

LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 10/06/2013

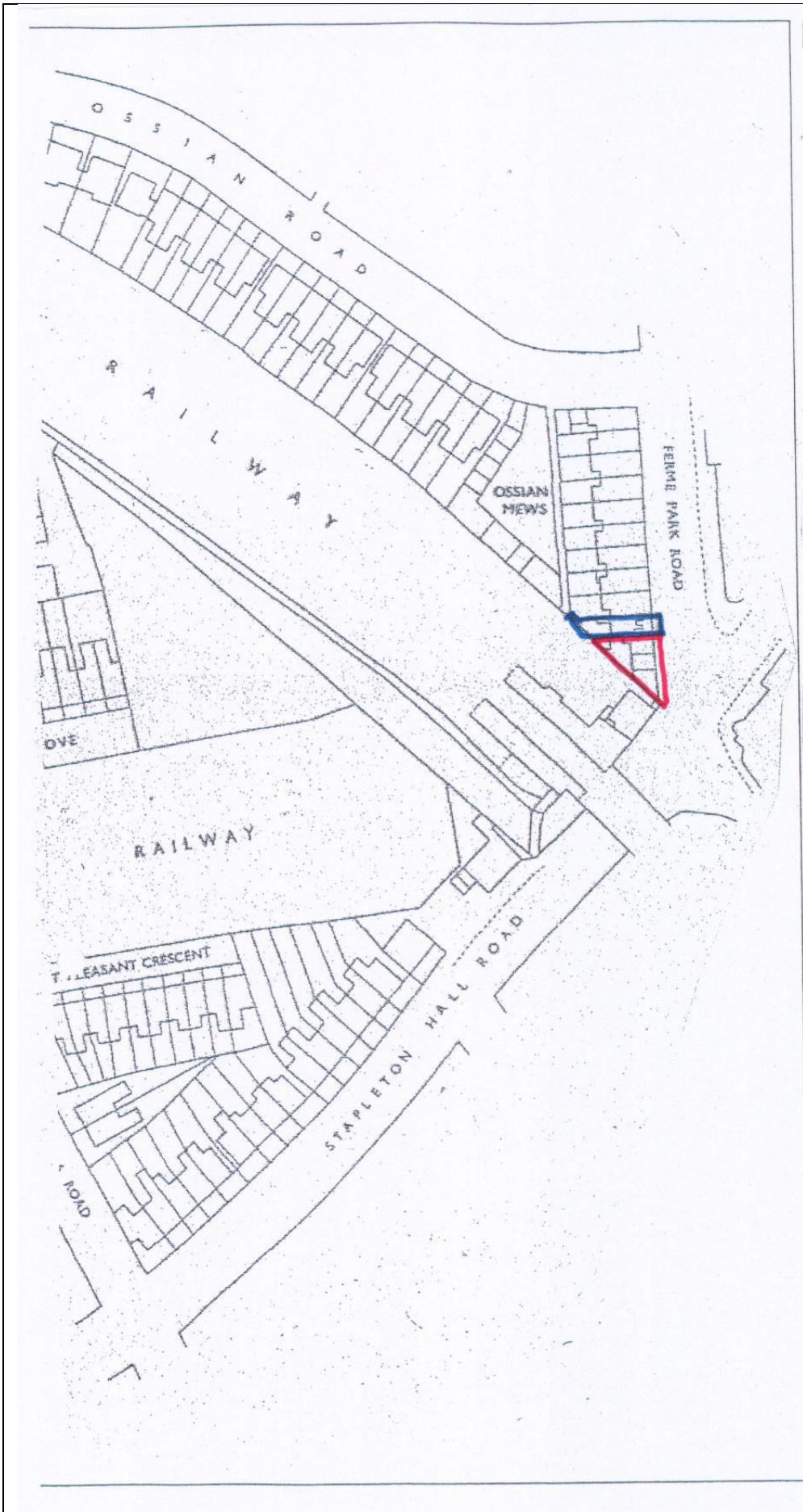
Planning Committee

Item No.

