

REPORT FOR CONSIDERATION AT PLANNING APPLICATION SUB COMMITTEE

Reference No: HGY/2006/1504 **Ward:** Tottenham Green

Date received: 26/07/2006 **Last amended date:** 06/09/2006

Drawing number of plans: 30223/P01C, 02A, 03A, 04B & 05A

Address: Land Adjacent to 48 Elizabeth Place N15

Proposal: Erection of 5 x 2 storey houses (2 x three bed, 2 x two bed and 1 x four bed Houses) in 2 blocks.

Existing Use: Vacant **Proposed Use:** Residential

Applicant: Network Housing Group

Ownership: Housing Association

PLANNING DESIGNATIONS

Road - Borough

Officer Contact: Oliver Christian

RECOMMENDATION

GRANT PERMISSION subject to conditions and subject to Section 106 Legal Agreement.

SITE AND SURROUNDINGS

The site is situated within the Peabody Trust Housing Estate that is located between Elizabeth Place and Lawrence Road and to the rear of properties on Philip Lane (no's 153-159).

There are a number of 2 storey terraced houses close to the proposal site.

The area of land to be developed is at present unmanaged and contains many self-seeded trees and shrubs, none are worthy of retention.

Located in the rear gardens of the adjacent properties on Philip Lane (no's 153-159) is a row of mature trees. Six Limes, 1 Sycamore and 1 Poplar tree are growing within 1m of the boundary with the development site. All of these trees are of high amenity value, clearly visible from a public place and provide screening to the site.

The site is not within a designated conservation area.

PLANNING HISTORY

No recorded planning history

DETAILS OF PROPOSAL

The current proposal seeks erection of 5 x 2 storey houses (2 x three bed, 2 x two bed and 1 x four bed houses) in 2 blocks

CONSULTATION

73 - Local residents
Council's Arboriculturist
Building Control
Crime Prevention Officer
Transportation group
Waste Management
Major/minor advert 11/08/2006
Ward Councillors

RESPONSES

Local Residents – no response

Councils Arboriculturalist – comment as follows:-

The following comments and observations relate to the effects of the proposed new development on the existing trees on site and in adjacent properties. Drawing no P-01 B was used for reference purposes.

Tree cover

The area of land to be developed is at present unmanaged and contains many self-seeded trees and shrubs, none are worthy of retention.

Located in the rear gardens of the adjacent properties on Philip Lane (no's 153-159) is a row of mature trees. Six Limes, 1 Sycamore and 1 Poplar tree are growing within 1m of the boundary with the development site. All appear healthy for their age and species.

All of these trees are of high amenity value, clearly visible from a public place and provide screening to the site.

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.

However, the assessment of the RPA must take into consideration many factors, including the soil type and structure and the likely distribution of roots when influenced by past or existing site conditions.

For the Lime tree in 159 Philip Lane, the recommended RPA is 6m. However, due to the existing boundary wall, the distribution of the tree roots, are likely to have been restricted. It can be assumed that the majority of the tree roots will be located within the rear garden, where conditions are more favourable.

However, a large section of the boundary is constructed of a wooden fence; this would indicate that tree roots will be located within the development site.

To mitigate any possible root damage, robust protective fencing must be erected 3m from the boundary wall to protect the likely rooting zone of the trees in the adjacent gardens. It must be designed using 2.4m hoarding and installed as recommended in B.S. 5837: 2005 Trees in relation to construction.

Proposed layout

The site layout has taken into consideration the location of the existing trees by locating the new structures towards the eastern and western boundaries of the development site. This will minimise the likelihood of damage occurring to the trees roots.

However, the layout has not taken into consideration the future relationship between the trees and the new structures. The trees overhang the site by 6-8m. Maintenance will be required annually to remove fallen leaves.

The nearest point of Units 4-5 is only 2m from the Poplar tree in 153 Philip Lane and 3m from the Limes in 155 Philip Lane.

Careful consideration must be given to the design and construction of the foundations for these units. To mitigate damage to the tree roots and possible future structural damage to the new structure, the foundations must be designed using piles and ground beams. A planning condition must be used to ensure this.

