

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2010/2083	<b>Ward:</b> Noel Park
<b>Address:</b> 120-128 Mayes Road N22 6SY	
<b>Proposal:</b> Change of use of ground floor from B1 (business) / D1 (non-residential institution) to C3 (residential) comprising 4 x two bed flats and 1 x three bed flat	
<b>Existing Use:</b> Vacant B1 / D1	<b>Proposed Use:</b> C3
<b>Applicant:</b> Mr Tony Savva	<b>Ownership:</b> Private
<b>Date received:</b> 09/11/2010 <b>Last amended date:</b>	
<b>Drawing number of plans:</b> SLP-100; EX-01, 02; PL-100C and 101A	
<b>Case Officer Contact:</b> Matthew Gunning	
<b>PLANNING DESIGNATIONS:</b> Road Network: Classified Road	
<b>RECOMMENDATION:</b> GRANT PERMISSION subject to conditions and subject to Sec. 106 Legal Agreement	
<b>SUMMARY OF REPORT:</b> The proposal is for the change of use/ conversion of the ground floor from B1 (business) / D1 (non-residential institution) to C3 (residential) comprising 4 x two bed flats and 1 x three bed flat. The only change to the exterior of the building is the proposed lowering of an exterior wall to a height of 2 metres and the insertion of doors and windows which will improve the natural light to the ground floor accommodation. In addition it is also proposed to provide higher front boundary treatment (including gates) to provide privacy and security to the new residential units. The current ground floor commercial space in this building was created arising from an application given consent in December 2007 for alterations and extensions to the existing building (a job centre) which at that point was vacant after the job centre use moved to a different building in Wood Green. Based on the information submitted the LPA accept that the commercial space in question has been actively marketed for more than 18 months with little interest, and as such accept an alternative use may be appropriate. All the unit and room sizes associated with the conversion are consistent with the Council's floorspace minima and the associated changes to the design and layout of the building are considered sensitive to the building, its surrounding and character of the area, and overall the proposal will provide adequate living accommodation. This application is recommended for approval subject to a S106 securing an education contribution and securing the units to be 'car fee'.	

## 1. SITE AND SURROUNDINGS

- 1.1 The application site is a rectangular shaped site, 0.1 hectare in size, with frontage onto Mayes Road and Jack Barnett Way. Previously, the site contained a 1950s two storey building (with a rear extension) stepped back from Mayes Road with a large grass area to the front. In 2007 a planning application (HGY/2007/2036) was approved for “alterations and extensions to the existing building, including the creation of a ground floor front extension and recessed part second floor extension to create a three storey building comprising of 528 sqm of B1 space at ground floor level with 9 self contained units at upper levels, along with 17 secure cycle spaces and 2 off street car parking spaces”. At this time the previous use as a ‘Job Centre’ ceased and moved to a new ‘Job Centre Plus’, located at Granta House in Wood Green.
- 1.2 The existing building is three storeys with B1/D1 use approved for the ground floor but the commercial floorspace has remained empty since the job centre use ceased and the site was developed. The residential flats on the first and second floors are currently occupied. The site has a covered arched access along the south-eastern boundary which provides access to the side/rear of the property. To the north-western boundary is Jack Barnett Way a pedestrian access which connects with other footpaths through to Mayes Road and leads to the Jack Barnett Estate, a residential estate to the side and rear of the application site. This estate consists of small terrace properties with small courtyard front gardens.
- 1.3 Mayes Road has a mix of building types some residential and some business/commercial. To either side of the application site are 1970s style residential maisonettes/ terraces with small front gardens. Further to the north west of the site there are a number of buildings used for commercial purposes, including a large Safestore self-storage facility. Wood Green town centre is located 500 metres to the east of the site. The application site does not fall within a Conservation Area.

## 2. PLANNING HISTORY

OLD/1955/0524 - Erection of crown office. - 04-11-55

OLD/1960/0699 - Use of land as buildings yard laying on concrete paving and erection of front boundary wall – Refused 31-01-60

OLD/1979/0685 - Installation of fire escape and fire exit – Granted 11-04-79

HGY/2006/1737 - Demolition of existing buildings and erection of 2 x 3 storey blocks comprising 4 x one bed and 14 x two bed self contained dwelling units (outline planning application) – Refused 16/11/2006.

