

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2009/1774

Ward: Woodside

Date received: 20/10/2009

Last amended date: N / A

Drawing number of plans: SSCL 7126/01 & SSCL 7126/02

Address: 540 Lordship Lane N22

Proposal: Demolition of existing buildings and erection of 4 storey building, double shop unit on ground floor and three floors of residential accommodation above comprising of 6 x two bedroom flats and 3 x one bedroom flats with cycle store to rear.

Existing Use: Shop with residential above

Proposed Use: Two shops with 9 flats above

Applicant: Mr V. J. Thakker

Ownership: Private

PLANNING DESIGNATIONS

Road Network: Classified Road

Officer Contact: Valerie Okeiyi

RECOMMENDATION

GRANT PERMISSION subject to conditions and Section 106 Agreement

SITE AND SURROUNDINGS

The application site is situated at 540 Lordship Lane outside the conservation area. The site has been designated as a 'Local Shopping Centre and it is situated in between Ellenborough Court and 538 Lordship Lane. The premises is currently a two storey building with a double pitched roof with commercial on the ground floor and residential above. At the side of the site adjacent to Ellenborough Court is a vehicular access. To the rear is an existing single storey brick built store and a garden area,

PLANNING HISTORY

Planning-**HGY/1990/1236**-REF-20-11-90-540 Lordship Lane London -Erection of 3 two-storey B1 (Business units)at the rear of the premises and provision of 3 parking spaces.

Planning-**HGY/1998/0128**-REF-17-03-98-Pavement in front 540 Lordship Lane London -parking and loading facility. Formation of vehicular crossover in order to provide private

Planning-**HGY/2006/1069**-REF-18-07-06-540 Lordship Lane London - Demolition of the existing buildings and the erection of a four storey building with double-shop unit on ground floor and three floors of residential accommodation above comprising 3 x 1 bedroom flats and 6 x 2 bedroom flats with car parking and cycle store at rear (Outline Application). Appeal Ref: APP/Y5420/A/07/2036118 was allowed subject to condition dated 20/06/2007 relating to planning ref HGY/2006/1069.

Planning-**HGY/2006/1878**-PENDING-00-00-00-540 Lordship Lane Wood Green London -Outline planning application for demolition of existing buildings and erection of 4 storey building with double shop unit on ground floor and three floors of residential accommodation above comprising 2 x one bedroom flats and 6 x two bedroom flats with cycle store at rear

Planning-**HGY/2007/0198**-WTD-15-05-07-540 Lordship Lane Wood Green London -Outline planning application for demolition of existing buildings and erection of 4 storey building with double shop unit on ground floor and three floors of residential accommodation above comprising 2 x one bed and 6 x two bed flats with cycle store at rear (Outline Application - Revised Scheme).

DETAILS OF PROPOSAL

Demolition of existing buildings and erection of 4 storey building, double shop unit on ground floor and three floors of residential accommodation above comprising of 6 x two bedroom flats and 3 x one bedroom flats with cycle store to rear

CONSULTATION

Transportation Group
Cleaving
Ward Councillors
1-27 (c) Ellenborough Court
532-550 (e) Lordship Lane
12-34 (e) Ellenborough Road
493-511 (o)Lordship Lane

RESPONSES

Transportation Group

Although this proposed development is located in an area with low public transport accessibility level, it is on the bus route Lordship Lane which offers some 36 buses per hour (two-way), for frequent connection to Wood Green tube station and the bus corridor Tottenham High Road. It is therefore deemed that majority of prospective residents of this development would use public transport for their journeys to and from the site. We have used the TRAVL database to establish the trip generation for the above using comparable sites this development proposal, some 504 Sqm GFA, would only generate a combined traffic inflow and outflow of some 2 vehicles during the critical Am and Pm peak hour. It is therefore deemed that this increase in the level of vehicular trips would not have any significant adverse effect on the adjacent highway network.

Furthermore, the applicant has proposed 7 car parking spaces. This includes the provision of a 6.00m vehicle circulatory area which would be in accordance with the required standards in the 2006 Adopted 2006 UDP and, would minimise the car parking impact of this development on the adjoining highway network. Also, this area has not been identified within the Council's adopted 2006 UDP as that with identified with car parking pressure.

