

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

Reference No: HGY/2011/1550	Ward: Muswell Hill
<p>Address: Land to rear of 10 - 12 St James's Lane N10</p> <p>Proposal: Demolition of existing lock-up garages and the erection of a 2 storey 4 bedroom dwelling with the 1st floor partially accommodated within the roof space</p> <p>Existing Use: Car garages/workshop Proposed Use: Residential</p> <p>Applicant: Mr Martin Jones</p> <p>Ownership: Private</p>	
<p>Date received: 25/08/2011 Last amended date: 07/11/2011 Rev A</p> <p>Drawing number of plans: 1738.P.01, 02, 03A, 04A,05A, O6A,07A, 08A incl. and DAT/9.0</p>	
<p>Case Officer Contact: Ruma Nowaz</p>	
<p>PLANNING DESIGNATIONS:</p> <p>Conservation Area</p>	
<p>RECOMMENDATION</p> <p>GRANT PERMISSION subject to conditions</p>	
<p>SUMMARY OF REPORT:</p> <p>The proposal is for the demolition of the existing garages on this site and the erection of a 2 storey 4 bedroom dwellinghouse. The site is a backland site bounded by properties on St James Lane and Church Crescent. This application follows on from a previous application which was dismissed at appeal in 2004. This proposal has been substantially reduced in height and scale and is now considered to sit well within the site. 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 position, scale, mass and design of the proposed dwelling has been carefully considered to create a discrete building which will not adversely affect the nature of the site, or the building patterns of the adjoining properties, which define the character and appearance of this part of the conservation area. The proposal achieves an acceptable relationship with adjoining properties and will not adversely affect the residential and visual amenities of adjoining occupiers.</p>	

1.0 SITE AND SURROUNDINGS

- 1.1 The application site is a small backland site located to the rear of houses No's 10 to 14 St James's Lane and No's 22 & 24 Church Crescent. The site slopes from north to south and has significant difference in levels (approximately 1.8 meters). The site is 476 sq m in size and effectively splits into two parts. The first part of the site, the wider section to the west, is occupied by six lock up garages in various state of disrepair and a forecourt /hardstand area. The second part of the site, at a higher level to the east, is an area behind the rear garden of No 10 St James Lane and originally formed part of the garden to this property.
- 1.2 The site is accessed via an access way approximately 35m long and 4m wide situated in between No's 10 and 12 St James's Lane. This also serves as a pedestrian route with a footpath leading into the grounds of Bishops View Court, a relatively recent constructed 7-8 Storey housing development which adjoins the site to the south east. Beyond this is Beattock Rise, a modern low rise housing scheme. St James's Lane has a variety of property types and styles. No's 1 to 55 (odd) St James's Lane consists of terrace properties built in red brick with contrasting white painted timber windows porches and eaves brackets that support hipped slate roof. The other side of St James's Lane is set further back and has a greater influence of trees and landscape elements. Nos. 12 to 36 (even) are terrace properties with an Arts and Crafts influence and have prominent hipped roofs and chimney stacks, multi-paned casement windows and bays. Although the properties on this road differ in style there is general consistency in their height and the use of red brick and hipped tiled roofs. Nos 22 and 24 Church Crescent are large terrace houses.
- 1.3 The site is located within the Muswell Hill Conservation Area; an essentially Edwardian suburb that developed around a once rural village settlement on high ground. It has a considerable consistency of character and appearance that derives from the development of the majority of buildings and laying out of the streets over a period of less than 20 years (1896-1913).

2.0 PLANNING HISTORY

2.1 Planning Application History

In 1980, Planning permission was refused for the erection of 2 bedroom bungalow (HGY/22608) on the following grounds:-

1. The proposed development would result in the loss of off-street garage parking and would lead to the increase of parked vehicles in St. James Lane.
2. The proposed bungalow would be detrimental to the visual amenities of nearby residents in this part of the Muswell Hill Conservation Area.

In 1988 Outline Planning permission was refused for the erection of one dwelling currently used as garaging (HGY/36343) on the following grounds:

- 1 The proposed development would result in the loss of off-street garage parking and would lead to the increase of parked vehicles in St. James Lane.
- 2 The proposed development would result in a loss of visual amenity to nearby residents in this part of Muswell Hill Conservation Area.
- 3 The proposed development would result in an undesirable form of backland development.

- 2.2 In 2004 Planning permission was refused for the erection of a two storey, 4 bedroom single dwelling house. (HGY/2004/0834). This was subsequently dismissed at appeal in 2005 (APP/Y5420/A/04/1169858) on the following grounds:

The Inspector considered that size and scale of the house and would manifest itself in a substantial physical presence which would be the case especially when seen from the north and east, in what is a currently relatively an open situation between the backs of two rows of house. The Inspector was also critical of the design of the house in particular the mansard roof with its large flat area. The Inspector considered that the proposal because of its position, size and appearance, would fail to preserve or enhance the character or appearance of this part of Muswell Hill Conservation Area.

