

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2009/1830

Ward: Bounds Green

Date received: 26/10/2009

Last amended date: N/A

Drawing number of plans: JW347-100 Rev A; 101 Rev A; 102 Rev A; 103 Rev B; 104 Rev B; 105 Rev B; 110 Rev B; 111

Address: Land rear of Corbett Grove N22 8DQ

Proposal: Erection of 6 x two and three storey three bedroom dwellinghouses with associated car parking (8 spaces) and landscaping

Existing Use: Vacant Land to the Rear of Corbett Grove

Proposed Use: Residential

Applicant: Mr Eisner

Ownership: Private

PLANNING DESIGNATIONS

Road Network: Borough Road

Officer Contact: Michelle Bradshaw

RECOMMENDATION

GRANT PERMISSION subject to conditions and S106 Legal Agreement

SITE AND SURROUNDINGS

The application site is a blackland site consisting of two separate parcels of land of irregular shape, located to the rear of the council flats of Corbett Grove. One piece of land is accessed off Bounds Green Road and the other off Imperial Road. The northern most part is 820m² and the southern part 1812m². The total site area is therefore 2632m². Behind the proposal site is the Hertford Loop Railway line. This railway land is designated as an Ecological Corridor. The land is currently vacant and overgrown with dense vegetation. The site is not located within a Conservation Area.

PLANNING HISTORY

Planning HGY/2009/0606 REF 02-06-09 Land rear of Corbett Grove London - Erection of 9 x two / three storey dwelling houses comprising 6 x 3 bedroom and 3 x 4 bedroom, with associated car parking (6 spaces) and landscaping.

DETAILS OF PROPOSAL

This application seeks planning permission for the erection of 4 x 2 storey three and bedroom dwelling houses and 2 x 3 storey three bedroom dwelling houses with associated car parking (8 spaces) and landscaping. The six dwellings will consist of two pairs of semi-detached dwellings and one pair of linked detached dwellings. The site is split into two areas, the northern most part being 540m² and the southern element being 1812m². The total site area is 2352m². The two separate parcels are separated by a green zone which is 1192m².

CONSULTATION

Thames Water
Network Rail
London Fire and Emergency Planning Authority

Haringey Transportation Team
Haringey Waste Management
Haringey Building Control

Ward Councillors

1 – 34 (c) Corbett Grove, N22
30 – 54 (e), 29 – 93 (o) Imperial Road, N22
69 – 117 (o) Bounds Green, N22
69a, 69b, 83a, 99a, 99b, 107 a – e (c), 117a Bounds Green Road, N22
1 – 9 (c) Trinity Court, Trinity Road, N22
1 – 20 (c) Barnes Court, Clarence Road, N22
85 – 89 (c), 89a, 90 Trinity Road, N22
1 – 9 (o), 2 – 12 (e) Whittington Road, N22
2 – 68 (e) Welsh Methodist Church, 1 – 47 (o) Palace Road, N22
1 – 6 (c) Bailey Close, N22
120 – 129 (c) Bailey Close, N22

RESPONSES

Network Rail

With reference to the protection of the railway, Network Rail has no objection in principle to the development and no further comments to make on the above application other than those returned to the original application ref. HGY/2009/0606 as detailed below which still apply.

The proposed development is located adjacent to a railway Light Maintenance Depot and as such the Developer should be aware that issues such as operational noise, vibration and lighting need to be taken into account.

With reference to the protection of the railway, NR has no objection in principle to the development but have some requirements which must be met, especially with the close proximity to the development of an electrified railway. The full lists of conditions are contained within the file and would be attached to planning consent should the application be granted permission.

- All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soak-aways must be located so as to discharge away from the railway infrastructure.
- All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.
- All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur.
- Security of the railway boundary will require to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Territory Outside Parties Engineer.
- Although the existing NR fence is adequate in preventing trespass there will inevitably be pressure from the new residents to soften or even attempt to alter its appearance. It should be noted that our fence should not be altered or moved in any way and nothing should be put in place to prevent us from maintaining our boundary fence as we are obliged to do so in law. It is our experience that most developments seek to provide their own boundary enclosure so as to avoid such future problems. It would also help to reduce the impact of railway noise. We would advise that the developer should provide a trespass proof fence adjacent to Network Rail's boundary (minimum 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged
- The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a

worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

It is realised that much of the above does not apply directly to the application but should be taken into consideration as appropriate. Nevertheless it gives a useful guide as to the considerations to be taken into account in relation to development adjacent to the railway. I would advise that in particular the boundary fencing and soundproofing should be the subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

Thames Water

Surface Water Drainage – With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant 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 Ground Water. 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. Reason – To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.

