

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

**Reference No:** HGY/2006/0580

**Ward:** Crouch End

**Date received:** 21/03/2006

**Last amended date:** 07/07/2006

**Drawing number of plans:** 2873 P01 rev B & P02 rev B.

**Address:** Land Rear Of 27 - 47 Cecile Park N8

**Proposal:** Demolition of existing 39 garages and erection of 5 x 2 storey three bedroom houses with associated landscaping and 10 no. parking spaces.

**Existing Use:** Garages  
Residential

**Proposed Use:**

**Applicant:** Mithril Homes

**Ownership:** Private

**PLANNING DESIGNATIONS**

Crouch End Conservation Area  
Road - Borough

**Officer contact:** Luke McSoriley

**RECOMMENDATION**

GRANT PERMISSION subject to Section 106 Legal Agreement and conditions

**SITE AND SURROUNDINGS**

Approximately 40 lock-up garages currently occupy the site. The garages are situated along the southern boundary of the site. Vehicle access is gained between numbers 37 and 39 Cecile Park. Much of the site is gravelled. The site is within The Crouch End Conservation Area; the southern edge of the site forms the boundary of the Conservation Area.

**PLANNING HISTORY**

9 applications for the erection of lock up garages were submitted between 1967 and 1984 with the most significant being the granting of permission for 39 garages in 1967.

OLD/1986/0974 - Erection of 17 lock up garages REFUSED 28/07/86

- OLD/2000/0604 - Residential development to provide 7 x 2 storey houses and 1 self-contained flat with car ports / parking for 14 cars, also 26 lockup garages REFUSED 15/12/00
- OLD/2000/0605 - Conservation Area Consent for the demolition of garages REFUSED 15/12/00
- HGY/2000/0935 - Application to erect 7 houses and one flat and garages in basement area REFUSED 05/12/00 subsequent appeal DISMISSED
- HGY/2000/0933 - Conservation Area Consent to erect 7 houses and one flat and garages in basement area REFUSED 05/12/00 subsequent appeal DISMISSED.
- HGY/2001/1696 - Application to erect 6 dwellings and ten garages REFUSED 06/04/04 subsequent appeal DISMISSED.
- HGY/2001/1697 - Conservation Area Consent for the demolition of garages.  
REFUSED 27/07/04 subsequent appeal DISMISSED.
- HGY/2005/1985 - Demolition of existing 35 garages and erection of 5 x 2 storey three bedroom houses with associated landscaping and 10 No parking spaces.  
WITHDRAWN 14/12/05
- HGY/2005/1987 - Conservation Area Consent for the demolition of 35 garages.  
WITHDRAWN 14/12/05

## **DETAILS OF PROPOSAL**

The application proposes the demolition of 39 existing garages situated on the site and erection of 5 x 2 storey three bedroom houses with associated landscaping and the formation of 10 no. parking spaces. Units 1, 3, 4 and 5 would contain a ground floor level with combined kitchen and dining room with a first floor level of three bedrooms one with ensuite. Unit two would contain the same layout at the first floor level but would have a separate dining room and a living room at ground floor level with a kitchen situated at lower ground floor level.

## **CONSULTATION**

31/03/2006

Site Notice  
Transportation  
Cleansing

Building Control  
Ward Councillors  
Hornsey CAAC  
Conservation Team  
Council Arboriculturalist  
63a, 1 – 63 (o) Cecile Park, N8  
30 – 52 (e) Cecile Park, N8  
17a, 29a, 29b Cecile Park, N8  
2 – 46 (e) Tregaron Ave, N8  
7 – 29 (o) Elm Grove, N8

## RESPONSES

### **Conservation Officer**

I have noted the 2 no. Inspector's decisions on previous proposals for the site and am mindful of their assessments.

The proposals have been amended since my observations in April 2006, and now feature 5 separate detached houses arranged on the site with significant gaps between them. In terms of layout I consider this is a significant improvement as the proposed built form is visually permeable with views through these gaps.

I note how the levels step down across from the south from the houses on Elm Grove to their rear gardens, to the site itself and to the Cecile Park gardens on the north side, and I note the distances between the proposed development and the existing terraces, and that there are no windows proposed at first floor level facing Elm Grove.

The important issue I feel still needs to be resolved is the form of the roof. As proposed it is a mansard form with a roof pitch which is far too steep – essentially it results in internal accommodation which is comparable with a full blown 2 storey house. Visually these 'mansards' appear as a developers diluted 'mock 'Georgian' roof form which visually jars and looks out of place in this backland context in the Conservation Area. They appear visually too obtrusive - as over bloated roofs – essentially the developer is trying to cram too much in. It is important that the architectural form of the late Victorian terraces should remain visually dominant and any replacement development for the garages should clearly be subordinate in scale, size and visual appearance. This may be achieved by a 'neutral' form and style of development.