In terms of residential amenity the Inspector considered that there would be no materially harmful loss of sunlight or daylight. However he considered that as the levels fall away, the proposal would be obtrusive when viewed from houses in St. James Lane and would have an effect on the living conditions of the occupiers of these houses in terms of outlook and visual appearance. On this basis he dismissed the appeal.

- 2.3 Planning Enforcement History
None

3.0 PROPOSAL

- 3.1 This proposal is to demolish the lock up garages on the site and to erect a two-storey 4 bedroom dwelling with the first floor partly accommodated within the roofspace. The proposal will involve excavation into the site to lower the siting of the proposal and the creation of a subterranean garage/work studio. (amended scheme)

4. RELEVANT PLANNING POLICY

4.1 National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing
Planning Policy Statement 5: Planning for the Historic Environment

4.2 London Plan- 2008 (Incorporating Alterations)

Policy 3A.1 Increasing London's supply of housing
Policy 3A.2 Borough housing targets
Policy 3A.3 Maximising the potential of sites (London Plan Density Matrix)
Policy 4B.5 Creating an inclusive environment
Policy 4B.8 Respect local context and communities
Policy 4B.12 Heritage conservation

4.3 Unitary Development Plan

G1 Environment
G2 Development and Urban Design
G3 Housing Supply
UD2 Sustainable Design & Construction
UD3 General Principles
UD4 Quality Design

UD7 Waste Storage
 ENV6 Noise Pollution
 ENV7 Air, Water and Light Pollution
 HSG1 New Housing Development
 HSG2 Change of Use to Residential
 HSG9 Density Standards
 M10 Parking for Development
 OS17 Tree Protection, Tree Masses and Spines
 CSV1 Development in Conservation Areas

4.4 Supplementary Planning Guidance / Documents

SPG1a Design Guidance
 SPG2 Conservation and Archaeology
 'Housing' SPD October 2008
 SPG3c Backlands Development
 SPG8b Materials
 SPG8e Light Pollution
 SPG9a Sustainability Statement

4. **CONSULTATION**

08/09/2011

Statutory	Internal	External
Thames Water Muswell Hill CAAC	Transportation Waste management Commercial Environmental Health Building Control Conservation and Design Councillors	<u>Amenity Groups</u> 08/09/2011 Muswell Hill CAAC Muswell Hill and Fortis Green association <u>Local Residents</u> 8-27 (cons) St James Lane 29- 55 (odd) and 91 St James lane 2- 30 Church Crescent 24A Bishops View Court, Church Crescent 9 Kings Avenue <u>Total No of Residents</u> <u>Consulted: 126</u>

5. **RESPONSES**

Thames Water

5.1 Waste Comments

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 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.

5.2 Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning Permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Building Control

- 5.3 Provided the distance from a Fire Vehicle on St James Lane N10 to the furthest point in the new house does not exceed 45m, the Fire Brigade would be acceptable. If the distance is exceeded, domestic sprinklers would be satisfactory.

Transportation

- 5.4 The application site is located within an area that has a medium level of public transport accessibility and is located within walking distance of the local bus services available on Muswell Hill Broadway. It is therefore likely that the prospective residents would use sustainable modes of transport for some of their journeys to and from the site.
- 5.5 Although the off-street parking and turning space is slightly impractical, the development can easily accommodate parking for two vehicles, which meets the standards set out within the Haringey Council adopted UDP (2006).
- 5.6 It has been noted that the refuse storage area has not been indicated on the plans. However, the design and access statement states that refuse will be moved to the back edge of the pavement for collection. It is recommended that the Council's Waste Management Service be consulted to ensure that the proposed refuse storage arrangements are adequate.

- 5.7 The proposal is unlikely to have any significant impact on the surrounding highway network or parking demand within the immediate vicinity of the site. Therefore, the highway and transportation authority do not wish to raise any objections.

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)

Waste management

- 5.8 This proposed waste storage area (Day of collection only) is suitable. Please note waste collections start from 06:00 therefore refuse and recycling wheelie bins will need to be presented for collection either the night before or prior to 06:00 on day of collection.

Further to our recent telephone conversation regarding the location of the refuse / recycling storage on collection day.

We have consulted with the applicant in this regard and can confirm that the applicant is happy to comply (perhaps by way of a condition) and that in order for household waste to be collected that the refuse will need to be placed at the end of the vehicular access way to the site (adjacent to the back edge of the pavement) within the site's demise on the day of collection.

The rest of the time, it is proposed to store the 360 litre Wheelie Bin (885mm x 620 mm), Garden Refuse Sack and Food Waste Box either in the House forecourt area or within the Garage / Workshop Area.

We have identified an appropriate area at the end of the site's access way (attached) which is adequate for the purposes of temporarily accommodating a 360 litre wheelie bin on collection day and still allows 3.2m of unimpeded access for vehicles to pass. (e.g.: Dennis Sabre Fire Tender 2.43m).