London Fire and Emergency Planning Authority

London Fire Authority was initially not satisfied with the proposal due the plans being inadequate to assess the access requirements for the fire brigade. Since this time the applicant has advised (email 26th January) that they would provide domestic sprinkler protection to the northern part of the site in order to satisfy fire regulations and building regulations. The London Fire and Emergency Planning Authority have advised (email 27th January) that the provision of sprinklers to the British Standard would overcome the issues with fire brigade access to part of the site and agree that in the scheme appears ok in principle. A condition of consent will require further consultation and approval by LFEPA prior to the commencement of works.

Haringey Building Control

Building Control also advised that the plans did not clearly show access for fire fighting vehicles. Amended plans have now been provided and the issue is discussed above under comments from London Fire and Emergency Planning Authority.

Haringey Transportation Team

The site indicates a PTAL level of 4 and 5 across the site, which indicates a moderate to high level of Public Transport Accessibility to transport services. Also the area has not been identified within the Council's SPG as that renowned to have car parking pressure. The proposed development is located in an area within a short walking distance from Bounds Green Road which provides some bus services (some 10 two-way, bus trips per hour) for connections to Turnpike lane and Edgware Road. The application site is also within walking distance of both Bounds Green Underground Station and Bowes Road Network rail Station which provide services into London.

The applicant has proposed a total of 8 off street 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 UDP and would minimise the impact on both the parking and the adjoining highway network we have considered that the proposed development would not have any significant impact existing highway network.

The applicant has indicated that the southern end of the site will be accessed from Imperial Road (Housing Estate Road) It should be noted that as highway authority we would not be looking to adopt this section of highway as public highway maintainable at the public's expense. The access road for the development would not be adopted as public highway as it would only serve this relatively small residential development and does not form a link in the highway network or form a useful extension to an existing highway.

My one concern with regard to the above would be the length of the proposed pathway to link the car parking area to the two proposed semi detached dwellings at the north of the site, that a resident disabled resident would have to traverse to gain access to the dwellings at the north of the site once they have parked up any vehicles in the car parking area, this would not be grounds for an objection on transport or highway grounds.

Subsequently the transportation and highway authority would not object to this application

Informative - 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

Haringey Waste Management

Each house in this proposed development would require the bin storage area to be of sufficient size to accommodate the following; 1 x 240ltr refuse bin, 1 green recycling box, 1 x organic waste caddy & 1 garden waste bag.

I am however concerned about the access to these properties by the waste and recycling collection vehicles.

Block A will require access from Corbett Grove, as the exit onto Bounds Green Road is at the pedestrian crossing. RCV's cannot stop within the zigzags to make collections therefore the collections will have to be made from Corbett Grove, this being the case the maximum distance for the movement of waste or recycling with a wheelie bin is 25mtrs. It would appear from the drawings provided that the distance from the bin store is greater than this.

Block B&C are accessed from Imperial Road, Waste collection crews already experience severe problems with the collections from the existing properties at the end of this close, if an entrance is to be formed at the end of Imperial Road some work will be required at the end of this road to ensure the RCV's can access the site unimpeded which is not the case at present when servicing the existing properties in Imperial Road.

The applicant provided the following comments: "In response to your comments with regard to the refuse collection point on Bounds Green Road, we have relocated the bin store for these properties to within the southern part of the site. It has been clearly demonstrated that a refuse truck can access and exit the site via Imperial Road in a forward gear; therefore all waste can be collected from within this area. It is not uncommon, particularly in gated communities, for residents to take their refuse to a location accessible for collection. An allocated bin store has been provided specifically for the sole use of these residents, which can be accessed via a pleasant, maintained area of soft landscaping to the middle section through which a path connects the two parts of the site. This section of land is under the same ownership, and will be fully maintained and subject to further details with regard to landscaping".