The Poplar tree also has a small dense crown, which will obstruct daylight into the living areas units 4-5. The tree has previously been managed as a pollard, to reduce future nuisance issues, regular maintenance will be required.

The nearest point of Units 1-3 is 12m from the Lime tree in 159 Philip Lane. This is outside of the recommended RPA and will not result in any detrimental effects on the tree.

It is proposed to install refuse storage between units 1-3 and unit 4-5. This is within 5m of the Lime trees in rear gardens of 159 Philip Lane, however due to the existing site conditions, will not result in any detrimental effects on the trees.

Careful consideration must be given to the use of cranes and piling rigs in close proximity to the existing trees.

Planning conditions to ensure tree protection.

Robust planning conditions must be used to ensure protective measures are implemented for the safe retention of the existing trees. The following are minimum requirements:

A pre-commencement site meeting must be specified and attended by all interested parties, (Architect, Consultant Arboriculturalist, Planner Officer, LA Arboriculturalist and Contractors) to confirm the protective measures to be installed for trees.

A Tree Protection Plan must be produced detailing the design and location of protective fencing. Robust protective fencing must be installed prior to commencement of construction activities on site and retained until completion. The fencing must be inspected by the Local Authority Arboriculturalist, prior to any works commencing on site.

A method statement must be produced detailing the design and construction of the foundations (piles and ground beams) for Units 4-5.

Conclusions

I am confident the proposed development can be constructed with minimal impact on the existing trees in the rear gardens of 153-159 Philip Lane.

Transportation Group – No objection

RELEVANT PLANNING POLICY

National Policy Background

Planning Policy Guidance 3 Housing

The principal national policy guidance relating to residential development is contained in Planning Policy Guidance Note 3: Housing. This PPG provides guidance on a range of issues relating to the provision of housing. Circular 6/98 *Planning and Affordable Housing* will continue to apply, within the framework of policy set out in this guidance.

PPG3 states that Local Planning authorities should:

- provide sufficient housing land but give priority to re-using previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of greenfield sites;

- promote improved quality of developments which in their design, layout and allocation of space create a sense of community; and
- Introduce greater flexibility in the application of parking standards, which the government expects to be significantly lower than at present.

Planning Policy Guidance 13 Transport

Planning Policy Guidance 13 Transport was issued in March 2001. It aims to:

- promote more sustainable transport choices for people and for moving freight.
- promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling.
- reduce the need to travel especially by car.

The London Plan

The London Plan was adopted in February 2004 by the Greater London Authority and forms the Spatial Development Strategy for Greater London. It contains key policies covering housing, transport, design and sustainability in the capital. It replaces Regional Planning Guidance Note 3 - Regional Planning Guidance for London.

The London Plan also sets out density targets for residential development in London. Various ranges are specified. Of particular relevance to this site - urban sites close to transport corridors with a low accessibility may have a range of 300-450 hrh.

Local Policy Background

Current Unitary Development Plan 2006

UD3: General Principles

Require that new development has no adverse impact on residential amenity in terms of overlooking, loss of privacy – complement the character of the local area.

UD4: Quality Design

Encourages and supports good and appropriate design, which is sustainable, improves the quality of the existing environment also reinforces a sense of place and creates civic pride.

UD7 Waste Storage

Requires that all developments to include appropriate provision for the storage and collection of waste and recyclable material.

HSG8 Density Standards

Reflects the advice in the London Plan also increased densities.

HSG9 Dwelling Mix

Requires that the dwelling mix meets Council's housing requirements.

M10 Parking for Developments

Set the standard for car parking provision.

Supplementary Guidance

SPG1a - Design Guidance

SPG3a - Density/Dwelling mix

SPG 4 - Access for all

SPG5 - Safety by Design

SPG8a - Waste and recycling

SPG9 - Sustainability statement (checklist)

SPG12 - Education needs generated by new housing development

SPG7a – Parking Standards

ANALYSIS/ASSESSMENT OF THE APPLICATION

The main issues created by the proposal are:

- i) The principal of the residential use of the land,
- ii) Density,
- iii) Size, bulk and design,
- iv) Privacy and overlooking
- v) Waste management access and parking,
- vi) Sustainability,
- viii) Contributions.