Conservation

- 5.9 No objections to proposed scheme

Commercial Environmental Health

- 5.10 With reference to above planning application for demolition of existing garages and the erection of a 2 storey 4 bedroom dwelling; I recommend the following conditions;

- 5.11 Contaminated land:

Before development commences other than for investigative work:

a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources,

pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

5.12 Control of Construction Dust:

No works shall be carried out on the site until a detailed report, including Risk Assessment, detailing management of demolition and construction dust has been submitted and approved by the LPA. (Reference to the London Code of Construction Practice) and that the site or Contractor Company be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.

As an informative:

Prior to demolition of existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.

Local Residents

2 letters of support from 6 and 38 Bishops View Court, providing side access from St James lane and right of way is retained to Bishops view Court and rear of properties on St.James Lane

10 objections received on the following grounds:-

5.14 Design and Conservation Area

- Effect on the Conservation Area:- We do not believe that the development will preserve or enhance the Conservation Area. It is a large development with the footprint taking up a large proportion of the available site. The design of the property seems more related to maximising the accommodation available within the site rather than fitting in with the Edwardian character of the area, as stated, the development appears to be contrary to policy CSV1.
- Modern dwelling house with contemporary design and materials is not compatible with Edwardian properties and surrounding Conservation Area and visually intrusive.

5.15 Height and scale

- The height, size, scale and prominence of dwelling on an elevated site is unduly dominant and would have an overbearing impact on the adjoining properties, resulting in overdevelopment and loss of amenity and overlooking resulting in loss of privacy.
- Encroaches on existing garden space and overhangs garden area contrary to PPS3 which seeks to prevent garden grabbing. The rear of 10 St James Lane is a garden area and the former garden of this property and half of site is excluded from Brownfield land. In 2010, the definition of brownfield land has changed to exclude land in built up areas such as gardens.
- Overlarge roof level will dominate the property and damage the landscape and vista across North East London.
- Three large mature trees in close proximity
- Pre-plan application shows a discrepancy in height by over 1m between the section and plan. Assuming that the garden is 5.4m above ground level, then the proposal is closer to the section which is 1m higher.
- Amount of parking on the site is excessive
- Backland site on an elevated position with a large footprint. The scale, siting and design would be out of character.

5.16 Amenity Issues

- Overlooking/loss of privacy/overbearing nature of the development: - There will be overlooking of our garden, particularly from the outside terrace on the first floor, as shown in the attached images and as can be seen from the plans. Due to the slope in the land, the development is at a higher level than our property and garden and would be intrusive and overbearing. These are contrary to your policies SPG3b/c.
- Loss of visual amenity/outlook: - The outlook of the area is generally open, with trees and Edwardian building. The proposed development would be very visible,

with considerable bulk. It would adversely impact on the outlook and visual amenity of the area. The development therefore contravenes policy UD4.

- Noise/nuisance from development. Chimney flue is in close proximity to Church Crescent Properties
- Excavation into the clay soil may lead to problems of flooding and/or subsidence and subsequent effects on neighbouring properties
- Previous proposal for the development of land was dismissed at appeal in 2005. The reason given was that it would have an adverse impact on the outlook and visual amenity of the area.

5.17 Amenity Groups

Muswell Hill CAAC

Tiles are more appropriate than slates for main roof. Object to loss of parking

Muswell Hill and Fortis Green association

Objection

1. The loss of garages/parking space is regrettable in this area where parking space is at a premium
 2. The footprint is overlarge in relation to the site area, of which part is or was part of the rear garden of 10 St James's Lane . This open space will be built on
 - 3.- The outlook and amenity of properties in St James's Lane backing onto the site will be adversely affected. The whole of the 1st floor and roof of the new house being above the eaves level and window levels of number 12 St James's Lane. the outlook and views from the upper levels of properties in Church Crescent will also be adversely affected .
 4. The proposed building, because of its size and position fails to preserve or enhance the character of this part of the Conservation Area .
- I trust these matters will be taken into consideration in assessing this application

5.18 Cllr Bloch

Objection: Comments: I would like to object to this application as the local ward councillor. Although the density has been reduced as compared with the previously turned down application it is still too bulky for the area. Also the design is not in keeping with the conservation area. I would strongly urge that this application come before the full planning committee so that the residents and applicants views can be heard.

Lynn Featherstone MP

I hope you will take into account resident's objections when making this decision.

6. ANALYSIS / ASSESSMENT OF THE APPLICATION

6.1 The main issues in the determination of this application are considered to be:

- Principle of development/Loss of Garages
- Siting, Design, form & layout;
- Impact on the character and appearance of the Conservation Area
- Impact on residential amenity;

- Impact on trees;
- Access & parking.

6.2 Principle of Residential Development/ Loss of Garages

The proposal seeks the demolition of the six lock up garages which are in various states of disrepair and currently only used by the applicant for repair and storage of his own vehicles. The loss of the lockup garages and the associated parking provision and storage facility is a material consideration but as this is a private use, the loss of these garages are considered to be acceptable.