I would therefore recommend that the 'mansard' roof form be deleted and that the reduced first floor accommodation be within a double pitched roof form, i.e. say 45 degree pitch. This would reduce the overall mass and bulk of development at first floor level, and I consider that the resulting roof form would appear visually harmonious with the existing Victorian terraces and preserve the character and appearance of the Conservation Area.

On this basis I consider that in principle the scheme can be acceptable subject to the receipt of satisfactorily amended drawings and to the approval of good quality external facing materials.

**Waste Management** - recommended a list of conditions.

'The proposed bin storage area is 40 metres distant from the nearest available collection point on the public highway. This is well in excess of the 10 metre guideline pulling distance for bulk refuse bins and significantly in excess of the 25 metre guideline pulling distance for wheelie bins.

This means the refuse collection vehicle will need to enter the site to collect refuse. The public highway outside the site will need to be protected from indiscriminate parking to ensure the collection vehicle can access onto and egress from the site without hindrance. This can be facilitated in a number of ways:

- Installation of as wide a radius kerb line as possible
- Installation of kerb build-outs with wide radius kerbs as entrance to site
- Lay double yellow lines at entrance to and opposite site to sufficient distances to ensure refuse vehicles can comfortably make the turn into the site from the public highway.

For all of the above suggestions you will need to consult the highways department.

Once on the site the refuse collection vehicle will need a hammer-head so as to be able to turn and leave the site forwards. There appears to be sufficient space for this at the top of the entrance road. The developer should build in sufficient measures to ensure this area is kept clear of parked cars so the refuse collection vehicle can comfortably turn on the site.

The driveway will need to be sealed. Individual wheelie bins are favoured for use on this site. The bin storage looks acceptable'.

**Tree Section** - The following comments and observations relate to the proposed development on the trees on site and in neighbouring gardens. Drawing number P01 Rev B was used for identification purposes. No arboricultural report was supplied.

#### Tree coverage

There are no trees on the site that will be affected by the development. However, there are two significant trees in the rear gardens of adjacent properties, where consideration is necessary.

Located to the rear of 38-40 Tregaron Avenue is a mature Horse chestnut (T1) protected by a Tree Preservation Order (TPO). This tree has been subject to regular heavy crown reduction. It has a thin canopy and has been infected by *Cameraria ohridella*, an insect pest that causes degradation of the foliage and leads to it falling prematurely.

Located in the rear garden of 31 Cecile Park is a mature Sycamore (T2). It also has a thin canopy but this condition on both trees is probably the result of them suffering from drought stress.

#### Tree Protection

B.S. 5837:2005 Trees in relation to construction recommends a minimum Root Protection Area (RPA) for trees on development sites. The RPA is an area around each tree to be left undisturbed.

For T1 and T2 this distance is 12m square. However, the assessment of the RPA must take into consideration many factors, including the soil type and structure and the distribution of roots when influenced by past or existing site conditions.

The site is presently used for lock-up garages. The land in front of the garages has been subject to regular vehicle traffic. This would lead to the assumption that the soil is compacted. These conditions are not favourable to root growth, as poor soil structure and the availability of oxygen and water is greatly reduced.

The poor rooting environment of this site would indicate that the majority of the trees roots will be located within the residential gardens where conditions are more favourable.

#### Proposed Site Layout

The layout indicates that House 1 is positioned 6.5m from T2. It can be determined that the construction of the new structure would not have a detrimental effect on the tree. However, the trees canopy extends over the site to 7m, which will necessitate pruning works. The location of the tree will also restrict natural daylight into the building whilst in leaf.

The layout indicates that House 2 is positioned 4m from T1. It can be also determined that the construction of the new structure would not have a detrimental effect on the tree, if careful consideration is given to the design and construction of the foundations.

Careful consideration must also be given to the construction of the new driveway. Trial pits dug by hand beneath the canopy of T2 must be undertaken to determine the location of any significant structural roots prior to excavation for the sub base.

#### Planning conditions to ensure tree protection.

Robust planning conditions must be used to ensure protective measures are implemented for the safe retention of the Sycamore and Horse Chestnut tree.

The following are minimum requirements:

A pre-commencement site meeting must be specified and attended by all interested parties, (Architect, Consultant Arboriculturist, Planner Officer, LA

Arboriculturist and Contractors) to confirm the protective measures to be installed for trees.

A method statement must be produced detailing the design and construction of the foundations for House 2.

### Conclusions

In my opinion, the proposed new development can be constructed without any detrimental effects on the existing trees in adjacent gardens.