HGY/2006/2276 - Outline planning application for demolition of existing 2 storey job centre and erection of 1 x 3 storey block comprising 1 x one bed, 5 x two bed and 3 x three bed self contained flats – Approved 20/03/2007

HGY/2007/2036 – Alterations and extensions to the existing building, including the creation of a ground floor front extension and recessed part second floor extension to create a three storey building comprising of 528 sqm of B1 space at ground floor level with 9 self contained units at upper levels, along with 17 secure cycle spaces and 2 off street car parking spaces – Approved 20/12/2007

HGY/2010/0043 – Change of use from B1 to B1 (Business)/D1 (Non-Residential Training Centre) – Approved 23/02/2010

HGY/2010/1343 - Change of use of ground floor from B1 (business) / D1 (non-residential institution) to C3 (residential) comprising 5 x two bed flats and 1 x three bed flat – Refused 21/09/2010

HGY/2010/2160 - Change of use of the ground floor from B1/D1 to C1 - Pending Decision

### **3. PROPOSAL**

3.1 The proposal is for the change of use/ conversion of the ground floor from B1 (business) / D1 (non-residential institution) to C3 (residential) comprising 4 x two bed flats and 1 x three bed flat. The only change to the exterior of the building is the proposed lowering of an exterior wall to a height of 2 metres and the insertion of doors and windows which will improve the natural light to the ground floor accommodation. In addition it is also proposed to provide higher front boundary treatment (including gates) to provide privacy and security to the new residential units.

### **4. RELEVANT PLANNING POLICY**

#### **4.1 National Planning Policy**

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 4: Planning for Sustainable Economic Growth  
Planning Policy Statement 3: Housing  
Planning Policy Guidance 13: Transport

#### **4.2 The London Plan - 2008**

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 & Construction

#### **4.3 Unitary Development Plan**

G2 Housing Supply  
AC1 The Heartlands / Wood Green  
UD2 Sustainable Design and Construction

UD3 General Principles  
 UD4 Quality Design  
 UD7 Waste Storage  
 EMP1 Defined Employment Area – Regeneration Area  
 HSG1 New Housing Development  
 HSG2 Change of use to Residential  
 HSG9 Density Standards  
 HSG10 Dwelling Mix  
 EMP5 Promoting Employment Uses  
 M3 New Development Location and Accessibility  
 M4 Pedestrian and Cyclists

4.4 Supplementary Planning Guidance / Documents

SPG1a Design Guidance  
 SPG4 Access for All – Mobility Standards  
 SPG5 Safety by Design  
 SPG7a Vehicle and Pedestrian Movement  
 SPG9 Sustainability Statement  
 SPG10c Educational Needs Generated by New Housing Development  
 SPD Housing

5. **CONSULTATION**

<b>Internal</b>	<b>External</b>
Building Control Transportation Team Waste Management Ward Councillors	100 – 146 (e), 63 – 109 (o), 104(c) Mayes Road 1 – 32 Jack Barnett Way 31 – 51 (o) Parkland Road

6. **RESPONSES**

Waste Management

6.1 The proposed development will require the storage area to be of sufficient size to accommodate the following: - 2 x 1100ltr refuse bins & 1 x 1100ltr recycling bin. It is not possible to scale the drawing provided, please note that the maximum distance for an 1100ltr bin from rear of collection vehicle to storage must be no greater than 10 mtrs. It is advisable to fit the storage area with a bumper bar system in order to protect the finished wall from damage by the bins during the collections and a cold water tap and foul water drainage to maintain the cleanness of the site.

Transportation

6.2 The proposed development is located where the public transport accessibility level (PTAL) is high, with Wood Green tube station a walking distance away. We have therefore considered that the majority of the prospective residents of

this site would travel by public transport, especially with the proximity of the underground station. There is also the presence of the Wood Green controlled parking zone (CPZ) operating Monday to Saturday from 0800hrs to 1830hrs and Monday to Sunday from 08:00am to 10:00pm, west and east of the site respectively, which provides adequate on-street car parking control at this location .Furthermore, the site does not fall within an area that has been identified within the Haringey Council adopted UDP as that suffering from high on-street parking pressure.

- 6.3 Given the good links to public transport and presence of the CPZ, the development fulfils the criteria for designation as a 'car free' development. Therefore, the highway and transportation authority would not object to this application subject to the imposition of a condition requiring that the applicant enters into a S.106 agreement that: "The residential unit is defined as 'car free' and therefore no residents therein will be entitled to apply for a residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development." The applicant must contribute a sum of £1000 (One thousand pounds) towards the amendment of the TMO for this purpose.