The application site contains a building of large footprint which has existed on this site since the early 1950 and as such is considered to constitute a previously developed site. The proposal would meet the criteria set out in policy HSG1 'New Housing Development' and as such there is no in principle objection to the creation of a dwelling unit on this site. The density of the proposed development would fall within the density range of 200-700 habitable rooms per hectare as advocated in the London Plan.

The revised PPS3 'Housing' of June 2010 reclassifies garden sites as greenfield land (they were formerly considered to be 'previously developed', or 'brownfield', land). This is intended to remove the in-built presumption in favour of development of garden sites, which was applied to all 'brownfield' land under the previous version of the guidance. In this case, part of the site contains the rear garden area of no. 10 St James Road at a higher level. The ground floor extends on to part of this garden area, however the proposal retains part of this area as rear garden and increases the overall garden area. Furthermore it is important to note that this reclassification does not mean that development on garden sites is now prohibited. Planning permission can still be granted on suitable 'greenfield sites', where residential amenity and other planning considerations can be addressed.

The LPA acknowledge that if this site had not been developed upon and had remained as a large rear garden, then the principle of introducing a residential unit on this site would be considered contrary to the aspirations of PPS3. However, in this case the site has been developed upon and has accommodated a structure used for non-residential uses, therefore meaning that the site would have to be viewed as 'previously developed' or 'brownfield land'.

Notwithstanding the points outlined above, the principle of residential use on this site is be considered acceptable, given the surrounding area is predominantly residential in character. However, the limitation/ constraint of the site need to be carefully considered in a development proposal.

6.4 **Design & Form and layout**

The scheme as presented would consist of a four bedroom unit in the form of a 1½ storey building with dormers/ rooflights with east/west facing aspects. The proposal also seeks to excavate into the site to partly sink the development and create a subterranean garage/work studio beneath the existing garden level.

In the previous scheme in 2004 (HGY/2004/ 0834), the eaves height was 6.4m rising to 10m at the ridge of the hipped mansard roof. The planning Inspector considered that there would be no material harm in terms of loss of sunlight and daylight but concluded that the structure, due to its bulk and massing would be intrusive and have an overbearing presence and would also result in the loss of privacy associated with the position of a proposed terrace.

The site is relatively constrained in terms of its size and shape and at present is only occupied by single storey garages, and by reason of being surrounded by residential properties it affords neighbouring residents a relatively open aspect at present. The main impact of the proposed development would be on the properties on St James Lane to the north and to a lesser extent to the properties on Church Crescent to the south. From St James's Lane side, the proposed development would be approximately 4m rising to 6m and 7.2m at the highest point of the pitched roof; which at its highest point would be approximately 1m above the rear fence line to properties on Church Crescent.

While the footprint of the proposal will remain very similar to 2004 scheme, the bulk, height and mass is reduced because of the change in the roof form, from a mansard to a pitched roof, and as the proposal cuts into the site, the overall height has been lowered. The scheme will therefore sit more comfortably within the topography of the site and will have a more acceptable relationship with adjoining properties and their rear gardens. The section of the building closest to No 14 St James's Lane has been pulled back from this boundary to further mitigate the impact of the proposal with some tree planting/ landscaping placed in between the front of this part of the building and the boundary line, to further helping to soften the appearance of the development as viewed from neighbouring properties/ gardens.

6.5 Impact on the Character of the Conservation Area

6.51 The site is located within the Muswell Hill Conservation Area; an essentially Edwardian suburb that developed around a once rural village settlement on high ground. It has a considerable consistency of character and appearance that derives from the development of the majority of buildings and laying out of the streets over a period of less than 20 years (1896-1913)

The site is accessed via an access way approximately 35m long and 4m wide situated in between No's 10 and 12 St James's Lane. This also serves as a pedestrian route with a footpath leading into the grounds of Bishops View Court, a relatively recently constructed 7-8 storey housing development which adjoins the site to the south east. Beyond this is Beattock rise, a modern low rise housing scheme. St James's Lane has a variety of property types and styles. No 1-55(odd) St James Lane consists of terrace properties built in red brick with contrasting white painted timber windows porches and eaves brackets that support hipped slate roof. The other side of St James Lane is set further back and has a greater influence of trees and landscape elements. Nos. 12 to 36 (even) are terrace properties with an Arts and Craft influence and have prominent hipped roofs and chimney stack, multi-paned casement windows and bays. Although the properties on the road differ in style there is general consistency in their height and the use of red brick and hipped tiled roofs. Nos 22 and 24 Church Crescent and large terrace houses 22 and 24 Church Crescent are large terrace houses.

In respect of the previous scheme, the Planning Inspector considered that the size and scale, appearance and position of the house would fail to preserve the character and appearance of the Conservation Area. The new proposal has reduced the overall height and removed the mansard roof for a hipped pitched roof. The overall height, design and appearance is now substantially more subordinate than the previously refused scheme and will sit well within the topography of the landscape and the building as now proposed will be a relatively discrete feature and will not adversely affect the open nature to this part of road. The Conservation Officer has not objected to this proposal. The building as now proposed will also not adversely affect the views to backs of existing dwellings on St James Lane, which are viewed to contribute to the character of the Conservation Area.