There are some concerns with this development proposal and these are:

The applicant has indicated a cycle storage area on Plan SSCL 7126/01 but not the number of stands that will be provided. The applicant will be required to provide 1 stand per unit so a total of nine stands will be required for the residential element of the application. 9 bicycle racks with secure shelter for the flats as indicated on Plan No.406/3.

Firstly, the proposed vehicular access is narrow at only approximately 2.40metres wide. This restricted width is less than the 4.1metres width required for two cars to pass. Also, the car parking area fronting the adjoining properties (Nos. 532-536) and shares this access, is heavily parked, and with the circulatory area fully occupied. We have therefore considered that it will be difficult to provide storage for vehicles accessing these premises, to wait for exiting vehicles, around the frontage. It is also deemed that it would not be possible for accessing vehicles from Lordship Lane to spot egressing vehicles or vice versa and subsequently make prompt decision to stop due to the restricted width of the access and the angled wall of the adjoining properties, especially that of No.536. These problems, if encouraged, would result in increased vehicular conflict at this location and obstruction to bus movements on Lordship Lane.

There are significant delivery vehicle activities west of this site with Lorries delivering to adjacent businesses and buses stopping at the bus stop/shelter west of this site impeding carriageway visibility westbound. There is also impaired visibility eastbound owing to the saturated parking demand at the

afore-mentioned car parking area. This situation would cause exiting vehicles to obstruct the eastbound bus lane whilst exiting the access road on to Lordship Lane; this would be exacerbated by the fast flowing traffic on Lordship Lane.

Thirdly, the existing traffic flow in the westbound lane is single lane and there is the likelihood that the right-turning vehicles onto this site would impede ahead-moving traffic on Lordship Lane leading to traffic congestion.

Lastly, the location of the refuse bins is more than 25metres carrying distance for refuse collection and the applicant has not demonstrated any alternative location or arrangement for collection of the refuse bins, given that the vehicular access is not wide enough for refuse or similar servicing vehicles to enter the site.

We would therefore suggest that the applicant removes the car parking spaces and dedicate the access to pedestrians and cyclists. It is also worth noting that and given the frequent bus services at this location, the use of sustainable travel modes should be encouraged.

Consequently, the highway and transportation authority would not support this application in its current form.

Comments on the above: Whilst noting the comments of the Transportation Officer, it would not be justified to refuse this application on Highways grounds because the application in terms of its vehicle access arrangements, does not differ from the scheme allowed on appeal (HGY/2006/1069). The Inspector who determined that appeal considered issues of traffic and parking, and did not find grounds to turn the appeal down. He did add a condition requiring provision of a controlled access gate.

Thames Water

No objection

Building Control

The proposed development is acceptable for access for fire fighting vehicles and personnel

Letters from residents

Residents from 20, 24, 28 Ellenborough Road object to the proposal for the following reasons:

- Lack of security because it is a vulnerable area
 - There is a flooding risk
 - The number of parked cars would cause pedestrian conflict.
- The proposal would also add to the parking pressure in the area

RELEVANT PLANNING POLICY

National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Guidance 3: Housing
Planning Policy Guidance 13: Transport

The London Plan - 2004

Policy 2A.3 Areas for Intensification
Policy 3A.1 Increasing London's supply of housing
Policy 4B.3 Maximising the potential of sites
Policy 4B.6 Sustainable design and construction

Adopted Unitary Development Plan, 2006

G1 Environment
G2 Housing Supply
UD3 General Principles
UD4 Quality Design
UD7 Waste Storage
UD8 Planning Obligations
TCR1 Development in Town and Local Shopping Centres
HSG1 New Housing Development
HSG9 Density Standards
HSG10 Dwelling Mix
M3 New Development Location and Accessibility
M4 Pedestrian and Cyclists
M10 Parking for Development

Supplementary Planning Guidance

SPG1a Design Guidance
Housing SPD (October 2008)
SPG3b Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight
SPG4 Access for All – Mobility Standards
SPG5 Safety by Design
SPG7a Parking Standards
SPG7b Vehicle and Pedestrian Movement
SPG8a Waste and Recycling
SPG9a Sustainability Statement
SPG10a The Negotiation, Management and Monitoring of Planning Obligations

ANALYSIS/ASSESSMENT OF THE APPLICATION

Principle of Residential/Retail Use

The redevelopment of this site is also in accordance with the broader principles of Central Government Planning Policy (PPG and PPSs), in Paragraph 27 of PPS1 which seeks to “to promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings’.