#### Local Residents

- 6.4 No comments have been received from local residents/ amenity groups.

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

### Background

- 7.1 This application follows previous planning approvals (Ref: HGY/2010/1343) for the change of use of the ground floor from B1 (business) / D1 (non-residential institution) to C3 (residential) comprising 5 x two bed flats and 1 x three bed flat – Refused 21/09/2010. This application was refused permission on the grounds that the proposed change of use was not considered acceptable by reason of the documentary evidence submitted and the proposed layout would not provide satisfactory living conditions for future residents.
- 7.2 As outlined above the ground floor commercial space (528 sqm) associated with this site was given consent in December 2007 in association with an application for the redevelopment of this site.
- 7.3 This current application is now for 5 units as opposed to 6 units considered as part of application ref: HGY/2010/1343. The main issues in regards to this application are considered to be (1) the principle of a residential use/ change of use, (2) the layout/ standard/ mix of accommodation of the proposed residential units, (3) impact on the amenity of adjoining occupiers (4) transportation/ car parking and (5) planning obligations.

## Principle of Residential Use/ Change of Use

7.4 The very first issue in considering an application of this nature is the loss of the employment use. While the application site does not fall within a defined employment area (DEA) the requirement of policy EMP4, which outlines criteria for the change of use of land and buildings previously in employment generation apply in this case. The policy states that planning permission will be granted to redevelop or change the use of land and buildings in an employment generating use provided:

- a) the land or building is no longer suitable for business or industry use on environmental, amenity and transport grounds in the short, medium and long term; and
- b) there is well documented evidence of an unsuccessful marketing/advertisement campaign, including price sought over a period of normally 18 months in areas outside the DEAs, or 3 years within a DEA; or
- c) the redevelopment or re-use of all employment generating land and premises would retain or increase the number of jobs permanently provided on the site, and result in wider regeneration benefits.

7.5 The principle of partial residential use for this site was established by way of planning application, Ref: HGY/2006/2276 approved 20/03/2007. The application site is located within an established residential area, close to Wood Green town centre and close to a number of public transport facilities. A partial residential development on this site was considered appropriate and to be in accordance with the sequential approach advocated in policy HSG1 'New Housing Development'. As outlined in the planning history above consent was given in March 2007 for the demolition of the existing building on site and the erection of 3 storey block comprising of 9 flats.

7.6 As outlined above the site has not been occupied since the site was redeveloped after the Job Centre use ceased and moved to a different building. The applicant outlines that the premises has been marketed since 2008. A letter from Drivers & Norris has been submitted with the application which states that the property has been advertised continuously for 34 months for £18.50 per square foot and £15 per square foot respectively. The agent argues that the advertised rental value is comparable to the rent being sought in the area and gives some examples (as outlined below). A letter has also been submitted by Paul Simon Seaton agents.

	Floorspace	Price per annum	Price per sq ft
Nightingale Road, Wood Green, London N22	287	£6500	£22.65
Mayer Road, Wood Green, London N22	1200	£16500	£13.75
St. Michael, London N22 7SJ	1075	£17500	£16.28

7.7 The applicant's agent argues that despite the marketing campaign deployed by the Estate agents, the commercial premises has not let. In the supporting information submitted it is stated that there has been some interest e.g. from Haringey Council who wanted to use it as a call centre, however none of these

have materialised into a lease agreement. In the information submitted with the application it is stated that to ensure that the size of the units was not off putting to prospective tenants, the owners were willing to sub-divide the property into smaller units.

- 7.8 In the supporting statement submitted the applicant points out that in the same period they were successful in letting a similar scheme in Palmers Green, due to the demand of office space within that locality.
- 7.9 Within the supporting information submitted with this application the agent outlined that there are well known commercial properties within the area such as The Chocolate Factory and The Haringey Cultural Quarters, which have vacant units to let.
- 7.10 Based on the information submitted the LPA accept that the commercial space in question has been actively marketed for 18 months with little interest, and as such accept an alternative use may be appropriate.

Layout / standard & mix of residential accommodation

- 7.11 The proposed residential accommodation will consist of 5 self contained units, all to be located on the ground floor. The unit sizes (as set out below) meet the floor space requirements set out in SPD 'Housing' for 2 and 3 bedroom units.