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2012/1536	Ward: Stroud Green
Address: 1 Ferme Park Road N4 4DS	
Proposal: Retention of existing facade of single storey A3 restaurant and erection of 2 storey infill extension to create 3 additional floors to provide 3 x 1 bed flats to upper floors	
Existing Use: Commercial	Proposed Use: Mixed Commercial and Residential
Applicant: Mr Alpesh Patel	
Ownership: Private	
Date received: 01/08/2012 Last amended date: NA	
Drawing number of plans: 517/00, 01A, 02E, 03E and 04A	
Case Officer Contact: Robbie McNaugher	
PLANNING DESIGNATIONS:	
Conservation Area; Road Network: C Road	
RECOMMENDATION	
GRANT PERMISSION subject to conditions	
SUMMARY OF REPORT:	
The proposal is for the erection of a 3 storey side extension to an existing terrace to create 3 x 1 bedroom flats and the retention of the existing facade and A3 restaurant at the ground floor. This application seeks to renew an previous planning permssion (HGY/2009/0027) for a similar propsoal with minor alterations to the previously approved scheme to exclude the basement previously approved. The design and appearance of the proposed building and the internal layout of the residential units are unaltered. It is considered that there have been no significant changes to Development Plan Policies or the circumstances on the site since the previous application was approved and therefore the application is recommended for approval.	

1.0 PROPOSED SITE PLAN



No scaled dimensions to be taken from this drawing. All dimensions to be site checked.

Revisions		
No.	Note	Date

CG ARCHITECTS

221 East Barnet Road,
Barnet, Herts EN4 8QS
Tel: 020 8449 5100
Fax: 020 8449 5170

Client:
Mr A Patel

Site:
1 Ferme Park Road
London, N4 4DS

Drawing Title:
Site Plan

Scale: 1:1250

Date: Nov. 2008

Dr. No.	Rev.
517/00	#

2.0 IMAGES



3.0 SITE AND SURROUNDINGS

3.1 The application site is triangular shaped site situated on Ferme Park Road close to the junction with Stapleton Hall Road. The site is currently occupied by a single storey building currently in use as a restaurant and take away. The building has a white painted brick facade with canopies and a large fascia board and outside seating area. The adjoining terrace to the north is 4 stories with ground floor retail units and 3 floors of residential above, the top floor features dormer windows and gable features at both ends of the terrace. To the south is the Station House which is occupied by the MIND Charity and backs onto the Parkland Walk.

3.2 The proposal site is situated within the designated Stroud Green Conservation Area.

4.0 PLANNING HISTORY

4.1 Planning Application History

4.2 HGY/2009/0027 Retention of existing facade of single storey A3 restaurant and erection of 2 storey infill extension to create 2 additional floors to provide 3 x one bed flats to upper floors, and excavation of basement to provide kitchen, office, staffroom and store. Granted 22-12-2008

4.3 HGY/2009/0274 Conservation Area Consent for demolition of single storey building, currently in use as A3 (restaurant). Withdrawn 23-03-2009

4.4 Planning Enforcement History

NA

5.0 RELEVANT PLANNING POLICY

5.1 The National Planning Policy Framework

The NPPF was formally published on 27th March 2012. This document sets out the Government's planning policies for England and supersedes the previous Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs). The proposed development is considered to be consistent with the Framework which seeks to approve proposals that accord with the local development plan. The NPPF has at its core a strong presumption in favour of sustainable development.

5.2 London Plan 2011

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
London Housing Design Guide (2010)

5.3 Haringey Local Plan 2013

SP0 Presumption in favour of sustainable development
 SP1 Managing Growth
 SP2 Housing
 SP11 Design
 SP12 Conservation

5.4 Haringey Unitary Development Plan 2006 'Saved Policies'

UD3 General Principles
 UD7 Waste Storage
 HSG2 Change of Use to Residential
 MV9 Car-free residential developments
 CSV1 'Development in Conservation Areas'
 CSV5 'Alterations and Extensions in Conservation Areas'

5.5 Supplementary Planning Guidance / Documents

SPG 1a Design Guidance (Adopted 2006)
 SPG2 Conservation and Archaeology
 SPD – Housing (Dwelling Mix, Floor space Minima, Conversions, Extensions and Lifetime Homes')

6.0 CONSULTATION

Letters sent 09/08/2012

Statutory	Internal	External
London Fire Brigade Fire Safety	Transportation Waste Management Environmental Health Conservation and Design Building Control Local Councillors	<u>Amenity Groups</u> Stroude Green CAAC Stroude Green Residents Group <u>Local Residents</u> Evens 2- 12 Odds 3-23 Ferme Park Road Incl 14 A, B, C, D 6 – 1, 2, 3 9 A, B 2 A, B 5 A, B 12 A, B, C, D 11 1 -3 13 A, B 15 A, B 23 A, B, C 1-9 Ossian Mews (incl 5 A, B, C) 64, 70, 74, 76, 78, 64 B, 1- 6, 72, 75 A Stapleton Hall

7.0 RESPONSES

7.1 Conservation

In light of the previous approval the Conservation Officer has no comments.