Each of these issues is discussed below.

Principle of Residential Use

The subject site is part of an existing housing estate that is managed by Peabody Trust. Previously there was a workshop building on the site that had been vacant for years.

PPG 3 and the London Plan encourage the residential development of previously sites. The pressure of land for new housing in the Borough means

that sites such as this one are increasingly considered for housing development. In the Borough's tight urban fabric the opportunities for an acceptable form of this development are increasingly limited as the available sites decrease.

Policy UD3 General Principles - in respect of 'Privacy and Amenity of Neighbours' recognises this pressure and seeks to ensure an appropriate level of development for these sites which ensures that existing amenity is not harmed. In this case, the proposed development has been designed to fit in without compromising the Council's standards of distances between houses or having an unduly overbearing affect on the neighbouring properties.

Policy HSG 9 'Dwelling Mix' requires a mix of unit sizes to provide some family, (i.e. over 1-bed), units. This scheme proposes 1 x 4 bed, 2 x 3 bed and 2 x 2 bedroom houses, which generally meet the floor area and room size requirements of Supplementary Planning Guidance Note 3a 'Standards for New Build Residential Development'. The proposed development is below the threshold that requires an affordable housing contribution and as such the proposal complies with Policy HSG 4 'Affordable Housing'. However the proposal has been submitted by a Registered Housing Association and the properties are to be occupied by Haringey residents.

Density

Policy HSG 8: 'Density Standards' sets out the density range for the Borough. PPG3 recommends that more efficient use be made of land by maximising use of previously developed land. It recommends that Local Authorities "*avoid housing development which makes inefficient use of land and provide for more intensive housing development in and around existing centres and close to public transport nodes.*" The London Plan also sets higher densities for development in urban areas. The London Plan recommends a density range of 300 - 450 hrh for flatted developments in urban areas with a low accessibility index rating such as this one. The Unitary Development Plan sets a density range of 200 – 400 hrh. The densities allowed in the Unitary Development Plan reflect more closely with the densities set out in the London Plan.

The site displays the characteristics of an urban site with a low accessibility index as defined in the London Plan. As such, the Plan would allow for a density of development up to 450 hrh. Applying the method of calculation set out in Supplementary Planning Guidance Note 23a Density, this mixed use scheme has a density of 296 hrh based on a gross site area of 0.0877 hectares, which is in line with this requirement.

The ground floor has been laid out as commercial floor space. In line with guidance contained in Supplementary Planning Guidance Note.3a 'Standards for New Build Residential Development' balconies are provided for most flats on the upper floors.

Size, Bulk and Design

Policies UD4. 'Quality Design', SPG1a Design Guidance - Layout, Form, Rhythm and Massing' require that new buildings are of an acceptable standard of design and fit in with the surrounding area.

The proposed development is family house of two storeys in height which generally reflects the height of the nearby residential units and within the vicinity. The result is a contemporary development, which respect the constraints of the site. It is considered that the development will not have an adverse affect on the locality or any neighbouring property.

Privacy and Overlooking

Policy UD2 and SPG 3b 'Privacy and Overlooking' seeks to protect the existing privacy and amenity of neighbouring occupiers. In this case, the proposed buildings meet the requirements of Policy and will not therefore result in loss of privacy from overlooking.

It is considered that there will be no significant loss of sunlight and daylight to any adjoining property as a result of the development. The proposal will not be unacceptably detrimental to the amenity of adjacent users, residents and occupiers or the surrounding area in general.

Waste management, Access and Parking

The scheme proposes 5 car parking spaces, secure bicycle parking spaces to the rear of the site, which meets the standards and requirements for this type of development in this location and has been approved by Council's Transportation department.

The access and car parking area is suitable for refuse vehicles to enter and exit the site in a forward motion additionally the waste storage facility is in an easily accessible location.

The Council's Transportation Group was consulted and recommends that the proposal will not lead to adverse traffic conditions or congestion in the area.

Sustainability and Energy renewal

The applicant has completed the Council's sustainability checklist.