E1 - 2 Bed 4 Pers - 86 sq.m  
E2 - 2 Bed 4 Pers - 87 sq.m  
E3 - 3 Bed 5 Pers - 102 sq.m  
E4 - 2 Bed 3 Pers - 64 sq.m  
E5 - 2 Bed 3 Pers - 62 sq.m

- 7.12 All of the room sizes are consistent with the floorspace minima outlined in Figure 8.1 of the Housing SPD. While the scheme provided a high number of 2 bedroom units, the mix is considered acceptable as it is acknowledged that it is difficult to accommodate family size units in a ground floor space of this nature.
- 7.13 Two of the units will have their own independent access along the side of the building which is access via the covered arched access along the front elevation of the building. Three of the units to the rear of the building will also have their own external amenity space measuring 33sqm each. The units to the front of the building will have small terraces which will be covered/recessed within the building. As part of the works associated with the conversion the large glazing along the front elevation to the commercial unit will be removed and the building modified to include the recessed terraces accessed from sliding patio doors. Details of the associated changes to the front of the building, which will require a higher front boundary treatment and landscaping will be required to be submitted as part of a condition associated with the approval of this application.

- 7.14 As the proposal is below the 10 unit threshold, no affordable housing provision is required in this case.

#### Impact on Residential Amenity

- 7.15 The proposed scheme would be accommodated within the existing building envelope and all additional windows/openings would be at ground floor level. Apart from the lowering of the two flank walls and the addition of fence/gates to the front there would be no significant external alterations to the building. These changes will not result in overlooking or loss of amenity to adjoining occupiers.

#### Transportation & Car Parking

- 7.16 The proposed development is located where the public transport accessibility level (PTAL 6) is high, with Wood Green tube station within walking distance. The Council's transportation team consider that the majority of the prospective residents of this site would travel by public transport, especially with the proximity of the underground station. There is also the presence of Wood Green controlled parking zone operating Monday to Saturday from 0800hrs to 1830hrs and Monday to Sunday from 0800hrs to 200hrs, west and east of the site respectively, which provides adequate onstreet car parking control at this location.
- 7.17 Taking into account the high PTAL rating for this site, and the fact that the 9 residential units in the upper floors to the building are already 'car free', it is considered that the nature of this development is also suitable for a 'car-free' development. This will be secured by way of a Section 106 agreement and will prevent future occupiers from applying for residents parking permits under the terms of the relevant traffic management order.

#### Planning Obligations

- 7.18 In line with Supplementary Planning Guidance 10a 'The Negotiation, Management and Monitoring of Planning Obligations' and SPG 10c 'Educational Needs Generated by New Housing', the LPA will seek an educational contribution in connection with this development. The education contribution as per the scheme submitted and calculated in accordance with SPG 10a would amount to £20,000.00.
- 7.19 As outlined above it is also requested that the residential unit are defined as 'car free' by Section 106 and that no residents therein will be entitled to apply for a residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development". A contribution of £1,000.00 is sought towards the amendment of the TMO.



## 8. CONCLUSION

- 8.1 Whilst the proposed scheme will involve the loss of a commercial space suitable for employment use which has been actively marketed for a period of over two years, the proposed conversion of this space to residential use is compatible with the use within the rest of the building and surrounding area. The associated changes to the design and layout of the building are considered sensitive to its surrounding and the character of the area and overall the proposal will provide adequate living accommodation.
- 8.2 As such the proposal is considered to be in accordance with policies: G2 'Development and Urban Design', UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing Development', HSG9 'Density Standards', HSG10 'Dwelling Mix' of the adopted Haringey Unitary Development Plan 2006 and with supplementary planning guidance SPG1a 'Design Guidance and Design Statements', and the Council's 'Housing' Supplementary Planning Document (2008). Given the above this application is recommended for APPROVAL.

## 9. RECOMMENDATIONS

### RECOMMENDATION 1

- 9.1 The Sub-Committee is recommended to RESOLVE as follows: (1) That planning permission be granted in accordance with planning application no. HGY/2010/2083, subject to a pre-condition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under Section 106 of the Town & Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974 in order to secure:

(1.1) A contribution of £20,000.00 towards educational facilities within the Borough (£10,000.00 for primary and £10,000.00 for secondary) according to the formula set out in Policy UD8 and Supplementary Planning Guidance 10c of the Haringey Unitary Development Plan July 2006;

(1.2) A sum of £1,000.00 towards the amendment of the relevant Traffic Management Order(s) (TMO) controlling on-street parking in the vicinity of the site to reflect that the residential units shall be designated 'car free' and therefore no residents therein will be entitled to apply for a residents parking permit under the terms of this Traffic Management Order(s) (TMO);

(1.3) The developer to pay a administration / monitoring cost of £1,000.00 in connection with this Section 106 agreement. This gives a total amount of £22,000.00.