7.3 Transportation

The site falls within an area that has a medium public transport accessibility level of 3 and is served by the W3 bus route, which offers some 24 buses per hour (two-way) for frequent connection Finsbury Park surface rail/underground station. It is considered that the majority of the prospective residents of this development would use sustainable travel modes for their journeys to and from this site. Although the applicant has not provided any off-street parking facility, this location has not been identified within the Council's adopted UDP as that renowned to have car parking problems. It is also within Stroud Green controlled parking zone operating from Monday to Friday between 12:00 noon – 02:00pm. Furthermore, the applicant has proposed 3 secure cycle racks as detailed on proposed floor plan No.517/02E. It is therefore deemed that the level of vehicular trips ensuing from this development would not have any significant adverse impact on the existing traffic or indeed the car parking demand on the adjacent roads. Therefore, there are no highway and transportation objections to this application.

7.4 LFEPA – no objection

7.5 Waste Management have advised on bin sizes.

7.6 Local Residents - Letters of objection/ concern from residents of the following properties - 3b Woodfall Rd, 12 Ferme Park Road, 5, 73c and 190a Stapleton Hall Road, 129 Stroude Green Road, 54 A Mount View Road, 89 Lancaster Road, 9 Connaught Road and an unspecified address on Stapleton Hall Road. The points raised are summarised as follows:

- The proposal would harm the appearance of the Conservation Area and the original unaltered buildings
- The 3 storey extension to the existing property would detract from the appearance of that corner which features an entrance to the Parkland Walk and the Station House
- The restaurant makes an important contribution to the architectural interest of the area and should not be removed
- Loss of privacy and overshadowing to the Mind charity building
- Impact on activities in the garden area of the MIND building
- Disruption to the Mind Charity during construction
- The charity works with young and vulnerable people with mental health issues and physical disabilities and the garden and rear of the property is a well used asset where currently fruit and vegetables are grown.
- The proposed development would have a detrimental effect on the wellbeing of the MIND service users
- There is potential for 6 new vehicles which would encourage illegal parking outside the property and cause a serious obstruction to passing traffic.
- Lack of parking

- Loss of property value
- The site notice was put up later than the date of the consultation
- The closure of the existing restaurant would be a loss of employment and to the local community
- The proposal would harm the woodland walk
- The area has a high density of one bedroom apartments already

7.7 The letters of objection also include a Petition with 12 signatures From Mind objecting to the development as it will negatively affect the experience of the Mind in Haringey's service users encroaching on privacy and property

7.8 Stroud Green Residents Association objects to the proposal the points raised are summarised as follows

- Lack of efficiency in the notification procedures
- Negative impact on the streetscape and will not enhance the existing parade.
- Concern that the proposed development will affect the light levels both to the property and to the garden at the rear of the MIND facility.
- Concern that overlooking the MIND facility could be counter-productive to the work that is being done there.
- This centre is an extremely important facility

7.9 Stroud Green Conservation Area Advisory Committee objects to the proposal the points raised are summarised as follows:

- They prefer the Triangle restaurant building to be retained in its present form, and not demolished
- They oppose the reconstruction of a fake replica facade and the replica housing behind
- Any new building should be an exciting modern design incorporating high-quality modern materials
- The pvc windows shown on the rear elevation of the proposed housing, are not acceptable in a CA and are contrary to council policy; timber windows should be used instead.

7.10 Councillor Wilson raises concerns on behalf of Councillor Reece and Butcher the points which are summarised as follows:

- Potential risk of overlooking and loss of light relation to the rear garden and patio of the Mind charity
- If a replica building is built then it is essential it is a very good replica,
- The original façade of the triangle restaurant and as much as possible of the building should be retained
- Any building work must be done in a way that disrupts the Mind centre as little as possible

8.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

Background

8.1 An application (HGY/2009/0027) for the erection of a 3 storey side extension to an existing terrace to create 3 x 1 bedroom flats and the retention of the existing facade and A3 restaurant at the ground floor on this site was approved in 2009. The permission was not implemented and lapsed in April 2013. This application seeks

to renew the previous planning permission but omitting the basement previously approved. The design and appearance of the proposed building and the internal layout of the residential units are unaltered.