The individual units have been designed to meet "lifetime homes" which is in line with the requirement of ENV6a – additionally the units are disability accessible.

Space is provided in the refuse store for both commercial and residents recycling.

To encourage the use of bicycles secure cycle storage is provided.

Contributions

Education - Supplementary Planning Guidance Note 12 Education Needs Generated by New Housing Development requires the applicant enter into a legal agreement with the Council to provide a financial contribution towards the impact of the development on local education provision. The Guidance recognises that all, new development, with 5 or more units with children bed spaces are likely to have an impact. The Guidance sets out a formula for assessing the contribution based on figures provided by the Department of Education and Science of the cost of school places. This report recommends that a contribution is required for this development through a legal agreement should Planning permission be granted. The applicant is required to contribute a sum of £15,264.89

Administrative recovery charges – £457.94.

SUMMARY AND CONCLUSION

The proposed development is of a type and scale which is appropriate to this location. Whilst a relatively high density is proposed, the scheme meets the relevant policy requirements for sites of this type as well as being in line with general national policy and guidance which encourages Local Planning Authorities to approve higher density schemes.

The positioning of the proposed building on the site means neighbouring occupiers will not suffer loss of amenity regarding additional overlooking, loss of sunlight or daylight as the distances between the proposed building and the existing properties surrounding the site meet the Council's guidelines. The design approach is modern, adequate amenity space is provided and the scheme includes sufficient on-site parking.

RECOMMENDATION 1

That planning permission be granted in accordance with planning application no. HGY/2006/1504, 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).

This report also recommends that under the guidance contained in SPG 8.2, the applicant enter into an Agreement under Section 106 and Section 16 of the recently adopted Greater London Plan to make a contribution of £15,264.89 toward local education facilities also administrative recovery costs of £457.94.

RECOMMENDATION 2

1. That planning permission be granted in accordance with planning application reference number HGY/2006/1504 subject to a pre-condition that the applicant shall first have entered into an Agreement with the Council

under Section 106 of the Town and Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974] in order to secure: Education contribution of £15,264.89 and recovery/administrative costs of £457.94.

2. That the Agreements referred to in Resolution (1) above is to be completed no later than 9/10/2006 or within such extended time as the Council's Assistant Director (Planning, Environmental Policy and Performance) shall in her sole discretion allow; and

3. That in the absence of the Agreements referred to in resolution (1) above being completed within the time period provided for in resolution (2) above, the planning application reference number HGY/2006/1504 be refused for the following reason:

The proposal fails to provide the education contribution in accordance with the requirements set out in Supplementary Planning Guidance 8.2 ' Education contribution' attached to the emerging Haringey Unitary Development Plan.

4. That, following completion of the Agreement referred to in resolution (1) within the time period provided for in Resolution (2) above, planning permission be granted in accordance with planning application reference number HGY/2006/1504 & applicant's drawing No's: (s) 30223/P01C, 02A, 03A, 04B & 05A 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. 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.

5. That not more than 5 separate houses shall be constructed on the site.
Reason: In order to avoid overdevelopment of the site.
6. The building proposed by the development hereby authorised shall comply with BS 8220 (1986) Part 1 'Security Of Residential Buildings' and comply with the aims and objectives of the police requirement of 'Secured By Design' & 'Designing Out Crime' principles.
Reason: In order to ensure that the proposed development achieves the required crime prevention elements as detailed by Circular 5/94 'Planning Out Crime'.
7. 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.
8. 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.
9. 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.
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.

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.

INFORMATIVE: The applicant is advised that in the interests of the security of the development hereby authorised that all works should comply with BS 8220 (1986), Part 1 - 'Security Of Residential Buildings'.

INFORMATIVE: Details of the foundation work on the boundaries and any border treatment should be agreed with the adjoining occupiers before such works commence.

REASONS FOR APPROVAL

The proposal complies with policies UD2 Sustainable Design and Construction, UD3 General Principles, UD4 'Good Design', HSG9 Density Standards, EMP5 Promoting Employment Uses, M10 Parking for Development of Haringey Unitary Development and appropriate Supplementary Guidance.