Haringey Waste Management Team provided the following comments in response to the above "The amended drawings show that the refuse and recycling for block A is now situated at the southern end of the site and that provision has been made to turn the collection vehicles around on the site which is fine.

However there is the problem that the distance from these houses to the bin store is considerably greater than the distance from the north end of the development to Bounds Green Road. From past experience I must advise you that rather than use the refuse storage facility the occupants of these houses will no doubt use the north exit and dump the refuse and recycling by the exit onto Bounds Green Road which is unacceptable.

The developer will need to put some form of agreement in place that the freeholder/ leaseholder signs which stipulate that the occupants are made aware where their refuse and recycling storage is and that they will not dump in Bounds Green Road. Once this agreement has been signed a copy of this signed document will need to be forwarded to Chris Collings contract monitoring officer Environmental Resources”.

The advice within the final paragraph will be added as a condition of consent.

RELEVANT PLANNING POLICY

National Planning Guidance

PPS1	Delivering Sustainable Development (2005)
PPS3	Housing (November 2006 and April 2007)
PPG13	Transport (March 2001)
PPS22	Renewable Energy (August 2004)

The London Plan

Haringey Unitary Development Plan (2006)

UD1	Planning Statements
UD2	Sustainable Design and Construction
UD3	General Principles
UD4	Quality Design
UD7	Waste Storage
UD10	Planning Obligations
HSG1	New housing developments
HSG4	Affordable housing
HSG10	Dwelling mix
M3	New Development Location and Accessibility
M10	Parking and Development
OS17	Tree Protection, Tree Masses and Spines

Haringey Supplementary Planning Guidance (October 2006)

SPG1a	Design Guidance
SPG5	Safety by Design
SPG7a	Vehicle and Pedestrian Movement
SPG8a	Waste and Recycling
SPG8b	Materials
SPG8c	Environmental Performance
SPG8d	Biodiversity, Landscaping & Trees
SPG10	The Negotiation, Management & Monitoring of Planning Obligations
SPG10c	Educational Needs Generated by New Housing Development
SPD	Housing

Government guidance on planning issues is set out in a series of Planning Policy Guidance Notes (PPGs). PPGs are currently in the process of being replaced with Planning Policy Statements (PPSs). PPS1, PPS3, PPG13, PPG15, PPG16, PPS22 and PPG24 are considered relevant in this case.

National Planning Policies

PPS1 – Delivering Sustainable Communities - PPS1 provides an overview and general statement of the Government's objectives for the planning system. PPS1 is fully committed to achieving the aims of sustainable development. It indicates that Planning should facilitate and promote sustainable patterns of urban development by making suitable land available for development in line with economic, social and environmental objectives.

PPS3 – Housing - PPS3 sets out the Government's most up-to-date guidance with regard to the provision of housing. The Guidance sets out a commitment to promoting more sustainable patterns of development and emphasises the importance of making more efficient use of urban land within high quality development and encouraging greater intensity of development at places with good public transport accessibility and along public transport corridors.

PPG13 - Transport - PPG13 seeks to integrate planning and transport at the national, regional, strategic and local level and to help reduce the need to travel and the length of car journeys. Its objective is to make it safer and easier for people to access jobs, shopping, leisure facilities and services by public transport, walking and cycling.

PPS 22 – Renewable Energy - PPS22 is intended to highlight the principles of the government following targets set in the Energy White Paper: "Our energy future: creating a low carbon economy". The PPS states that this can be achieved through the provision of renewable energy, improvements in energy efficiency and the development of combined heat and power.

Regional Planning Policies

The London Plan (2008)

The Development Plan for the area comprises the London Plan Consolidated with Alterations since 2004 (February 2008). The London Plan is a material consideration for local authorities when determining planning applications and reviewing their Unitary Development Plans.

In order to respond to the existing and future housing demand, the London Plan has increased the housing provisions targets; seeking the provision of 30,500 additional homes per year across London. For Haringey, it estimates a capacity of a minimum of 6,800 new dwellings between 2007/8 and 2016/7 which equates to 680 per year.

Local Planning Policies

Haringey Unitary Development Plan (2006)

Haringey Council adopted its Unitary Development Plan in 2006. The policies within this document have been “saved” by the Government Office for London (GoL), under the 2004 Planning and Compulsory Purchase Act 2004, for up to 3 years (from 27th September 2007). Also adopted with the UDP in 2006, were Supplementary Planning Guidance documents (SPG’s) and in 2008 SPD Housing.