- 8.2 In light of the previous approval the main considerations are whether there have been any material changes in circumstances or Development Plan Policy since the previous approval in respect of the impact of the proposal on the design and appearance and effect on the conservation area, the layout, standard and mix of accommodation of the proposed residential units, the impact on residential Amenity and Parking and access issues.

Design, Form & Layout

- 8.3 The NPPF provides guidance on decision taking and in particular, introduces a presumption in favour of sustainable development and also outlines a number of core planning principles that should be adhered to. In particular this includes always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 8.4 London Plan policies 7.4 and 7.6 requires planning decisions to have regard to local character and for development to comprise details and materials that complement the local architectural character. Policy SP11 of the Local Plan requires development to create places and buildings that are of high quality, attractive and sustainable.
- 8.5 In respect of the internal layout, the omission of the basement serving the restaurant has resulted in minor changes to the ground floor layout, but the layout of proposed flats is the same as previously approved. The floor space provided in the flats is in excess of the requirements for a 1 person 1 bedroom flat set out the Council's 2008 Housing SPD. The Mayor of London Housing Design Guide (2010) has been adopted since the previous approval and does not provide a floor space requirement for 1 person 1 bedroom dwellings. In the absence of Policy direction in the Housing Design Guide the minimum space standards in the Housing SPD are applied and therefore the standard of accommodation is considered acceptable in this instance. Concern has been raised by local residents that there is already a high density of one bedroom apartments in the area. Although the provision of 3 x 1 bedrooms units does not provide an adequate mix of dwelling types to comply with the Council's 2008 Housing SPD, the applicant has advised that due to the constrained nature of the site it would not be practical to provide an alternative mix of residential units. The proposal does not include any external amenity space however the site is close to the Parkland walk and Finsbury Park and is not in an area which has been identified as deficient in Open Space.
- 8.6 The applicant has outlined a number of measures to ensure that the proposal would comply with Lifetime House Standards in accordance with Local Plan policy SP2.

Impact on the Conservation Area

- 8.7 The London Plan 2011 Policy 7.8 '*Heritage Assets and Archaeology*' states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Similarly Local Plan Policy SP12 seeks to ensure the conservation of heritage

assets, their setting, and the wider historic environment. The site is within the Stroud Green Conservation Area.

- 8.8 The external appearance of the building and design are as previously approved, and are considered to preserve the character and appearance of the Conservation Area. The previously approved design was developed through collaboration with the Council's Conservation Officer and replicates the design of the adjoining terrace. Concerns have been raised that the proposal should be a modern design, however it is considered that replicating the traditional appearance of the neighbouring property is the appropriate design solution in this location.
- 8.9 It is considered necessary to impose conditions requesting further details of the materials to be used in the external finishes of the building to ensure the proposal is finished in high quality materials which respect the character and appearance of the Conservation Area.
- 8.10 Concerns have also been raised that the frontage of the existing restaurant would be demolished which would be harmful to the character and appearance of the Conservation Area. The proposal will largely retain the existing facade of the restaurant with minor alterations to the fenestration. A condition can be imposed to ensure adequate measures are put in place during construction to retain the historic façade. Replacement timber windows and doors will be provided and a condition can be imposed requiring a traditional fascia, and awnings to be provided which would improve the character and appearance of the conservation area

Impact on Amenity

- 8.11 The London Plan 2011 Policy 7.6 *Architecture* states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Local plan policy also expects new development to maintain the level of privacy enjoyed by adjoining properties and not to create problems of overlooking.
- 8.12 The siting, fenestration and orientation of the building is such that it will not adversely affect the privacy and amenity of adjoining properties. The depth of the building would mirror the depth of the adjoining property so would not overshadow the rear elevation of this property. Concerns have been raised about the impact of the proposal of the Station House to the south. There are 1st and 2nd floor windows in the flank elevation of the Station House which would face towards the proposed development. It is considered that due to the orientation of the buildings and the distance between the proposal and these windows and the proposal would not result in overshadowing or have an overbearing appearance to these windows. The existing flank wall of the restaurant building sits on the boundary with the Station house and therefore the proposal would not impact on the ground floor windows of this property. With regard to the impact on the garden area of the Station House, it is considered that there is adequate distance between the proposal and the garden area to ensure that the proposal would not result in an adverse overshadowing or an overbearing effect.
- 8.13 With regard to the privacy, the windows proposed in the rear elevation of the building would face towards the garden area of the Station House, however given the distance between the rear elevation of the proposal and this garden area it is considered that the proposal would not result in a significant loss of privacy.