In terms of proposed materials, as the site is within the Muswell Hill Conservation Area, the design and materials of the proposal should be sympathetic to character and setting of its surrounds. The proposed materials of natural slate and cedar cladding are considered acceptable in this context. As such the proposal is considered to be in accordance with policy CSV1.

Impact on Residential Amenity

- 6.18 The planning Inspector in his decision notice in respect of the previous planning application in 2004, considered that there would be no material harmful loss of sunlight or daylight, however he considered that as the levels fall away, the proposal would be obtrusive when viewed from houses in St James Lane and would have an effect on the living conditions of occupiers of these houses in terms of outlook and visual appearance.
- 6.19 The proposed development has taken careful consideration in terms its layout and design to ensure that the privacy and amenity of neighbouring occupiers will not be adversely affected. In order to further address concerns raised by residents on St. James Lane, the front part of the proposed building has been further set back from the rear of St James Lane.
- 6.20 Objections have been received from residents in Church Crescent and St James's Lane. The main concerns are outlined below:
- Overlooking and Loss of Privacy from terrace and overbearing due to the slope of the hill – will be visually dominant in properties on St James Lane.
 - Large footprint and overdevelopment of the site
 - The large modern development is not in keeping with the Edwardian nature of this Conservation area and would be very visible.
 - Encroaches on garden space contrary to PPG3
 - Overlarge roof will detract from the property
 - Discrepancy in height shown in the plans
 - Possible problems of flooding and subsidence from excavation

The revised proposal has a reduced height and bulk and has removed the mansard roof. The terrace is set to the rear of the site behind the building line and would not have a significant effect on overlooking or loss of privacy. As such the proposal is considered not detract from the amenity of the surrounding residential properties.

Impact on Tress

- 6.21 There are three large trees in close proximity and it is recommended that if permission is to be granted, it is recommended that an arboriculture report be submitted in connection with the proposed development, specifically the impact associated with excavation and the creation of a basement floor.

Transport, Access and Parking

- 6.24 The proposal provides sufficient parking with the scheme and Transportation has not objected to this proposal. The development can easily accommodate parking for two vehicles, which meets the standards set out within the Haringey Council adopted UDP (2006).
- 6.22 The very back wall of the site is further than 45m away from the back edge of the pavement and therefore this does not meet the London Fire and Emergency Planning Authority's requirement of 45 metres to allow access for a pump appliance to within all points within a dwellinghouse. However, the use of a residential sprinklers can be used in such a case as sprinklers allows the distance between fire fighting shafts to be increased from 45 metres to 60 metres. This is due to the fact that sprinklers prevent fire growth and therefore allow more time for fire-fighters to attack a fire.

Waste management

- 5.6 It has been noted that the refuse storage area has not been indicated on the plans. However, the design and access statement states that refuse will be moved to the back edge of the pavement for collection. The Council's Waste Management Service has been consulted and are satisfied with these arrangement.

6.6 Environmental & Sustainability Issues

In line with Unitary Development Plan and London Plan policy, any proposed development should be based on the principle of sustainable design and construction and should incorporate energy efficient measures and renewable energy technologies where possible. It is noted that the proposal is for a family eco house to achieve a minimum of code 4 in the Code for Sustainable Homes.

7.0 CONCLUSION

- 7.1 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 position, scale, mass and design of the proposed dwelling has been carefully considered to create a building which will not adversely affect the character of the site, the building patterns of the adjoining properties which define the character and appearance of this part of the conservation area. The proposal achieves an acceptable relationship with adjoining properties and will not adversely affect the residential and visual amenities of adjoining occupiers.

- 7.2 The proposed scheme involves a reduction in the size, bulk and footprint relative to a scheme dismissed on appeal in April 2010. The position, scale, mass and detailing of the proposed dwelling has been carefully considered to create a building which will not adversely affect the building pattern on St James Lane and the character of this part of the road. The building now proposed is substantially more subordinate than the previously refused scheme and will sit behind high boundary treatment with landscaping.
- 7.2 As such the proposed development is considered to be in accordance with policies UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing Development', CSV1 'Development in Conservation Areas', OS17 'Tree Protection, Tree Masses and Spines' of the adopted Haringey Unitary Development Plan and Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology' and the Council's 'Housing' SPD. This application is therefore recommended for APPROVAL.

8.0 RECOMMENDATION

GRANT PERMISSION subject to conditions

Registered No. HGY/2011/1550

Applicant's drawing No.(s) 1738.P.01, 02, 03A, 04A,05A, 06A,07A, 08A incl. and DAT/9.0 Rec 07/11/2011

Subject to the following condition(s)

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.

MATERIALS & SITE LAYOUT

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the external 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 and soft landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details.

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

5. Details including the type, specification and location of external lighting shall be submitted to and approved in writing by the Local Planning Authority before the residential unit hereby approved is occupied and thereafter carried out in accordance with the approved details.

Reason: To prevent adverse light pollution to neighbouring properties.

PERMITTED DEVELOPMENT RIGHTS

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any part of Class A., C, D & E of Part 1 of that Order shall be carried out on site.