ANALYSIS/ASSESSMENT OF THE APPLICATION

The main issues in regards to this application are considered to be (1) Principle of Residential Use; (2) Density, Design and Layout and Overlooking/Privacy (3) Trees and Biodiversity (4) Access and Parking (5) Sustainability

(1) Principle of Residential Use

Policy HSG1 states that new housing developments will be permitted provided that the site is appropriate, having regard to the sequential approach which favours the redevelopment of existing housing sites or re-use of buildings, including empty properties. Policy HSG2 states that a change of use to housing will be considered provided the building can provide satisfactory living conditions.

The current proposed development has reduced the amount of accommodation being proposed compared to the previously refused scheme. The six residential units (as opposed to the previously proposed 9 units) is considered to be a more appropriate density for this backland site which is constrained by its position between the existing residential development on Corbett Grove and the Railway. As such, the principle of residential on this site is considered appropriate and in line with policy HSG2 and SPG3c.

(2) Density, Design and Layout & Overlooking and Privacy

The London Plan sets out a number of different density ranges to be achieved depending on the local context and public transport accessibility. The council considers the public transport accessibility level (PTAL) for this site to be 4 and 5 across the site. As such, on the basis that the site is within a suburban location with low level parking provision (less than 1 space per unit) the density range could be 250 – 350 hr/h.

The site is split into two areas, the northern most part being 540m² (0.054 ha) and the southern element being 1812m² (0.1812ha). The total site area is 2352m². The two separate parcels are separated by a green zone which is 1192m². As such the northern part of the site has a density of 148 habitable rooms per hectare (hr/ha) and the southern part of the site has a density of 88.30 hr/ha. As such, the scheme is below the specified density range set out in the

London Plan however, given this is a backland site, a lower density is considered to be appropriate. Furthermore, SPG3c states that density standards will not generally apply to backland sites.

However, density itself is not the key issue, but rather the manifestation of that density in terms of the quality of the development. The issues of height, bulk and mass, residential amenity and impact on the character of the area will be discussed below.

Policy UD4 relates to the overall design and scale of a development in regards to the site and the surrounding area. Policy UD3 relates to the impact of a development on the amenity of neighbouring properties and the locality generally.

The proposed development would consist of 4 x 3 bedroom dwellings of 2 storeys and 2 x 3 bedrooms of 3 storeys. The development would consist of 2 pairs of semi-detached dwelling and 2 x link-detached dwelling houses.

The previous scheme (HGY/2009/0606), refused in June 2009 was deemed to result in issues of overlooking to nearby residents on the Corbett Grove estate. The architects acknowledge this issue and have redesigned the current scheme with emphasis on scale and subservience in order to mitigate against issues of overlooking by inherent design.

The overall amount of development has been reduced from 9 to 6 units and the height of the buildings reduced from all 3 storey dwellings to 4 x 2 storey dwellings and 2 x 3 storey dwellings. The linear nature of the site requires a sensitive design in terms of bulk and window positioning. However it is considered that the dwellings now have suitable siting, orientation and internal layouts to overcome the issues of overlooking. On this basis the proposed development is considered to comply with policy UD3.

Policy HSG10 and SPD Housing states that the borough is in need of properties of all sizes however there is a particular need for large family dwellings. This development proposes to provide 6 x 3 bedroom dwelling houses. SPD Housing also states that 'where possible, family houses should be provided with back gardens which are safe for young children to play in. The minimum private garden space needed for a family dwelling is 50 sq. m'. Each of the dwellings is provided with private garden space of between 102sq.m and 166sq.m. As such, all dwellings provide more than double the minimum private amenity space as set out in the SPD. Furthermore, the land between the northern and southern part of the site provides additional communal amenity space for residents to use. Conditions of consent will ensure this area is appropriately landscaped and maintained in order to provide a useable and attractive space.