Guidance from the Central Government and the London Plan set housing targets for Local Authorities. The London Plan sets housing targets for individual Boroughs for the period up to 2016. These targets are generally reflected in Unitary Development Plan policy HSG 1 New Housing Developments. This development will contribute towards the Council meeting its target. The pressure of land for new housing in the Borough means that infill and previously developed sites are increasingly considered for housing development.

The provision of residential on the site would therefore make a useful contribution to the Boroughs housing stock. The site is located in close proximity to a established residential area and close to a number of public transport facilities.

The proposal would also provide two retail units on ground floor level that replace the existing shop units. This would contribute towards the vitality and viability of the local shopping centre.

Layout and Design

The entire ground floor will be occupied by two retail units. The first floor will consist of 2 x 2 bed and 1 x 1 bed self contained flats. Flat A and B will occupy the front section of the proposed building and flat C will occupy the rear section of the proposed building. Flat A (1 bed) will have a floor area of 49.8sqm, flat B (2 bed) will have a floor area of 59.5sqm and flat C (2 bed) will have a floor area of 58.5sqm and first and second floor level will be occupied by commercial unit 5 –6 towards the rear section of the building. The front section of the second floor will be occupied by flat D (1 bed) with a floor area of 49.8sqm and flat E (2 bed) with a floor area of 59.5sqm. The rear section will be occupied by flat F (2 bed) with a floor area of 58.5sqm. The front section of the third floor will be occupied by flat G (1 bed) with a floor area of 49.8sqm and flat H (2 bed) with a floor area of 59.5sqm. The rear section will be occupied by I (2 bed) with a floor area of 58.5sqm.

All the room sizes of the proposed development are consistent with the floorspace minima identified in the Housing SPD (October 2008).

The scheme provides external amenity space which would be appropriate to the needs of future occupants in the form of balconies fronting Lordship Lane and facing towards the rear gardens of the houses on Granville Road. It will also provide a communal garden (120sqm) at the rear of the site.

The proposal seeks to demolish the existing buildings and erect a 4 storey building. The previous scheme that was allowed on appeal was in outline, although there were full floor plans and a plan showing parking and a garden area as well as a front elevation. The inspector treated it as an outline application and added conditions accordingly, requiring detailed drawings.

Having compared the proposed application with the plans allowed on appeal. The overall building height and footprint of the new scheme is similar in scale. The rear building line however is reduced at various points. It will have a flat roof that will reflect the height of the adjacent residential development at Ellenborough Court and 542 Lordship Lane. The proposal is also in proportion to the average street width as defined by building frontages. The proposed x 2 shop fronts on ground floor level would blend in well with the existing local shopping parade and proposed upper floors.

The proposed building will be constructed in brickwork to match existing and timber cladding in between the windows on first and second floor level to the front and rear elevation. The roof will be in slate roof tiles with windows inserted in the rear and front elevation. The windows on the first and second floor of the rear and front elevation will have a stone lintel arch. All windows will be double glazed. The balconies will be in yellow stock brickwork with timber cladding. The ground floor will have two fully glazed shopfronts with fascias.

Impact on Neighbours

The scheme has been carefully designed so that windows of the proposed flats are not directly facing the windows in the nearby flats of Ellenborough Court. The proposed windows are also set a way at an acceptable distance from neighbouring properties windows and gardens. The bulk and scale of the proposed development will not be unduly overbearing to neighbouring properties.

The previous scheme was refused because of concerns of the proposed car park at the backland would cause unacceptable noise and disturbance to neighbouring properties. In the appeal decision the inspector had no objection to this because the parking spaces themselves would be next to the blank side wall of the long rear projection at the back no 542. Also on the other side of the site there is an external staircase at the rear of Ellenborough Court and the windows beyond this are orientated away from no 540. The inspector did require for a condition to be imposed at reserved matter stage to the treatment of the eastern boundary of the site in terms of boundary fences or walls and landscaping.