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

CONSTRUCTION

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 1300 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.

CONTAMINATED LAND

8. Before development commences other than for investigative work:
 - a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-

- " a risk assessment to be undertaken,
- " refinement of the Conceptual Model, and
- " the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

CONTROL OF CONSTRUCTION DUST

- 9.0 No works shall be carried out on the site until a detailed report, including Risk Assessment, detailing management of demolition and construction dust has been submitted and approved by the LPA. (Reference to the London Code of Construction Practice) and that the site or Contractor Company be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.

Reason

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

TREES

10. The existing trees on the site shall not be lopped, felled or otherwise affected in any way (including raising and lowering soil levels under the crown spread of the trees) and no excavation shall be cut under the crown spread of the trees without the prior written permission of the Local Planning Authority.

Reason: In order to safeguard the trees in the interest of visual amenity of the area.

11. The works required in connection with the protection of trees on the site shall be carried out only under the supervision of the Council's Arboriculturalist. Such works to be completed to the satisfaction of the Arboriculturalist acting on behalf of the

Local Planning Authority.

Reason: In order to ensure appropriate protective measures are implemented to satisfactory standards prior to the commencement of works in order to safeguard the existing trees on the site.

12. 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.

ACCESS

13. Notwithstanding the approved plans, the pedestrian access to Bishop's View Court shall be permanently retained and access to this pedestrian right of way shall not be blocked at anytime. Entrance gates to the development shall open into the site so as not to impede this access to Bishops View Court at any time.

Reason: In order to protect the access for residents to Bishops View Court and St James Lane.

WASTE COLLECTION

14. Notwithstanding the approved , household waste to be placed at the end of the vehicular access way to the site (adjacent to the back edge of the pavement) within the site's demise on the day of collection. Waste collections start from 06:00 therefore refuse and recycling wheelie bins will need to be presented for collection either the night before or prior to 06:00 on day of collection.

The rest of the time, waste must be stored in the 360 litre Wheelie Bin (885mm x 620 mm), Garden Refuse Sack and Food Waste Box either in the House forecourt area or within the Garage / Workshop Area.

Reason: In order to protect the amenity of the surrounding residential properties and ensure that household waste is collected.

SUSTAINABILITY

15. The proposed development must achieve Level 4 Code for sustainable homes.

Reason: To ensure that the development meets the code Level for sustainable homes as approved in order to contribute to a reduction in carbon dioxide emissions generated by the development in line with National and Local Policy Guidance and improve environmental quality and resource efficiency.

INFORMATIVE: Prior to demolition of existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any

asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.

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)

INFORMATIVE: In regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to road, 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 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.

INFORMATIVE: Thames Water recommend the following informative be attached to this planning Permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

INFORMATIVE: Provided the distance from a Fire Vehicle on St James Lane N10 to the furthest point in the new house does not exceed 45m, the Fire Brigade would be acceptable. If the distance is exceeded, domestic sprinklers would be required. Applicant is advised to contact the fire brigade in respect of this matter.

REASONS FOR APPROVAL

The proposed scheme involves a reduction in the size, bulk and footprint relative to a scheme dismissed on appeal in April 2010. The position, scale, mass and detailing of the proposed dwelling has been carefully considered to create a building which will not adversely affect the building pattern on St James Lane and the character of this part of the road. The building now proposed is substantially more subordinate than the previously refused scheme and will sit behind high boundary treatment with landscaping.

As such the proposed development is considered to be in accordance with policies UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing Development', CSV1 'Development in Conservation Areas', OS17 'Tree Protection, Tree Masses and Spines' of the adopted Haringey Unitary Development Plan and Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology' and the Council's 'Housing' SPD.