The design of the dwellings shall be assessed against policy UD2, UD4, SPG1a and SPG8b which state that any proposals for developments which require planning permission will be expected to be of high quality design. UD2 and SPG8b also states that the council will expect all development schemes to take

on board sustainable development and where possible take into account environmentally friendly materials, for global and local benefits. The proposed development is of a contemporary design and would be constructed of a mixture of materials including Autumn russet facing bricks at ground floor level, scratch proof render (amended from the original material which was fibre cement board) at first floor level and cedar boarding at second floor level. The roofs would be mono-pitched and have a sedum roof finish. Windows would be powder coated aluminium. It is noted on the plans that the cedar boarding is to be from sustainable forests. Overall, the materials are considered to be acceptable in line with policy UD2, UD4, SPG1a and SPG8b.

(3) Trees and Biodiversity

Policy OS6 state that the council will not permit development on or adjacent to sites of importance for nature conservation value or ecological importance unless there will be no adverse effect on the nature conservation value of the site and unless the importance of the development outweighs the nature conservation value of the site.

Policy SPG8d states that 'any development must protect the existing biodiversity in Haringey and where possible, seek to enhance and diversity this biodiversity.

The site is heavily overgrown and contains a number of trees as well as dense shrubbery across the entire site. The majority of the trees are self seeded and do not fulfil the criteria for TPO status, however cumulatively the green spaces are of some value, in that they act as a screen and provide privacy to the residents of Corbett Grove. This green buffer provides a barrier both visually and in terms of noise transfer from the nearby railway line to nearby residential premises.

The applicant has provided Ecological Report – Extended Phase 1 Habitat Survey carried out by Baker Shepherd and Gillespie Ecological Consultants. The recommendations of this report state that no further surveys of habitat are considered necessary for the site. The report does also state however that a further survey of the site for reptiles is recommended and further surveys of the trees are recommended in order to assess whether bats are roosting in any of the trees that are due to be removed.

Where possible features of ecological interest should be retained within the development proposals, for example some of the more mature trees along the eastern and western boundaries of the site could be kept, especially those with potential for roosting bats.

All vegetation removal should be undertaken outside of the breeding bird season (March to August inclusive).

Japanese knotweed is located in three patches in close proximity in the centre of the site. This would need to be dealt with appropriately in line with Environment Agency guidance.

Therefore, given these recommendations within the Ecology Report, a number of conditions would be required to ensure compliance with the above.

The SPG also encourages green roofs which are roofs intentionally vegetated to a greater or lesser degree. The Council will welcome any approach which allows for the provision of a green roof while at the same time ensuring that the development is not in conflict with any other policy within the UDP and which results in an aesthetically pleasing development which has some ecological value. The development proposes to incorporate green sedum roofs to all 6 residential dwellings.

Policy OS17 states that the Council will seek to protect and improve the contribution of trees, tree masses and spines to local landscape character by: ensuring that when unprotected trees are affected by development, a programme of tree replanting and replacement of at least equal amenity and ecological value and extent is provided. The development if approved would be conditioned to provide full details of a proposed landscaping scheme including those trees to be retained and removed, in order to ensure compliance with this policy. It is particularly important due to the large area of green space between the two sites, as if well designed and maintained could provide an attractive area for informal recreation and general amenity for the locality.

(4) Access and Parking

Policy M3 state that the Council will require that developments with high trip generating characteristics locate where public transport accessibility is high and the location and building design encourages cycling and walking so that all potential users, regardless of disability, age or gender can use them safely and easily. SPG7a Vehicle and Pedestrian Movements sets out specific guidelines on parking, highways, footways, garaging, access by refuse and emergency services, street trees, furniture and lighting etc.

The site is located within the northern part of the borough and indicates a PTAL level of 4 and 5 across the site due to its proximity to public transport option. The site is within 0.2 miles of the Bowes Park Railway Station and 0.35 miles of Alexandra Palace Railway station. In addition, Bounds Green tube station on the Piccadilly line is a 10 minute walk away. Bounds Green Road and Brownlow Road, near Bounds Green Station, provide a number of bus routes.

The scheme proposes a total of 8 off street 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 UDP and would minimise the impact on both the parking and the adjoining highway network and as such Haringey Transportation Team consider that the proposed development would not have any significant impact on the existing highway network.

The car parking area would be accessed from Imperial Road (Housing Estate Road). It should be noted that the highway authority would not be looking to adopt this section of highway as public highway maintainable at the public's expense, as it would only serve this relatively small residential development and

does not form a link in the highway network or form a useful extension to an existing highway.