### **Transportation -**

Although this site is located in an area with low public transport accessibility level and within Crouch End restricted conversion area which has been identified as that with car parking pressure, the W7 bus route - Crouch Hill which offers some 26 buses per hour (two-way), for frequent bus connection to and from Finsbury Park tube station, is a walking distance away. We have subsequently considered that majority of the prospective residents of this development would use public transport for their journeys to and from the site. In addition, notwithstanding the loss of the garages, the applicant has proposed 10 car parking spaces, as shown on Plan No. P01.

However, there is the concern with the narrow width of the vehicular access which at just over 4 metres, would not allow refuse or similar servicing vehicles to pass private cars and cannot accommodate a dedicated route for pedestrians and cyclists entering and exiting the site. We would therefore ask the applicant to submit a scheme for a shared use of the vehicular access by pedestrians/cyclists. Also, we would require some control within the site, in the form of signage, warning exiting drivers to give priority to inbound traffic.

Consequently, the highway and transportation authority would not object to this application subject to the following conditions:

(1) The applicant erects a priority signage indicating that 'priority is given to vehicles in the opposite direction', in the form of roundel Ref.No 615, as contained in the 'Traffic Signs and General Directions 2002', at the start of the vehicular access, northbound towards Cecile Park. This would ensure that vehicles entering the site from Cecile Park would have priority over the opposing traffic at all times.

Reason: To minimise disruption to traffic on Cecile Park and curtail vehicular conflict along the site access.

(2) The applicant submits a scheme with appropriate paving materials, typical of a shared surface and which would enable drivers to pay special regard to pedestrians/cyclists along the site access, to the transportation authority for approval.

Reason: To minimise conflict between pedestrians/cyclists and vehicles along the site access.

**Hornsey CAAC** - We still feel that there are too many houses for this site, which is narrow and unsuitable for housing. But if this is still to be considered there should be only four houses, not five. We reiterate our earlier comments about the design: the detailing is fussy, the dormers are heavy and the mansard roofs are unsuitable on houses of this size. We also regret the loss of lock-up garages, which will increase the pressure on roadside parking and lead to more parking in front gardens.

**Hornsey CAAC** (original comments) - We reiterate the comment we made on the earlier application Nos. 2005/1985 & 2005/1987, which was as follows:

‘We object to the overdevelopment and overlooking, which will cause amenity problems with neighbours. This could be reduced if the development were reduced to four houses’.

We notice that in this revision the houses are higher than in the first application, which we regret. We preferred the design of the first revision with the roofs curving down to the rear, to the present pastiche with its heavy – looking dormers and unsuitable mansard roof’.

**21 individual letters** objecting to the proposed development were received and the following objections were raised:

- Would disrupt the visual outlook between Cecile park and Tregaron Avenue
- Noise levels would increase as well as vulnerability to crime
- Pollution levels and traffic congestion would increase
- Concern regarding loss of property values
- Site is a backlands property and there is already too much development on sites such as this
- Would have an adverse impact on the conservation area
- Would result in loss of privacy and overlooking
- Loss of valuable open space
- Narrow entrance to site will create difficulties for refuse collection & emergency vehicles
- Amounts to overdevelopment of the site
- Very similar to previous refused scheme
- Would add to pressure on local provision of schooling and healthcare
- Loss of light
- Loss of trees
- Overlooking from first floor side window of No. 11 Elm Grove
- Would result in loss of light to surrounding properties including gardens
- Lack of landscaping details
- In view of the restrictive shape of the site, being long, thin and narrow, redevelopment for residential use will inevitably impact significantly on the numerous surrounding properties which are all in close proximity
- Concern that the front elevation of the dwellings does not accurately reflect the relationship with the houses located to the rear. Is it proposed to reduce the level of the site to achieve the low height of the houses? And if so what effect will the lowering of the houses have on the trees?

- Development would have a significant impact on adjoining properties fronting Tregaron Ave. These Tregaron Ave properties have shorter gardens.
- Site is suited to a maximum of 4 houses
- Further housing in an area already densely populated with many existing buildings converted to flats would add to existing traffic, parking and pollution problems.
- Concern at proximity of the proposed houses to existing neighbouring housing.
- Development inappropriate for narrow site and would lead to a density and building density only found in the most crowded inner city areas.
- Impact of development on wildlife including foxes, squirrels and a range of birdlife.
- Impact on trees.
- Loss of existing garages / parking on the site would exacerbate existing parking issues in the area
- Squeezing further properties into a thin strip of land would be very unpleasant and give rise to issues of overlooking for surrounding neighbours.
- The Council are granting planning permission to developments which only seem to meet the requirements of the very affluent middle classes. I am sure that the proposed housing will not suit the pocket of the average teacher, nurse or Crouch End shop worker. There seems to be far too much emphasis on building luxury properties for people who can already afford existing properties on the market. Why continue to build further properties for only one social group, in an already over-populated area?