Several windows in the rear elevation of the terrace already overlook this garden area. The proposal would not have an impact on any other neighbouring properties.

- 8.14 Overall the proposed development has taken careful consideration in terms of its layout and design to ensure that the privacy and amenity of neighbouring occupiers will not be adversely affected. As such the proposal is considered to be in accordance with UDP Policy UD3 and with sections 8.20-8.27 of the Housing SPD.

Traffic and Parking

- 8.15 The proposal is a car free development with no allocated parking provision which was accepted in the previously approved application. The Council's Transportation Team raise no highway or transportation objections. They note that the site falls within an area that has a medium public transport accessibility level of 3 and it is considered that the majority of the prospective residents of this development would use sustainable travel modes for their journeys to and from this site. The site is served by the W3 bus route, which offers some 24 buses per hour (two-way) for frequent connection Finsbury Park surface rail/underground station.
- 8.16 Although the applicant has not provided any off-street parking facility, this location has not been identified within the Council's adopted UDP as that renowned to have car parking problems. It is also within Stroud Green controlled parking zone operating from Monday to Friday between 12:00 noon – 02:00pm. The applicant has proposed 3 secure cycle racks as detailed on proposed floor plan and a condition can be imposed to ensure they are provided and retained. It is therefore deemed that the level of vehicular trips ensuing from this development would not have any significant adverse impact on the existing traffic or indeed the car parking demand on the adjacent roads.

Sustainability

- 8.17 The NPPF, London Plan and local policy requires development to meet the highest standards of sustainable design, including the conservation of energy and water; ensuring designs make the most of natural systems and the conserving and enhancing the natural environment.
- 8.18 Chapter 5 of the London Plan requires all new homes to meet Level 4 of the Code for Sustainable Homes. A condition has been imposed to require the development to meet Code for Sustainable Homes Level 4 to ensure the proposal is a sustainable design.

Planning Obligations

- 8.19 The proposal will be liable for the Mayor of London's CIL as the proposal is for three additional residential units. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £5740(164 x £35). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

Other matters

8.20 With regard to the other matters raised in the letters of objection, any impacts as a result of the construction process would be temporary and an informative can be attached advising the applicant of restrictions in relation to construction noise. In response to concerns regarding scaffolding and the impact on the neighbouring garden area, the applicant will be advised that planning permission does not convey the right to enter land. Due to the distance between the proposal and the Woodland walk it is considered that there would be no significant harm to the Woodland Walk. With regard to the concerns raised regarding the loss of the restaurant business and associated employment, the proposal is to retain the existing restaurant use with an improved internal layout retaining this existing employment use. The loss of property value is not a material planning consideration.

9.0 CONCLUSION

9.1 The proposal provides acceptable standard of commercial and residential accommodation that would not be detrimental to the street scene and preserve and enhance the character and appearance of the Conservation Area. There would be no significant harm to neighbouring amenity or highway safety compliant with Policies SP 2 'Housing', SP11 'Design' and SP12 Conservation of the Haringey Local Plan (2013), and Saved Policies UD3 'General Principles', MV9 'Car-free residential developments' CSV1 'Development in Conservation Areas', CSV5 'Alterations and Extensions in Conservation Areas' of the of the Haringey Unitary Development Plan 2006 and SPG 1 'Design Guidance' and SPD Housing.

10.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions and/or subject to sec. 106 Legal Agreement /
REFUSE PERMISSION

Applicant's drawing No.(s) 517/00, 01A, 02E, 03E and 04A

Subject to the following condition(s)

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 Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to avoid doubt and in the interests of good planning.

3. The use hereby permitted shall not be operated before 0800 or after 2300 hours on any day.

Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

4. Prior to the implementation of the permission, details of any extract fans or flues shall be submitted to and approved by the Local Planning Authority. Any extract fans installed shall be mounted with flexible connections and installed together with any associated ducting so as to prevent the transmission of noise and vibration into neighbouring premises.

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

5. No development shall take place until a detailed scheme for the provision of refuse and waste storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented and permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Policy UD7 'Waste Storage' of the Haringey Unitary Development Plan (2006), SP6 'Waste and Recycling' of the Haringey Local Plan (2013) and Policy 5.17 'Waste Capacity' of The London Plan.

6. All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent work with regard to the methods used and to material, colour, texture and profile.