Although the current scheme does not propose parking next to the blank side wall of the long rear projection at the back of no 542 the location is still considered suitable allowing sufficient soft landscaping at the rear for the future

occupants of the flats. The noise and disturbance levels from the proposed car park will therefore not be a suitable reason to refuse the proposed scheme.

Residential Density

This residential part of the site encompasses a habitable room density of 449 habitable rooms per hectares (HRH). The Adopted Unitary Development Plan (UDP) states that residential development in the borough as a general guideline should be in the density range of 200-700 habitable rooms per hectares.

In terms of the London Plan (2004), the plan categorises density ranges in terms of location, setting, existing building form and massing. Based on the density matrix (as shown in Table 4b.of the plan) the site is considered to be within an urban area with terrace houses and flats are the predominant housing type, the site is close to a town centre and a density of 200-450 HRH would be acceptable.

The proposed residential density is therefore considered to be acceptable and to be in keeping with both the density standards of the Adopted UDP and the London Plan.

Access and Parking

The applicant has provided 7 car parking spaces for the proposed flats and two loading bays for the shop units. Five parking spaces are proposed behind the communal garden area and 2 parking spaces including the two loading bays will be directly behind the proposed building. A cycle storage area is also included in the scheme. The transportation team suggest that the applicant removes the car parking spaces and dedicate the access to pedestrians and cyclists due to vehicle conflict. The inspectors decision on appeal however comments:

‘That although the transportation team object to the scheme no clear explanation or justification is put forward that the aims of UDP policies M3, M4 and M10 would be materially infringed if 7 spaces are provided for 2 shops and 8 flats. This is therefore insufficient grounds to dismiss the appeal’.

Furthermore the site is in an area that is not identified as having car parking pressure.

The access to the residential units and car park will be through the access road which runs between the flank elevations of the 540 Lordship Lane and Ellenborough Court. Building Control do not object to the scheme because of suitable access for fire fighting vehicles. Suitable access has been provided for wheelchair users including a disabled toilet at the rear of the shop units.

The Inspector determining a previous appeal added a condition requiring submission of details of a controlled access gate, and this is added to this recommendation.

Refuse

A secure refuse enclosure for the residential units will be next to the main entrance to the flats and two refuse stores will be provided for the two shops at the rear of shop 1.

Planning Obligations/Section 106

Under Section 106 of the Town and Country Planning Act, the terms of Circular 05/2005 Planning Obligations, and in line with Policy UD8 and Supplementary Planning Guidance 10a 'The Negotiation, Management and Monitoring of Planning Obligations' the Local Planning Authority (LPA) will seek a financial contribution.

Environmental contribution

The applicant has agreed to contribute a sum of £10,000 towards environmental improvements.

Education contribution

The applicant has agreed to contribute a sum of £20,000 towards education costs

Recovery Costs

As part of the S106, it is recommended that a financial contribution is required from this development through a legal agreement in order to secure a contribution towards recover/administration costs.

The applicant has agreed to a contribution of £1000 towards recovery costs/administration.

SUMMARY AND CONCLUSION

The proposed redevelopment of the site comprising of residential with 2 shop unit on the ground floor unlocks the full potential of the site, provides a better frontage onto Lordship Lane Road, making a useful contribution to the Boroughs housing stock while at the same time protecting the residential amenities of neighbouring occupiers.

The scale, bulk and massing of the proposed development will be significantly similar to the previous scheme that was allowed on appeal. Furthermore the elevation and design of the current scheme is much better. The proposed development will not give rise to a loss of privacy or result in a significant degree of overlooking to neighbouring properties. The density of the proposed development is considered appropriate for a built up site located in close proximity to good transport links and a town centre. The proposed parking to the rear is considered appropriate.

The proposed development is considered to be in accordance with Policies UD3 'General Principles', UD4 'Quality Design', HSG 9 'Density Standards', M10 'Parking for Development'; UD7 Waste Storage HSG1 New Housing

Development, HSG9 Density Standards, HSG10 Dwelling Mix, TCR1 Development in Town and Local Shopping Centres and Supplementary Planning Guidance 'SPG 1A 'Design Guidance SPG 3b 'Privacy / Overlooking, Aspect / Outlook and Daylight / Sunlight'. SPG4 Access for All – Mobility Standards, SPG5 Safety by Design, SPG7a Parking Standards.