Transportation has questioned walking distances from the northern part of the site to the car parking area. However due to their proximity to Bounds Green and the high PTAL rating at this part of the site (PTAL 5) it is considered appropriate for these dwellings to be car-free and encourage the use of sustainable modes of transport. Furthermore, there is ample space within the curtilage of each dwelling for the storage of bicycles. As such, the development is deemed to accord with M3 and SPG7a.

The London Fire Planning Authority have confirmed they are satisfied in principle with the use of domestic sprinkler system however would like full details and A1 plans submitted to them for approval. A conditions of consent will require full details be submitted to and approved in writing by the London Fire and Emergency Planning Authority and this written approval from LFPEA sent to the Local Planning Authority, prior to the commencement of works.

(5) Sustainability and Waste Management

Policy UD2 states the council will require development proposals to take into account, where appropriate a number of environmental considerations including but not limited to pollution effects, water and waste water infrastructure, energy efficiency and renewable energy, waste recycling and storage. In addition, the council will seek that development schemes take into account, where feasible: environmentally friendly materials, water conservation and recycling, sustainable drainage, biodiversity etc. SPG8c encourages the assessment of development in terms of their environmental performance and sustainability.

The dwellings are to comply with Code Level 3 of the Code for Sustainable Homes. The plans and Design and Access Statement indicate the use of solar water heat tubes on the roofs, timber boarding from sustainable forests and green sedum roofs. The windows are to be triple glazed. The kitchens are to be fitted with energy efficient white goods and kitchens and bathrooms fitted with water regulator taps and WC's to be dual flush. As such, the scheme is considered to be acceptable under policy UD2 and SPG8c.

SPG8a states that in any new development consideration should be give to how storage and collection of household and commercial waste and recyclable materials can best be incorporated.

The 2 link-detached dwellings to the southern end of the site are linked by the bin storage area. The 2 semi-detached dwellings to the southern end of the site each have a single bin store located in the front courtyard area. The northern two semi-detached properties originally had individual bins stores next to each dwelling however these were relocated to the southern end of the site following comments from Haringey Waste Management.

The waste storage provision is deemed acceptable in principles but would be subject to conditions that the developer put in place an agreement that the freeholder/ leaseholder signs which stipulate that the occupants are made aware where their refuse and recycling storage is and that they will not dump in Bounds Green Road. Once this agreement has been signed a copy of this signed document will need to be forwarded to Chris Collings contract monitoring officer Environmental Resources. On this basis, the development is deemed to be in line with policy UD7 and SPG8a.

(6) Planning Obligations – s106

1. An Education contribution of £49,380 based on the formula set out in SPG10c and the most up to date figures.
2. Administration charge of £2469 as required by SPG10a.

The total amount of s106 contribution would be £51,849

SUMMARY AND CONCLUSION

The principle of residential use on this backland site is considered to be acceptable as this site is surrounded by residential use and the site is not a protected open space. The overall amount of development on the site, footprint, bulk, mass and design of the buildings is now considered acceptable and has incorporated appropriate changes in response to the previously refused application. The amount of development proposed has been reduced from 9 dwellings to 6 dwellings and the building has now been designed to sit more comfortably with the site and to achieve an acceptable relationship with the adjoining properties. As such the proposed development is considered to be in accordance with policies UD1 'Planning Statements', UD2 'Sustainable Design and Construction', UD3 'General Principles', UD4 'Quality Design', UD7 'Waste Storage', UD10 'Planning Obligations', HSG1 'New Housing Developments', M3 'New Development Location and Accessibility', M10 'Parking and Development', OS17 'Tree Protection, Tree Masses and Spines' of the Haringey Unitary Development Plan (2006) and SPG1a 'Design Guidance', SPG7a 'Vehicle and Pedestrian Movement', SPG8a 'Waste and Recycling', SPG8b 'Materials', SPG8c 'Environmental Performance', SPG8d 'Biodiversity, Landscaping & Trees', SPG10 'The Negotiation, Management and Monitoring of Planning Obligations', SPG10c 'Educational Needs Generated by New Housing Development', and SPD 'Housing' of the Haringey Supplementary Planning Guidance (October 2006). On this basis, it is recommended that planning permission be GRANTED subject to conditions and s106 agreement.

