have agreed to a one way gyratory vehicular access arrangement which uses the existing western and eastern accesses for vehicular entry and exist respectively.

Transportation has requested that a pedestrian access be provided. The applicant has agreed that a condition be attached to provide appropriate surface to the access road in the interest of pedestrian movement and vehicular traffic.

The applicants have received a letter from LFEPA in respect of fire service access to the site at the rear of the block of flats. They have stated that the access is acceptable provided that statutory or private water hydrants are provided.



The applicant has also stated that the issue of Refuse collection has been resolved. As refuse is presently collected from the site, providing that individual wheelybins were provided for each dwelling, refuse collection could be accommodated.

Although the access to the site is very narrow, transportation is satisfied that providing that the applicant meets the above conditions, the proposal would be satisfactory, and would be in keeping with the provisions of Policy TSP 7.1 Parking for Development.

### Consultation Responses

13 letters of objections have been received from the neighbouring properties. The main issues of concern are the loss of amenity to ground floor flats from the attraction of an increased no of vehicles and people. Concern that the access way is very narrow and use of this by large vehicles knock into or cause a nuisance to the existing flats. The bedroom windows of a number of ground floor flats in these blocks look out onto the access ways. There would be some effect on the amenity of these residents from increase in traffic and pedestrians coming and going. Residents are also concerned that the green area behind the flats, which is private, but could be used by the residents of the new development as amenity space is so poor.

Furthermore they are concerned about services, which are located on the building or close to the surface of the road, which may be affected from heavy vehicular use.

## **SUMMARY AND CONCLUSION**

This application site abuts onto the New River but is located on land which was originally part of the block of four flats. This proposal is built up to the boundary and is predominantly two storey with some gaps. The length of this development is 90m long with small gaps along this boundary. It is considered due to the length, scale and height of the development itself and when taken cumulatively with the adjoining development it would result in an unacceptable urbanising effect on the Green Chain, and adversely affect the setting of the Conservation Area. This proposal is therefore in conflict with the provisions of Policies OP1.5 and OS 15 Green Chains. Furthermore the locality of this ecological corridor and green chain is fairly open and green in character. Whilst a development close to this boundary would provide some security, on balance however, a development 90m long, directly adjacent to this boundary, would lead to a deterioration of the quality and green nature of the informal open space in a greater degree of urbanisation of this locality, contrary to Policy OS9 Other Open Space and OS5 Ecologically Valuable Sites.

The proposal for 9 dwelling houses on this backland site results in an overdevelopment of the site resulting in inadequate external amenity space for each unit. The proposal is also contrary to the provisions of Policy DES 1.10 Overdevelopment. Accordingly refusal is recommended.

## **RECOMMENDATION**

### **REFUSE PERMISSION**

Registered No. HGY/2006/0057

Applicant's drawing No.(s) 2842/P01B, P02A & P03A

For the following reasons:

1. The proposed development represents overdevelopment in relation to the area of the site and the properties in the locality contrary to Policy DES 1.10 'Overdevelopment' of the Haringey Unitary Development Plan by reason of:
  - a). the number of units and habitable rooms within the site
  - b). excessive site coverage prejudicing the provision of adequate amenity space for the benefit of future occupants.
  - c). poor relationship to the existing pattern of development thereby causing demonstrable harm.
  
2. Due to the length, scale, height and location of the proposed development immediately abutting the grassed banks of the New River, the proposal would be unduly dominant and intrusive in views from the informal open space, would result in an unacceptable urbanising effect on the adjacent Green Chain and adversely affect the setting of the Conservation Area. The proposal is therefore in conflict with the provisions of Policy OP 1.5 Green Chains, DES 2.2 Preservation and Enhancement of Conservation Areas of the Adopted Haringey Unitary Development Plan and Policy OS 15 Green Chains, OS9 Other Open Spaces and OS5 Ecologically valuable sites of the Deposit Draft Consultation Unitary Development Plan 2004.