Reason: In order to safeguard the special architectural or historic interest of the building and fulfil the requirements of Policies CSV5 'Alterations and Extensions in Conservation Areas' of the Haringey Unitary Development Plan (2006 Saved Policies), SP12 'Conservation' of the Haringey Local Plan (2013) and Policy 7.8 'Heritage Assets and Archaeology' of the London Plan.

7. All external joinery should be of painted timber.

Reason: In order to safeguard the special architectural or historic interest of the building and fulfil the requirements of Policies CSV5 'Alterations and Extensions in Conservation Areas' of the Haringey Unitary Development Plan (2006 Saved Policies), SP12 'Conservation' of the Haringey Local Plan (2013) and Policy 7.8 'Heritage Assets and Archaeology' of the London Plan.

8. Detailed drawings or samples of materials, as appropriate, in respect of the following, shall be submitted to and approved by the Local Planning Authority before the relevant part of the work is begun.

- a. brickwork
- b. roof slates
- c. fascia and soffit boards
- d. rainwater goods
- c. windows and external doors
- d. replacement fascia and awnings

The development shall be implemented in accordance with the approved details or samples of materials.

Reason: In order to safeguard the special architectural or historic interest of the building and fulfil the requirements of Policies CSV5 'Alterations and Extensions in Conservation Areas' of the Haringey Unitary Development Plan (2006 Saved Policies), SP12 'Conservation' of the Haringey Local Plan (2013) and Policy 7.8 'Heritage Assets and Archaeology' of the London Plan.

9. Structural Engineer's drawings, indicating the intended method of ensuring the stability of the fabric to be retained throughout the period of demolition and reconstruction, shall be submitted to and approved by the Local Planning Authority before the relevant part of the work is begun.

Reason: In order to safeguard the special architectural or historic interest of the building and fulfil the requirements of Policies CSV5 'Alterations and Extensions in Conservation Areas', of the Haringey Unitary Development Plan (2006 Saved Policies) and SP12 'Conservation' of the Haringey Local Plan (2013) and Policy 7.8 'Heritage Assets and Archaeology' of the London Plan.

10. The cycle storage area shown on the approved drawings shall be provided prior to the occupation of the residential units hereby permitted. This area shall thereafter be kept continuously available for cycle storage and shall not be used for any other purpose without the prior permission in writing of the Local Planning Authority.

Reason: In order to ensure that adequate provision for cycle storage is available within the site in accordance with Policies UD3 'General Principles' and MV9 Car-free residential developments of the Haringey Unitary Development Plan and Policy 6.13 'Parking' of the London Plan.

INFORMATIVE: A separate application will be required for the display of any illuminated signs.

INFORMATIVE: The applicant is advised to contact the Environmental Health Department (tel. 020 8489 1000) regarding the provision of adequate sanitary facilities, mechanical extract ventilation, refuse storage facilities, fire requirements and compliance with the Food Safety (General Food Hygiene) Regulations 1995 that may be required in conjunction with this approval.

INFORMATIVE: 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.

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: No residents will be entitled to apply for a residents parking permit under the terms of the relevant Traffic Management Order controlling on-street parking in the vicinity of the development.

INFORMATIVE: The applicant is advised that street-based households receiving kerbside collection services require space for the 'Standard kerbside collection full set' to be left for collection within the area of the property as close as possible to the access point to the property for collection teams. Details of the 'Standard kerbside collection full set' are as follows: Wheelie bins or bulk waste containers must be provided for household

collections, wheelie bins must be located no further than 25 metres from the point of collection, bulk waste containers must be located no further than 10 metres from the point of collection. The route from waste storage points to collection point must be as straight as possible with no kerbs or steps. Gradients should be no greater than 1:20 and surfaces should be smooth and sound, concrete rather than flexible. Dropped kerbs should be installed as necessary.

Adequate waste storage and collection arrangements must be in place to service 3 flats. The site plan shows storage area for waste containers, one of which should be for recycling. Sufficient bin allocation should be allowed to ensure no side waste or spillage occurs between waste collection days. Domestic waste must not be contaminated with trade/commercial waste. There must be separate waste collection and storage arrangements for both domestic and trade waste at this site.

INFORMATIVE: You must obtain the prior consent of the owner and occupier of any land upon which it is necessary for you to enter in order to undertake any works in connection with the development hereby approved. This permission granted by the Local Planning Authority in no way authorises the applicant to take any action without obtaining this consent and you are advised to seek the requisite approval.

INFORMATIVE: The applicant is advised that the proposal will be liable for the Mayor of London's CIL. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £5740 (164 x £35). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.