To the **initial** consultation, a **petition** with 98 names and addresses attached was received objecting on following grounds:-

The proposed development in its extent and density will have an acceptable adverse effect on the appearance of the Conservation Area with the devastating loss of vegetation and severe damage to mature protected trees.

Haringey's UDP requires 'there should not be any significant loss of privacy from overlooking adjoining houses or their back gardens'. These houses would mean a significant loss of privacy and a complete loss of any open aspect Conservation Area amenity common to the whole area.

We are concerned about the narrow entrance to the proposed site and the difficulties of access for refuse collection and emergency vehicles.

The current proposal barely differs from the previous application (turned down at appeal) to build six x 2 bedroom houses. We consider this to be an overdevelopment on such a small narrow site.

Any development would have a deleterious impact on the natural fauna in the habitat of owls, bats, hedgehogs, jays and other wildlife.

Parking in Cecile Park is already a major safety problem. Inevitable overspill from this development would cause further strain.

Local provision of schooling and healthcare is severely stretched. Further development would exert still greater pressure.

**Building Control** - 'The proposals have been checked under Regulation B5 – access for the fire service, and we have no observations to make'.

## RELEVANT PLANNING POLICY

UD 3 'General Principles'  
UD 4 'Quality Design'  
CSV 1 'Development in Conservation Areas'  
CSV 7 'Demolition in Conservation Areas'  
HSG 1 'New Housing Developments'  
HSG 2 'Change of Use to Residential'  
HSG 9 'Density Standards'  
M3 'New Development Location and Accessibility'  
M10 'Parking for Development'  
SPG 1a 'Design Guidance and Design Statements'  
SPG 3a 'Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes'  
SPG 3b 'Privacy / Overlooking /, Aspect / Outlook and daylight / Sunlight'  
SPG 3c 'Backlands Development'  
Planning Policy Guidance Note 3 – Housing (PPG3)

## ANALYSIS/ASSESSMENT OF THE APPLICATION

While the current application has to be considered on its own merits the Planning Inspectors Appeal decisions on the previous proposals for the redevelopment of the site provide important guidance in terms of the relevant planning issues that need to be considered. The main issues relevant to this application are: 1) Impact on the Crouch End Conservation Area 2) Design and Materials 3) Impact on Residential Amenity 4) Impact on Trees 5) Loss of Garages / Traffic Generation and Parking 6) Density 7) Educational Needs 8) Refuse Collection and Emergency Services Access 9) Amenity of Future Residents

### 1) Impact on Crouch End Conservation Area

The current application follows the refusal of two similar planning applications for the development of the site as well as two dismissed appeals. The design of refused scheme detailed in applications HGY/2000/0935 & 0933 was considered at appeal in July 2001, and the Inspector found that

*'whilst the design of the proposed dwellings would not imitate that of the surrounding buildings, their appearance, because of the use of similar features and materials, would be sensitive to the appearance of the existing buildings. However, the significant mass and bulk of the proposal, running the length of the site without interruption would not, in my opinion, respect the context of the surroundings or preserve the character of the conservation area.'*

Following the dismissal of this appeal another planning application was made (HGY/2001/1696 & HGY/2001/1697) and this was refused in April 2004. Although this application was refused and also went to appeal the design of the scheme was different to the previous scheme with detached houses proposed rather than a terrace of dwellings. In the appeal decision relating to this application The Planning Inspector concluded that the proposed development 'would serve to preserve and enhance the character and appearance of the

Conservation Area'. This appeal was dismissed only on grounds relating to overlooking from the first floor windows of two of the houses, rather than its impact on the Conservation Area.

The current application is similar in design and layout to the 2004 scheme with detached buildings proposed although the current application proposes one less dwelling. Only part of dwelling number 3 would be visible along the access road from Cecile Park and as such it is considered that the development would not detract from the character or appearance of the buildings fronting Cecile Park, which provide the visual focus for this part of the Crouch End Conservation Area. The site of the proposed development is a backland site and as such the development would not form a visually prominent group of buildings within the Crouch End Conservation Area. The current application in terms of its impact on the Crouch End Conservation Area is considered consistent with Policy CSV 1 'Development in Conservation Areas' in that it respects the character and appearance of the area and would preserve its historic character.

The application also proposes the demolition of 39 existing garages on the site. These garages have no historical value and the removal of these buildings would not have an adverse impact on the character and appearance of the Conservation Area. The proposed development is considered consistent with Policy CSV 7 'Demolition in Conservation Areas'.