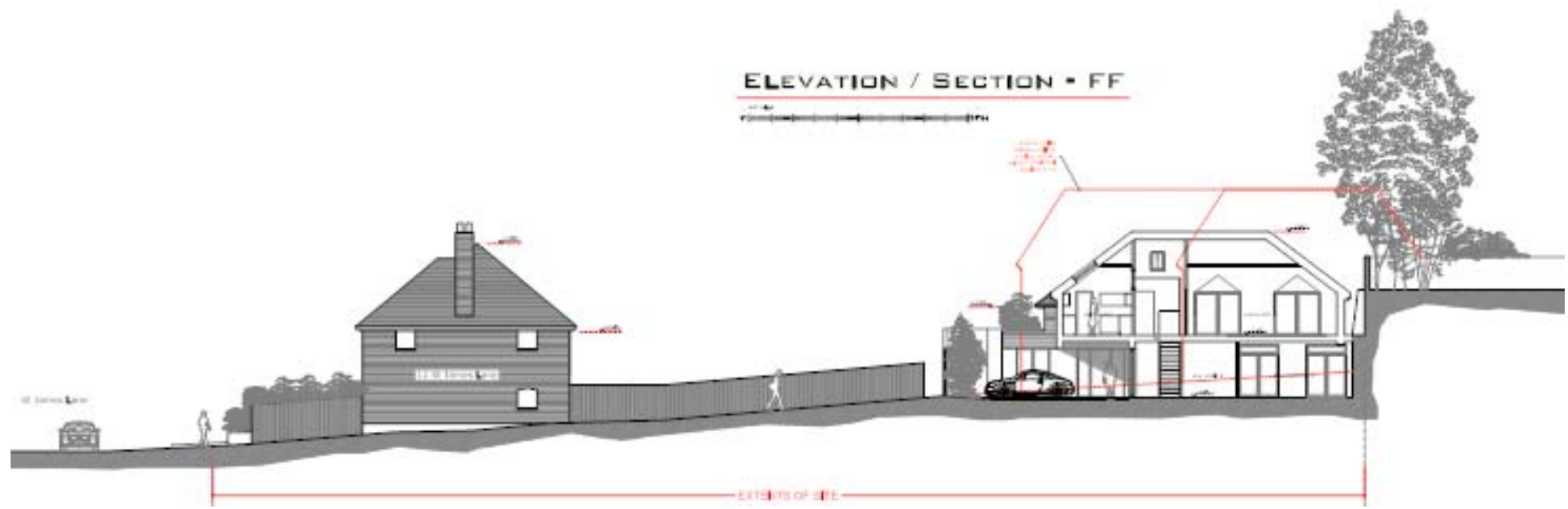


AERIAL PHOTO FROM SOUTH



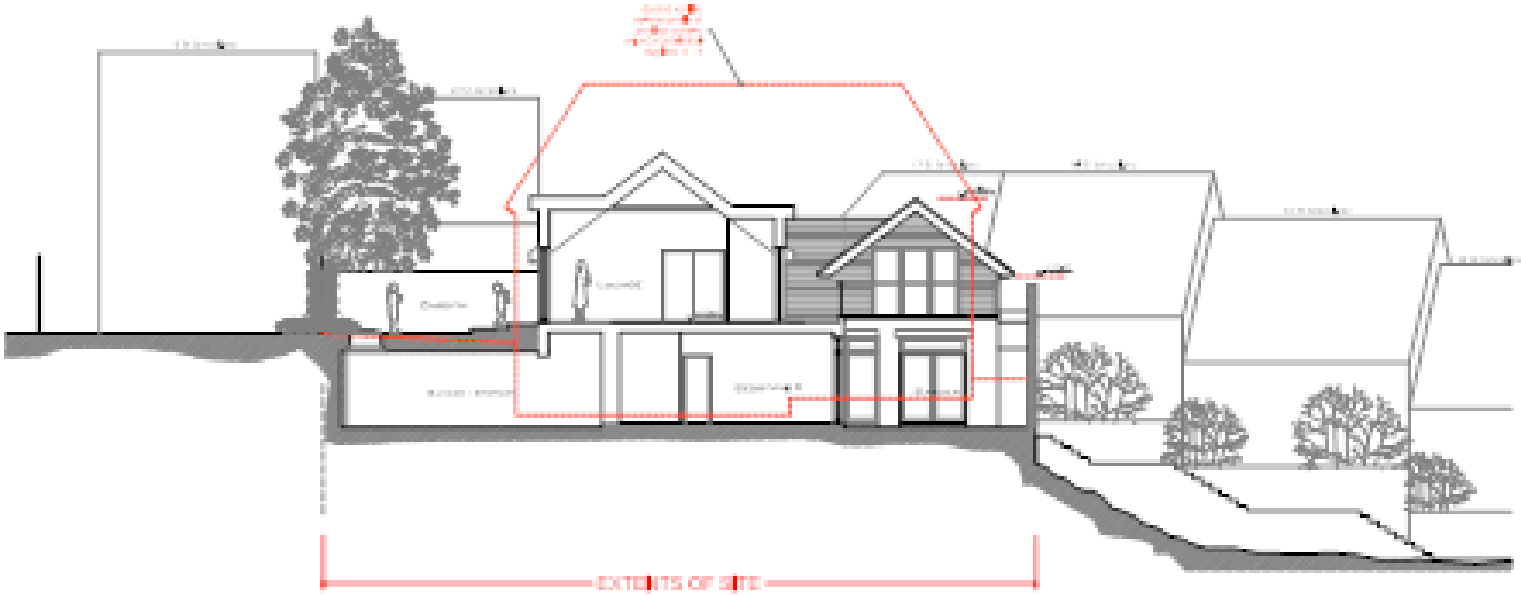
AERIAL PHOTO FROM EAST

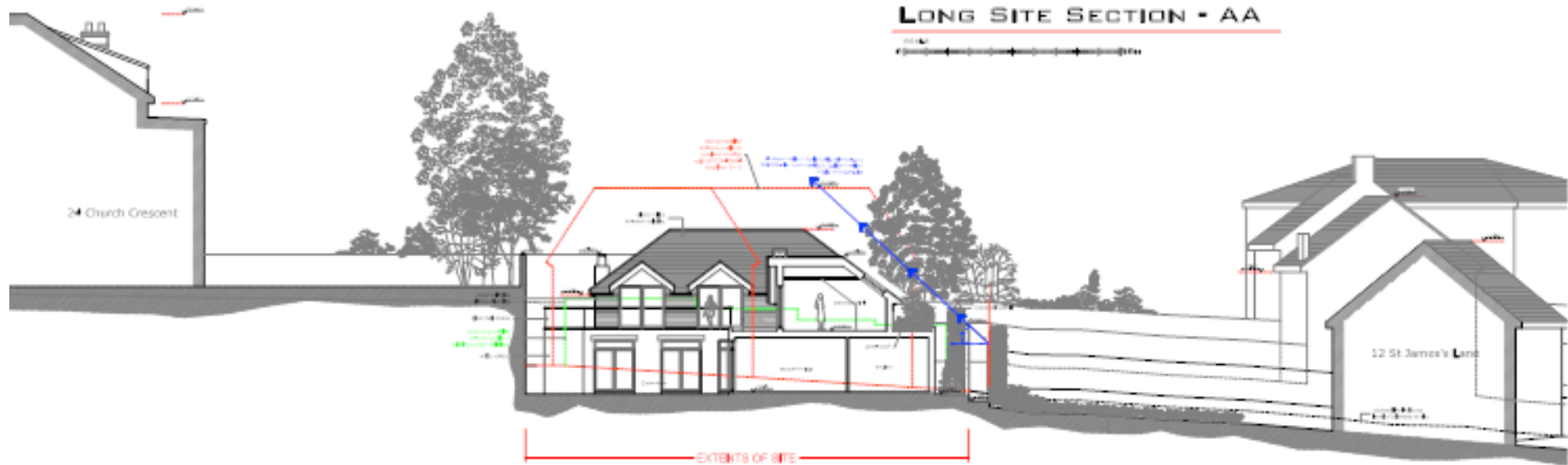