## RECOMMENDATION 2

- 9.2 That in the absence of the Agreement referred to in the resolution above being completed by 31<sup>st</sup> March 2011, planning application reference number HGY/2010/2083 be refused for the following reason:

In the absence of a formal undertaking to secure a Section 106 Agreement for appropriate contribution towards education the proposal is contrary to Policy UD8 'Planning Obligations' of the adopted Haringey Unitary Development (2006) and Supplementary Planning Guidance SPG10a 'The Negotiation, Management and Monitoring of Planning Obligations' and SPG10c 'Educational Needs Generated by New Housing Development'

## RECOMMENDATION 3

- 9.3 In the event that the Planning Application is refused for the reason set out above, the Assistant Director (PEPP) (in consultation with the Chair of Planning Committee) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:

- (i) there has not been any material change in circumstances in the relevant planning considerations, and
- (ii) the further application for planning permission is submitted to and approved by the Assistant Director (PEPP) within a period of not more than 12 months from the date of the said refusal, and
- (iii) the relevant parties shall have previously entered into the agreement contemplated in resolution (1) above to secure the obligations specified therein.

## RECOMMENDATION 4

- 9.4 That following completion of the Agreement referred to in (1) above, planning permission be GRANTED in accordance with planning application no HGY/2010/2083 and the Applicant's drawing No.(s) SLP-100; EX-01, 02; PL-100C & 101A and subject to the following conditions:

### IMPLEMENTATION

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.

#### EXTERNAL APPEARANCE / SITE LAYOUT

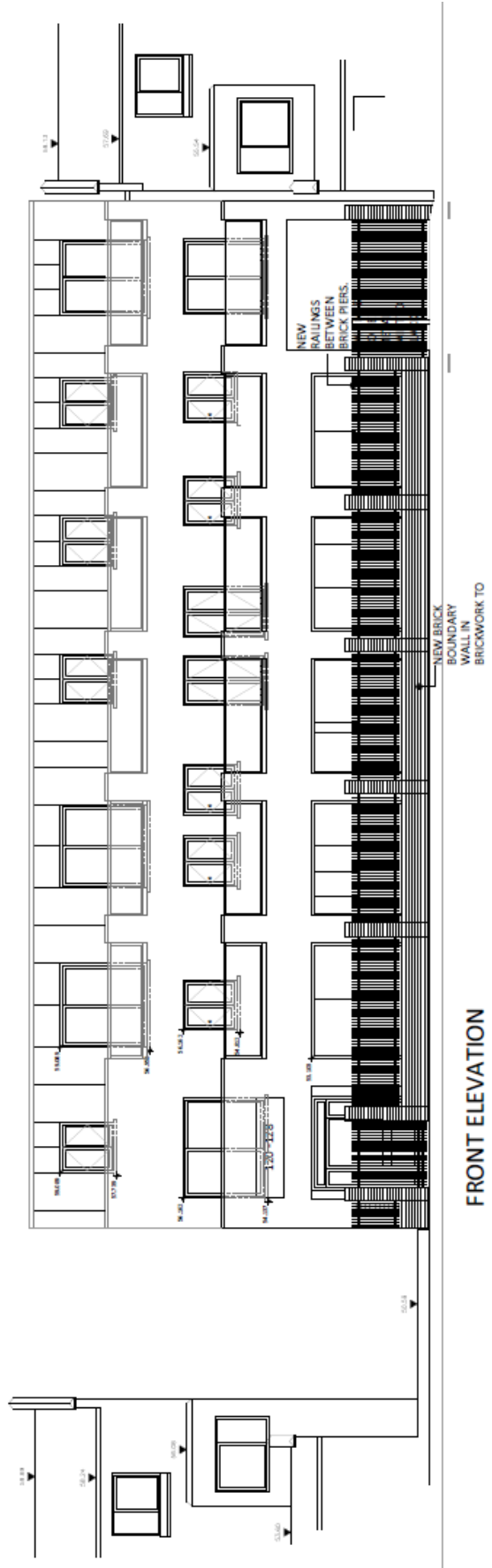
3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in connection with the new front boundary treatment, including landscaping, have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with such approved detail and prior to the occupation of the residential units hereby approved.