## 2) Design and Materials

The proposed dwellings would have a low profile mansard style first floor set in at the front and rear of the buildings with a height of 5.9 metres at the eaves. The sides of the mansard roof would be constructed of grey coloured Cambrian slate while the ground floor front and back walls would be constructed of brick that would match the brickwork of adjacent properties. The plans propose two options for this brickwork either red stock or yellow multi. The proposed side walls of the dwellings would also be constructed of this brick.

The Council's Conservation Officer recommends that the 'mansard' roof form be deleted and that the reduced first floor accommodation be within a double pitched roof form, i.e. say 45 degree pitch. In this Officers opinion this would reduce the overall mass and bulk of development at first floor level, and would result in the roof form being more visually harmonious with the existing Victorian terraces and the character and appearance of the Conservation Area.

However the proposed dwellings would have a low profile design and would be set significantly lower than the adjoining dwellings on Tregaron Avenue. The proposed dwellings would be detached and would be spaced out along the application site as well as being relatively small in size. It is considered that due to the restrictive nature of the site new dwellings that imitate the design of the existing dwellings in the area is not possible or appropriate and as such the mansard style design is not inappropriate for the site. The design of the proposed dwellings is considered consistent with Policies UD 3 'General Principles' and UD 4 'Quality Design' of the Haringey Unitary Development Plan 2006.

### 3) Impact on Residential Amenity and Privacy & Design

SPG3b states that for two storey developments all rear facing habitable rooms situated directly opposite each other should be a minimum of 20 metres apart. All the proposed dwellings would be situated in excess of 20 metres from the nearest rear walls of the dwellings to the north fronting Cecile Park. As the proposed development meets this 20 metres distance requirement it is considered that the proposed development would not cause an unacceptable degree of overlooking or be overbearing to residential properties situated to the north along Cecile Park. This is consistent with the conclusions drawn in previous Inspectors appeal decisions.

The proposed dwellings would be situated between 10 to 14 metres from the rear walls of the existing houses to the south, which front Tregaron Avenue and as such would not adhere to the 20 metre set back requirement. In terms of the potential impact of the development on residential amenity the main issue to consider is whether the development would cause an unacceptable degree of overlooking or be overbearing to these adjoining residential properties to the south.

All the proposed dwellings in the current scheme would face towards the north and no windows are proposed in the rear elevations at first floor level. In addition no rooflights are proposed in the rear roof slopes of the dwellings. Two sets of French doors are proposed in the rear elevation of the proposed dwellings at ground floor level. Due to the slope of the land which runs down from Tregaron Avenue towards Cecile Park the French doors of proposed dwelling numbers 3, 4 and 5 would be set lower than the rear garden levels of the adjoining Tregaron Avenue properties. This would prevent any overlooking or loss of privacy arising from these French doors. Proposed dwellings 1 and 2 would be situated at a higher ground level than the other three houses however it is considered that through the use of appropriate conditions requiring adequate boundary screening any potential loss of privacy or overlooking could be avoided.

The layout of the proposed dwellings has been altered from the previous scheme with the dwellings spread out along the width of the backlands site more. One less dwelling is now proposed and this enables all the dwellings to be set off the boundaries of the site. All the proposed dwellings would be situated between 3.8 and 6 metres from the northern boundary of the application site and between 3.2 and 5.2 metres off the southern boundary of the site. The two end dwellings Numbers 1 and 5 would be situated 4.8 metres and 3.4 metres off the side boundaries of the site. The plans detail a large amount of landscaping along the property boundaries with fencing to be erected around the boundary and a large number trees planted along the boundary. The fencing and tree planting would screen the development and if permission is granted it is recommended that landscaping conditions be attached requiring details of the fencing and planting prior to work on the site commencing. It is considered that the current layout of the dwellings, the removal of all first floor windows and rooflights from the rear elevations and the proposed landscaping measures would prevent the issues of overlooking and loss of privacy which was the sole reason for dismissal of the last appeal on this site.

SPG 3c 'Backlands Development' states that where backland development is proposed, careful consideration will be given to all design issues with particular attention given to density and height of the proposal, privacy and outlook from existing houses and gardens, access arrangements, levels of traffic and reduction in sunlight to existing rear gardens. The design of the proposed development is considered consistent with SPG 3c 'Backlands Development' in that it would not give rise to overlooking or a loss of privacy is an appropriate density and height for a backlands site and would not be detrimental to the living conditions of the adjoining properties surrounding the site.

#### 4) Impact on Trees.

A large number of objectors to the scheme have identified potential loss of trees on the site as a concern. Within the confines of the site there are no trees that will be affected by the proposed development. There are a number of significant trees on both the northern and southern boundaries of the site, located just within the rear gardens of properties in Cecile Park and Tregaron Avenue.