ELEVATION / SECTION - FF

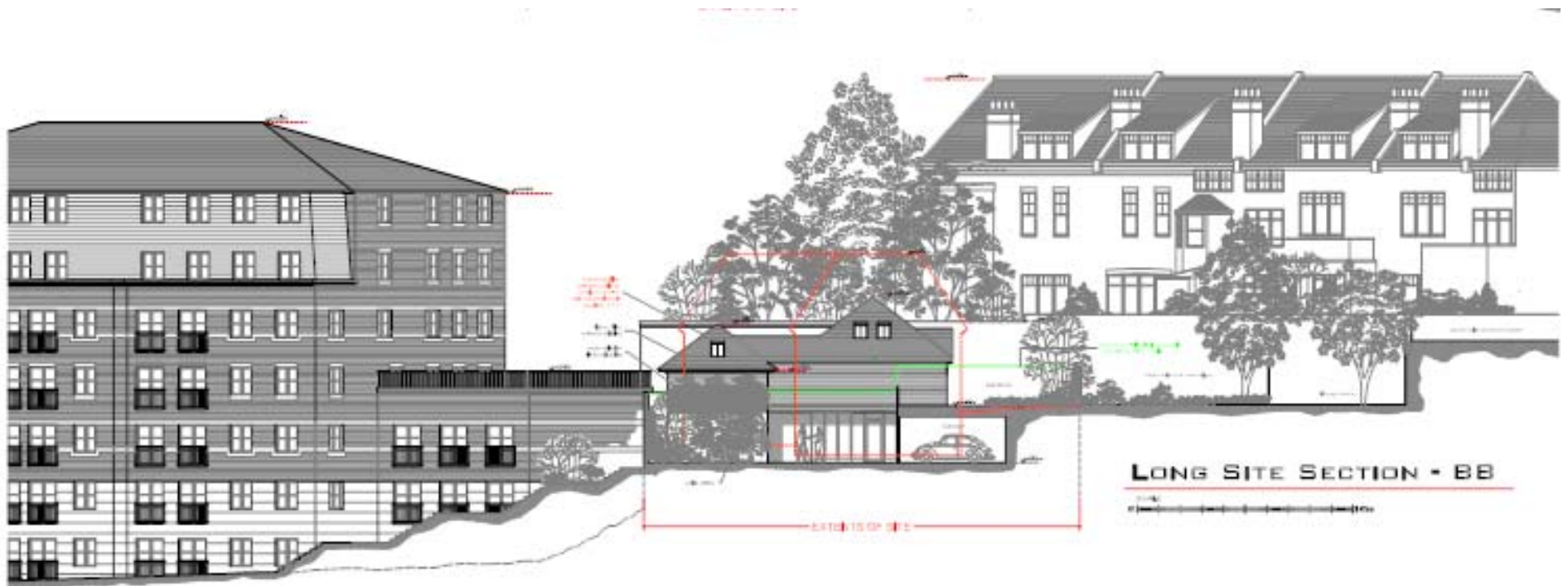


ELEVATION / SECTION - EE

1/8" = 1'-0"







LONG SITE SECTION - BB

1" = 10'-0"