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

INFORMATIVE: The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573).

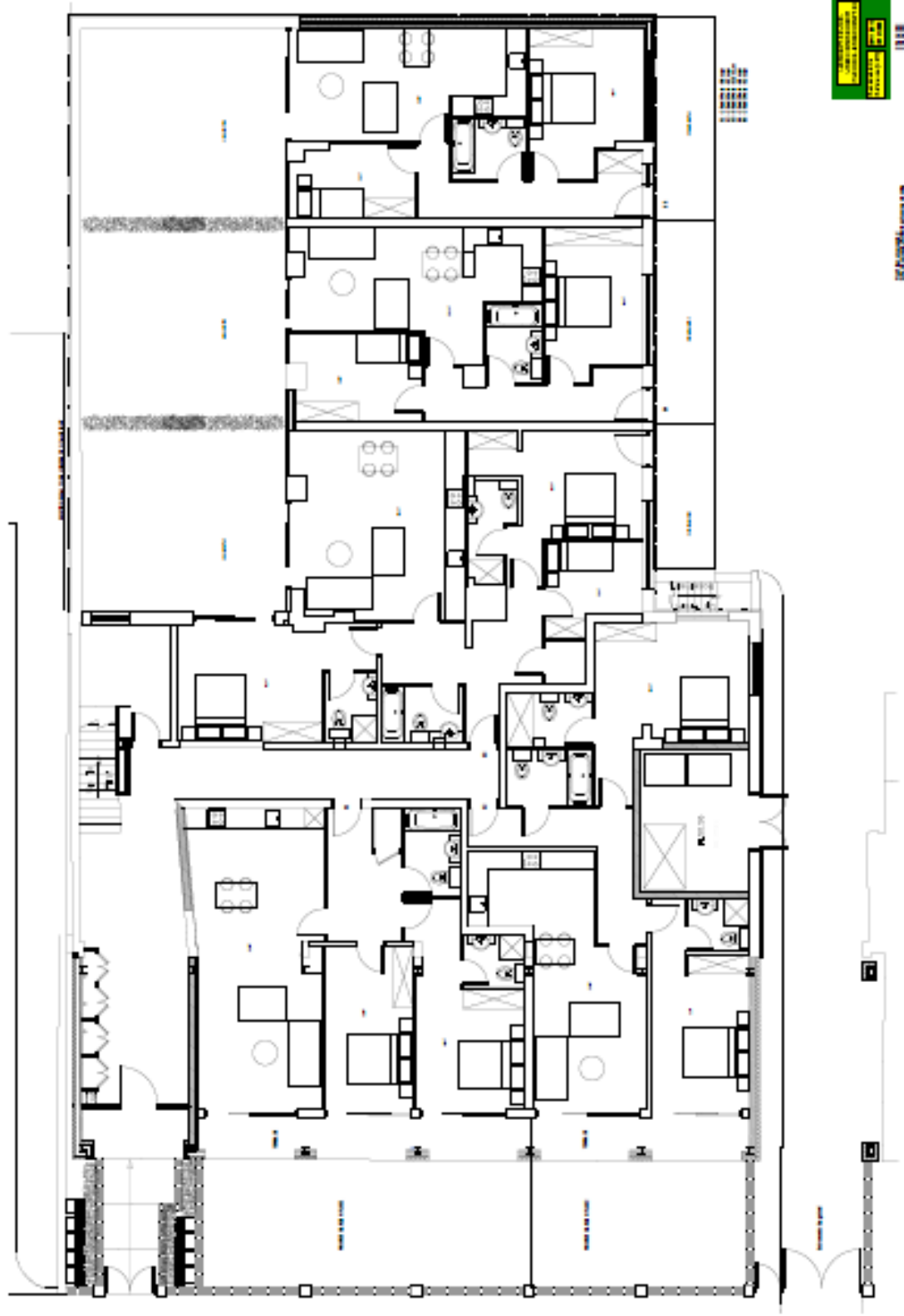


**Photos 1 & 2 : Front elevation onto Mayes Road**



FRONT ELEVATION

Drawing 1: Proposed front elevation



Drawing 2: Proposed floor plan