All the proposed dwellings would be situated between 3.8 and 6 metres from the northern boundary of the application site and between 3.2 and 5.2 metres off the southern boundary of the site. The two end dwellings Numbers 1 and 5 would be situated 4.8 metres and 3.4 metres off the side boundaries of the site.

In terms of the trees on the southern boundary (in Tregaron Avenue gardens) a number of lock-up garages currently abut this boundary. Of these garages, all but two at the western end of the site will be removed, and their place occupied by the gardens of the new dwellings. These trees should therefore have more space for root development.

In terms of the trees situated on the northern boundary (in gardens of Cecile Park), the driveway serving the new housing is adjacent to the boundary, and the area is already surfaced with gravel or concrete. Subject to there being careful excavation for the sub-base of the access road within 2 to 3 m. of the stems of these trees, no adverse impact on trees adjacent to the boundary is likely and an appropriate condition could be attached if permission is granted to ensure this.

There is a large Horse Chestnut tree situated at the rear of 38 and 40 Tregaron Avenue which is covered by a Tree Protection Order. The excavation for the foundations of the nearest proposed dwelling (No.2) should be subject of a condition requiring special construction details in order to ensure protection of this tree.

The distance the dwellings would be situated off the boundaries of the site means that with the use of appropriate conditions no trees situated along the rear boundaries of adjacent properties are likely to suffer any adverse effects from the proposed development.

The Council Arboriculturist has commented on the application and concluded that through the use of appropriate conditions the new development can be

constructed without any detrimental effects on the existing trees in adjacent gardens.

#### 5) Loss of Garages / Traffic Generation and Parking

The 2001 scheme, dismissed on appeal, would have retained 26 garages and would have resulted in the loss of 14 garages. The Inspector, in coming to a decision on that scheme, found that the loss of 14 garages would not have a significant adverse effect on on-street parking. He noted that many of the garages were used by people who are not residents in the area, and that the garages were not tied by long-term agreements. The 2004 scheme would have resulted in the net loss of 25 garages and the Inspector in her decision noted that although there was pressure on parking spaces in the area the proposed development would provide 9 parking spaces and the loss of the existing garages would not cause harm. The current application proposes the provision of a total of 10 parking spaces for 5 new dwellings of three bedrooms each. Parking for 10 bicycles is also detailed on the application plans. This level of off street car parking considered adequate and consistent with Policy M10 'Parking for Development'.

The Inspector's decision on the 2001 appeal (7 dwellings and 25 lock-up garages), noted that there would be some increased activity associated with the new dwellings. However, he found that because of the overall reduction in the number of garages, there would not be a significant difference in the level of activity, and there would not be unacceptable noise and disturbance caused to neighbouring residents. Traffic issues were also not identified as a reason for the dismissal of the 2004 appeal (6 dwellings and ten garages). The revised application is for 5 dwellings and the removal of 39 existing garages, and the level of traffic expected to be generated would be less than with the 2001 and 2004 schemes. The traffic generation likely to arise from the proposed development would not be significant and would not detract from the amenity of local residents.

The Council's Transportation Department have not objected to the proposed scheme but have suggested the use of two conditions should the scheme be approved.

#### 6) Density.

The recommended density in Policy HSG 9 'Density Standards' states that residential development in the borough should normally be provided at a density of between 200 – 700 habitable rooms per hectare (hrh) and should have regard to the density ranges set out in Table 4B.1 of the London Plan.

The application site is 0.17 hectares in area including the access road and the proposed development would have a total of 26 habitable rooms. The density of the proposed development would therefore be 153 hrh.

Given that the application relates to a backland site situated within the Crouch End Conservation Area a density of 153 habitable rooms per hectare is

considered appropriate. A development with higher density is unlikely to be compatible with the existing pattern of development in the area. SPG 3c 'Backlands Development' states that the Council's Density Standards will not generally apply to backlands sites unless it can be shown that the scheme does not constitute town cramming and the density of the proposed development is considered consistent with this statement.

Density guidance in PPG3 on Housing states that densities should fall within the range of 30 to 50 dwellings per hectare (d.p.h). The proposed scheme would have a density of 29 d.p.h., and this is considered appropriate for a backland site being just outside the recommended range. The proposal accords with general Government objectives of achieving housing redevelopment on brownfield sites, and would result in an efficient reuse of the site. It also accords with objectives for achieving house building targets in the London Plan.