RECOMMENDATION 1

That planning permission be granted in accordance with planning application reference number HGY/2009/1830 and associated conditions and subject to a pre condition that the applicant shall first have entered into an agreement with Haringey 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:

1. An Education contribution of £49,380 based on the formula set out in SPG10c and the most up to date figures.
2. Administration charge of £2469 as required by SPG10a.

The total amount of s106 contribution would be £51,849

RECOMMENDATION 2

GRANT PERMISSION subject to conditions

Registered No: HGY/2009/1830

Applicant's drawing No's: JW347-100RevA; 101 RevA; 102 Rev A; 103 Rev B; 104 Rev B; 105 Rev B; 110 Rev B; 111

Subject to the following conditions:

EXPIRATION OF PERMISSION

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.

IN ACCORDANCE WITH APPROVED PLANS

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

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.

LANDSCAPING

4. 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 existing trees to be retained.
- (b) Those existing trees to be removed.
- (c) Those existing trees which will require thinning, pruning, pollarding or lopping as a result of this consent. All such work to be agreed with the Council's Arboriculturalist.
- (d) 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. Note: The landscaping scheme shall include the provision of one fruit tree per private garden and at least two fruit trees within the communal open space. 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.

5. Before any works herein permitted are commenced, 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 or 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 building works are completed.

6. 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 retain control over the external appearance of the development in the interest of the visual amenity of the area.

BOUNDARY TREATMENT

7. Notwithstanding the details contained within the plans hereby approved, full details of boundary treatments, including fencing and gates, to the entire site be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Reason: In order to safeguard the visual amenity of the area and to ensure adequate means of enclosure for the proposed development.

EXTERNAL LIGHTING

8. Notwithstanding the details contained within the development hereby approved, full details of the artificial lighting scheme to the entrance, vehicular routes and parking areas, pedestrian routes and designated communal amenity space shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development.

Reason: to ensure the satisfactory appearance of the development.

WASTE MANAGEMENT

9. 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. The detailed scheme shall include:

(a) Each house in this proposed development would require the bin storage area to be of sufficient size to accommodate the following: 1 x 240ltr refuse bin, 1 green recycling box, 1 x organic waste caddy and 1 x green waste bag.

(b) Route from waste storage points to collection point must be as straight as possible with no kerbs or steps. Gradients should be no greater than 1:20 and surfaces should be smooth and sound, concrete rather than flexible. Dropped kerbs should be installed as necessary.

(c) If waste containers are housed, housings must be big enough to fit as many containers as are necessary to facilitate once per week collection and be high enough for lids to be open and closed where lidded containers are installed. Internal housing layouts must allow all containers to be accessed by users. Applicants can seek further advice about housings from Waste Management if required.

(d) Waste container housings may need to be lit so as to be safe for residents and collectors to use and service during darkness hours.

(e) All doors and pathways need to be 200mm wider than any bins that are required to pass through or over them.

(f) If access through security gates/doors is required for household waste collection, codes, keys, transponders or any other type of access equipment must be provided to the council. No charges will be accepted by the council for equipment required to gain access.

(g) Waste collection vehicles require height clearance of at least 4.75 metres. Roads required for access by waste collection vehicles must be constructed to withstand load bearing of up to 26 tonnes.

(h) Adequate waste storage arrangements must be made so that waste does not need to be placed on the public highway other than immediately before it is due to be collected. Further detailed advice can be given on this where required.

(i) Full details of the waste storage areas including elevation plans, dimensions, and materials shall be provided to and approved by the local planning authority.

(j) The applicant shall provide a written legal agreement that the freeholder/leaseholder signs which stipulate that the occupants are made aware where their refuse and recycling storage is and that they will not dump in Bounds Green Road. Once this agreement has been signed and a copy of this signed document will need to be forwarded to Chris Collings contract monitoring officer Environmental Resources.

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

NOISE

10. The development hereby approved shall comply with BS8233 with regards to sound insulation and noise reduction.

Reason: In order to ensure satisfactory amenity of future residents of the development.