RECOMMENDATION 1

(1) That Planning Permission be granted in accordance with planning application reference number HGY/2009/1774, subject to a pre-condition that SSC Project Management 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 £10,000 as environmental improvements, £20,000 education contribution and £1,000 towards recovery costs. The overall total is £31,000.

(1.1) That the Agreements referred to in Resolution (1) above is to be completed within such extended time as the Council's Assistant Director (Planning Policy and Development) shall in his sole discretion allow; and

(1.2) That in the absence of the Agreements referred to in Resolution (1) above being completed within the time period provided for in Resolution (2) above, the planning application reference number HGY/2009/1774 be refused for the following reason:

The proposal fails to provide an Environmental and Education Contribution in accordance with the requirements set out in Supplementary Planning Guidance 10a The Negotiation, Management and Monitoring of Planning Obligations attached to the Haringey Unitary Development Plan.

RECOMMENDATION 2

That, following completion of the Agreement referred to in Resolution (1) within the time period provided for in Resolution (2) above, planning permission be granted in accordance with planning application reference number HGY/2009/1774

Registered No. HGY/2009/1774

Applicant's drawing No.(s) SSCL 7126/01 & SSCL 7126/02

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.

MATERIALS, LANDSCAPING

3. 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.

4. Details of a scheme depicting those areas to be treated by means of hard landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme to include a detailed drawing of those areas of the development to be so treated, a schedule of proposed materials and samples to be submitted for written approval on request from the Local Planning Authority.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

5. That details of all levels on the site in relation to the surrounding area be submitted and approved by the Local Planning Authority.

Reason: In order to ensure that any works in conjunction with the permission hereby granted respects the height of adjacent properties through suitable levels on the site.

6. A scheme for the treatment of the surroundings of the proposed development including the planting of trees and/or shrubs shall be submitted to, approved in writing by the Local Planning Authority, and implemented in accordance with the approved details.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity.

MISCELLANEOUS

7. 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.

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

Reason: In order to protect the amenities of the locality.

9. The proposed development shall have a central dish/aerial system for receiving all broadcasts for all the residential units created, details of such a scheme shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property and the approved scheme shall be implemented and permanently retained thereafter.

Reason: In order to protect the visual amenities of the neighbourhood.

10. An Energy Assessment shall be submitted, and approved in writing with the Local Planning Authority and thereafter implemented in accordance with any written approval given by the Local Planning Authority.

Reason: To ensure the development incorporates energy efficiency measures including on-site renewable energy generation, in order to contribute to a reduction in carbon dioxide emissions generated by the development in line with national and local policy guidance.

11. Details of a controlled gate at the entrance to site shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall thereafter be carried out as approved.

Reason: In order to avoid collisions between vehicles entering and leaving the site.

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.

REASONS FOR APPROVAL

The proposed redevelopment of the site comprising of residential with 2 shop unit on the ground floor unlocks the full potential of the site, provides a better frontage onto Lordship Lane Road, making a useful contribution to the Boroughs housing stock while at the same time protecting the residential amenities of neighbouring occupiers. The scale, bulk and massing of the proposed development will be significantly similar to the previous scheme that was allowed on appeal. Furthermore the elevation and design of the current scheme is much better. The proposed development will not give rise to a loss of privacy or result in a significant degree of overlooking to neighbouring properties. The density of the proposed development is considered appropriate for a built up site located in close proximity to good transport links and a town centre. The proposed parking to the rear is considered appropriate.

The proposed development is considered to be in accordance with Policies UD3 'General Principles', UD4 'Quality Design', HSG 9 'Density Standards', M10 'Parking for Development', UD7 'Waste Storage', HSG1 'New Housing Developments', HSG9 'Density Standards', HSG10 'Dwelling Mix', TCR1 'Development in Town and Local Shopping Centres' and Supplementary Planning Guidance SPG 1a 'Design Guidance', SPG 3b 'Privacy / Overlooking, Aspect / Outlook and Daylight / Sunlight', SPG4 'Access for All - Mobility Standards', SPG5 'Safety by Design' and SPG7a 'Parking Standards'.