The density of the proposed development is considered appropriate for a backland site situated within a Conservation Area and is consistent with Policy HSG 9 'Density Standards' and SPG 3c 'Backlands Development'. The development would have a density of 29 dwellings per hectare and although this is just outside the recommended range of 30 to 50 dwellings per hectare contained in PPG3 is considered appropriate given that the site has a narrow shape, is situated within a Conservation Area and is a backland site. These density figures indicate that objections to this scheme on the grounds of excessive density or overdevelopment are not well founded.

#### 7) SPG 12 'Educational Needs' Section 106 Agreement

Under the terms of Circular 05/2005 Planning Obligations, and in line with Supplementary Planning Guidance Note 10, The Negotiation, Management and Monitoring of Planning Obligations, it is appropriate for Local Planning Authorities to seek benefits for the surrounding area appropriate to the size of and scale of the development. The Council therefore proposes to enter into an agreement under S106 of the Town and Country Planning Act 1990 to provide an education contribution as per the formula in SPG 12 'Educational Needs'.

The proposed development is made up of five three bedroom dwellings. The average number of children per dwelling for three bedroom dwellings under SPG 12 'Educational Needs' is listed as 1.112.

$5 \text{ (No. of units} \times \text{number of bedrooms)} \times 1.112 \text{ (average number of children)} = 5.56$

Expected child yield for development = 5.56 children

Primary contribution:  $5.56 / 16 \times 7 \text{ (number of years of primary education)} = 2.4325$

$2.4325 \times £10,378.00 \text{ (three year average amount of DfEE primary funding 05/06)} = £25244.49$

Secondary contribution:  $5.56 / 16 \times 5$  (number of years of secondary education) = 1.7375

$1.7375 \times £16,297.00$  (three year average amount of DfEE secondary funding 05/06) = £28316.04

$£25244.49 + £28316.04 = £53560.53$

Total Contribution = £53560.53

The applicant will need to enter into an agreement to contribute £53560.53 to education facilities in line with the requirements of Policy UD10 and Supplementary Planning Guidance 12 of the Haringey Unitary Development Plan 2006.

#### 8) Refuse Collection and Emergency Services Access

The Council's Building Department has assessed the proposed development and confirmed that the proposal has been checked under Regulation B5 – access for the fire service, and stated that they had no further observations to make.

The Council's Waste Management Department has also provided comments on the application. They have recommended a number of conditions that should be attached to the permission if granted. In addition they noted that refuse collection vehicles would have to enter the site to collect waste and have recommended that a vehicle hammerhead be provided to ensure that these vehicles could turn on the site. An amended plan has been received that shows an area for turning at the top of the access drive.

#### 9) Amenity of future residents

Proposed houses 1, 2, 4 and 5 would all meet the 50 square metre garden amenity space requirement. Proposed dwelling 3 would have just under 50 square metres of garden area, however 49 square metres of garden area is considered to be sufficient garden area for this house. The detached layout of the proposed dwellings and spacing of the dwellings along the width of the site would avoid issues of overlooking and loss of privacy between the new dwellings. The proposed development would create a satisfactory environment for the future owners / occupiers of the 5 proposed dwellings.

### **SUMMARY AND CONCLUSION**

The proposed development is considered an improvement on previous refused applications and one that has been designed to avoid the overlooking and loss of privacy issues the Planning Inspector identified in the most recent appeal decision relating to the site. The application is considered consistent with Policies UD 3 'General Principles' and UD 4 'Quality Design'.

The proposed development is considered consistent with Policy HSG2 'Change of Use to Residential' in that it would allow the Council to work towards its housing target while ensuring that there is no detrimental impact on the borough in terms of loss of employment / retail / open space.

In terms of its impact on the Crouch End Conservation Area the proposed development is considered consistent with Policy CSV 1 'Development in Conservation Areas' in that it respects the character and appearance of the area and would preserve its historic character. The application proposes the demolition of 39 existing garages on the site. These garages have no historical value and the removal of these buildings would not have an adverse impact on the character and appearance of the Conservation Area. The proposed development is considered consistent with Policy CSV 7 'Demolition in Conservation Areas'.

The density of the proposed development is considered appropriate for a backland site that is situated within a Conservation Area and is consistent with Policy HSG 9 'Density Standards' and SPG 3c 'Backlands Development'. The development would have a density of 29 dwellings per hectare and although this is just outside the recommended range of 30 to 50 dwellings per hectare contained in PPG3 it is considered appropriate given the narrow shape of the site, its location within a Conservation Area and that the fact that it is a backlands site.

The traffic generation likely to arise from the proposed development is not expected to be significant and would not detract from the amenity of local residents while the provision of 10 car parking spaces for the 5 new dwellings is considered adequate and consistent with Policy M10 'Parking for Development'.