FIRE AND EMERGENCY

11. The applicant shall receive full approval from London Fire and Emergency Planning Authority (LFEPA) with regards to access for Fire Fighting purposes and the provision and location of dry risers etc, prior to the commencement of works.

Reason: To ensure the development complies with all LFEPA requirements

ECOLOGY

12. The applicant shall comply with the recommendations set out in the Habitat Survey, produced by Baker Shepherd Gillespie, dated May 2009.

Reason: To ensure the ecological impact of the development is minimised.

PERMITTED DEVELOPMENT

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any part of Class A, B, D & E of Part 1 to Schedule 2 of that Order shall be carried out on site.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality

CONSTRUCTION

14. Details of the routing/management of the construction traffic shall be submitted to the Local Planning Authority, for approval, prior to the commencement of works.

Reason: To minimise the impact of the movement of the associated construction vehicles, on the adjoining roads.

15. 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.

INFORMATIVE - CRIME PREVENTION

The residential buildings proposed by the development hereby authorised shall comply with BS 8220 (1986) Part 1 'Security Of Residential Buildings' and comply with the aims and objectives of the police requirement of 'Secured By Design' & 'Designing Out Crime' principles.

INFORMATIVE – NAMING / NUMBERING

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.

INFORMATIVE - THAMES WATER

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses 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 Ground Water. Where the developer proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

There are public sewers crossing the site. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

INFORMATIVE – NETWORK RAIL

- All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soak aways must be located so as to discharge away from the railway infrastructure.
- All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.
- All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur.
- Security of the railway boundary will require to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Territory Outside Parties Engineer.
- Although the existing NR fence is adequate in preventing trespass there will inevitably be pressure from the new residents to soften or even attempt to alter its appearance. It should be noted that our fence should not be altered or moved in any way and nothing should be put in place to prevent us from maintaining our boundary fence as we are obliged to do so in law. It is our experience that most developments seek to provide their own boundary enclosure so as to avoid such future problems. It

would also help to reduce the impact of railway noise. We would advise that the developer should provide a trespass proof fence adjacent to Network Rail's boundary (minimum 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged

- The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

RECOMMENDATION 3

In the event that an agreement under Section 106 of the Town and Country Planning Act 1990 (As Amended) is not signed by 8 May 2010 or within such extended time as the Council's Assistant Director (Planning and Regeneration) shall in his direction allow, the application shall 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 SPG10c of the Haringey Unitary Development Plan (2006).

RECOMMENDATION 4

In the event that the planning application is refused for the reason set out in recommendation 3 above, the Assistant Director (Planning Policy and Development), in consultation with the Chair of the Planning Applications Sub-Committee, is hereby authorised to approve any further application for planning permission which duplicates this planning application, provided that: -

- (i) there has not been any material change in circumstances relevant to planning considerations, and
- (ii) the further application for planning permission is submitted to and approved by the Assistant Director (Planning and Regeneration) within a period of no more than 12 months from the date of the refusal, and
- (iii) the relevant parties shall have entered into an agreement under section 106 of the Town and Country Planning Act (As Amended) as outlined above to secure the obligations specified therein.

REASONS FOR APPROVAL

The reasons for the grant of planning permission are as follows:

- (a) The proposal is acceptable for the following reasons:

I. The design, form, detailing and facing materials are considered acceptable;

II. The scheme has been designed sensitively in terms of its relationship with neighbouring properties.

(b) The proposal has been assessed against and found to comply with the intent of Policies UD1 'Planning Statements', UD2 'Sustainable Design and Construction', UD3 'General Principles', UD4 'Quality Design', UD7 'Waste Storage', UD10 'Planning Obligations', HSG1 'New Housing Developments', M3 'New Development Location and Accessibility', M10 'Parking and Development', OS17 'Tree Protection, Tree Masses and Spines' of the Haringey Unitary Development Plan (2006) and SPG1a 'Design Guidance', SPG7a 'Vehicle and Pedestrian Movement', SPG8a 'Waste and Recycling', SPG8b 'Materials', SPG8c 'Environmental Performance', SPG8d 'Biodiversity, Landscaping & Trees', SPG10 'The Negotiation, Management and Monitoring of Planning Obligations', SPG10c 'Educational Needs Generated by New Housing Development', and SPD 'Housing' of the Haringey Supplementary Planning Guidance (October 2006).