## **RECOMMENDATION 1**

The Sub-Committee is recommended to RESOLVE as follows:

(1) That planning permission be granted in accordance with planning application no. HGY/2006/0580, 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 £53,560.52 towards educational facilities within the Borough (£25244.49 for primary and £28316.04 for secondary) according to the formula set out in Policy UD10 and Supplementary Planning Guidance 12 of the Haringey Unitary Development Plan July 2006. Plus 5% of this amount as recovery costs / administration / monitoring which equates to £2678.00 This gives a total amount for the contribution of £56238.52

(1.2) Installation of kerb build-outs and as wide a radius kerb-line as is possible at the entrance to the site. Reason: To ensure suitable access arrangements for refuse vehicles.

(1.3) The laying of double yellow lines at the driveway entrance to the site and opposite the entrance to the site to ensure refuse vehicles can comfortably make the turn into the site from the public highway and from the site onto the public highway.

Reason: To ensure suitable access arrangements for refuse vehicles.

(1.4) Priority signage indicating that 'priority is given to vehicles in the opposite direction', in the form of roundel Ref. No 615, as contained in the 'Traffic Signs and General Directions 2002', at the start of the vehicular access, northbound towards Cecile Park. This would ensure that vehicles entering the site from Cecile Park would have priority over the opposing traffic at all times.

Reason: To minimise disruption to traffic on Cecile Park and curtail vehicular conflict along the site access.

(1.5) The applicant submits a scheme with appropriate paving materials, typical of a shared surface and which would enable drivers to pay special regard to pedestrians / cyclists along the site access, to the Transportation Authority for approval.

Reason: To minimise conflict between pedestrians / cyclists and vehicles along the site access.

## **RECOMMENDATION 2**

That planning permission be GRANTED in accordance with planning application no. HGY2006/0580 and Applicant's drawing No.(s) 2873 P01 rev B & P02 rev B subject to the following conditions:

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.

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in connection with the development hereby permitted have been submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.

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

4. 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:

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. 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, 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. Details of the proposed foundations in connection with the development hereby approved and any excavation for services shall be agreed with the Local Planning Authority prior to the commencement of the building works.

Reason: In order to safeguard the root systems of those trees on the site which are to remain after building works are completed in the interests of visual amenity.

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

Reason: In order to safeguard the visual amenity of the area and to ensure adequate means of enclosure for the proposed development. And in order to ensure that any works in conjunction with the permission hereby granted respects the height of adjacent properties through suitable levels on the site.

7. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

8. Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning General Permitted Development Order 1995, no enlargement, improvement or other alteration of any of the dwellings hereby approved in the form of development falling within Classes A to E shall be carried out without the submission of a particular planning application to the Local Planning Authority for its determination.

Reason: To avoid overdevelopment of the site.

9. The authorised development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In order to ensure a satisfactory provision for drainage on site and ensure suitable drainage provision for the authorised development.

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

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

11. A vehicular turning area within the application site, to enable refuse service vehicles to enter and leave the site in forward gear shall be provided and permanently retained.

Reason: In order to ensure that adequate provision for car parking is made within the site.

INFORMATIVE: The new development will require naming/numbering. The applicant should contact the Transportation Group at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

## REASONS FOR APPROVAL

The proposed development is considered an improvement on previous refused applications and one that has been designed to avoid the overlooking and loss of privacy issues the Planning Inspector identified in the most recent appeal decision relating to the site. The application is considered consistent with Policies UD 3 'General Principles' and UD 4 'Quality Design'.

The proposed development is considered consistent with Policy HSG2 'Change of Use to Residential' in that it would allow the Council to work towards its housing target while ensuring that there is no detrimental impact on the borough in terms of loss of employment / retail / open space. In terms of its impact on the Crouch End Conservation Area the proposed development is considered consistent with Policy CSV 1 'Development in Conservation Areas' in that it respects the character and appearance of the area and would preserve its historic character.

The application proposes the demolition of 39 existing garages on the site. These garages have no historical value and the removal of these buildings would not have an adverse impact on the character and appearance of the Conservation Area. The proposed development is considered consistent with Policy CSV 7 'Demolition in Conservation Areas'. The density of the proposed development is considered appropriate for a backland site that is situated within a Conservation Area and is consistent with Policy HSG 9 'Density Standards' and SPG 3c 'Backlands Development'.

The development would have a density of 29 dwellings per hectare and although this is just outside the recommended range of 30 to 50 dwellings per hectare contained in PPG3 it is considered appropriate given the narrow shape of the site, its location within a Conservation Area and that the fact that it is a backlands site.

The traffic generation likely to arise from the proposed development is not expected to be significant and would not detract from the amenity of local residents while the provision of 10 car parking spaces for the 5 new dwellings is considered adequate and consistent with Policy M10 'Parking for Development'.