

REPORT FOR CONSIDERATION AT PLANNING APPLICATIONS SUB COMMITTEE

Reference No: HGY/2006/1839

Ward: Muswell Hill

Date received: 18/09/2006

Last amended date: 23/11/2006

Drawing number of plans: E01-00; E02-00, 01, RF; E08-01, 02, 03, 04; 05; P02-00A, 01A, 02A, P08-01A, 02A, 03A, 04A & 05A.

Address: 72 - 96 Park Road N8.

Proposal: Erection of a further two floors to existing 2 storey building to create 4 x two bedroom, 2 x one and 3 x three bedroom flats and 4 additional commercial units. Development includes alterations to elevations, formation of 5 car parking spaces and provision of covered bin storage.

Existing Use: Commercial

Proposed Use: Commercial/residential

Applicant: Mr Stephen Oratis Orantez

Ownership: Private

PLANNING DESIGNATIONS

Road - Classified

Officer Contact: Tara Jane Fisher

RECOMMENDATION

GRANT PERMISSION subject to Section 106 Legal Agreement.

SITE AND SURROUNDINGS

The application site is located on Park Road and on the corner with Lynton Road, just outside the Crouch End Conservation Area. At present the site comprises of a two storey detached warehouse building, with retail units on the frontage to Park Road which have recently been refurbished. The surrounding area is mixed use and it includes residential, retail and offices.

Adjoining the site to the north-west is a four-storey building comprising of retail and other commercial units on the ground floor with flats on the upper floors (Veryan Court). To the North-east of the site is a housing development comprising 48 flats (The Grove). Directly opposite the site, on the other side of Park Road is residential properties comprising of two-storey flats.

Park Road is a narrow and heavily trafficked road. Lynton Road is used by heavy goods vehicles to gain access to the loading bay on the south-east side of the existing warehouse building to the rear. This road is also used for vehicular access to the offices and studios at the rear of the warehouse building. The road is blocked off after that point and there is no direct vehicular access from Park Road to the residential properties further along Lynton Road.

PLANNING HISTORY

- 28/04/98** Change of use of part of ground floor from B1 to A3 (Food and Drink) use – Refused. An appeal against that decision was dismissed in December 1998.
- 31/03/03** Erection of five storey building, reducing to three storeys and two storeys on the north-west and south-east elevations, comprising one commercial unit and 40 residential units, with basement and ground floor parking for 57 cars and raised podium providing amenity area. (Amended scheme) – Resolved to approve subject to Section 106 Legal Agreement; however the Agreement never signed by applicants so no permission granted.
- 31/08/04** Change of use from warehouse to retail at ground floor level to form 5 retail units and alterations at 1st floor level to form 2 separate office areas. Changes to fenestration – Granted and implemented.

DETAILS OF PROPOSAL

The proposal is for the erection of two additional storeys to the existing building and side extension comprising of four-storeys to create 2 x two bedroom flats, 2 x one bedroom flats and 3 x three bedroom flats on the proposed third and fourth floor and new commercial units on the frontage.

The proposal also includes the provision of 5 car-parking spaces and an area for secure bicycle parking and pram storage and covered bin storage. The third floor would be mansard styled as the floor is dominated by dormer windows. The development will have a brickwork finish with a tiled roof and double glazed timber windows. The first and second floor levels will have small balconies to the front elevation.

CONSULTATION

Transportation Group
Cleansing
Legal Services
Building Control
Ward Councillors

Policy

Conservation Team

Site Notices

1-6 (c) 59a Park Road

68, 68a, 70, 61-87 (o) Park Road

1-28 (c) Veryan Court, Park Road

29-45 (o) Lynton Road

1-3 (c) 59 Park Road

1st & 2nd floor flats 1-3 (c), 59, 1-16 (c), 59a, 68a, 68 Park Road

Works, The Grove

Unit @ 47 Lynton Road

1-6 (c) Topsfield Close

The Grove, Lynton Road

Palace Road

RESPONSES

Design Team – Overall the scheme is acceptable in terms of its design. The proposal is for a scheme that is in keeping with the heights of neighbouring development and the principle elevation (Park Road) displays a regular and rational arrangement that accords elevational treatments in the wider area. Therefore there are no objections.

Building Control – The proposal has been checked under Regulation B5 – access for the fire service and we have no objections to make.

Transportation Team - Although this site is located in an area with low public transport accessibility level, the W7 bus route on Park Road offers some 26 buses per hour (two-way), for frequent bus connection to and from Finsbury Park tube station. We have subsequently considered that majority of the prospective residents/staff/patrons of this development would use public transport for their journeys to and from the site. We have therefore deemed that this level of vehicular trips (7 in/out vehicle movement in the am peak) would not have any significant adverse effect on the adjacent roads.

Furthermore, the applicant has recognised that notwithstanding that this area has not been identified within the Council's UDP as that with car parking pressure, this stretch of Park Road is heavily parked on both sides and, has therefore proposed 5 car parking spaces and some bicycle racks with secure shelter as indicated on Plan No.PO2-05. These in our opinion are adequate and in line with the maximum car parking standard stipulated in the Council's SPG and, would minimise the car parking impact of this development on the adjoining highway network. The applicant has also demonstrated on Plan No.PO2-05 that servicing lorries (mgv's) would be able to manoeuvre from and onto Lynton Rd without encroaching the on-site car parking bays or indeed reversing from Lynton Rd onto Park Rd.

However, there is the concern that vehicles currently park on the forecourt of this premises, contrary to condition 5 of previous application (HGY/2004/1385) on this site which was " to prevent parking on the forecourt

and protect the amenity of local residents and pedestrians". Also from the site observation, it appears that the gaps in the existing bollards at the southern end of this property on Lynton Rd, is wide enough to allow vehicular access. The applicant has not put forward a proposal to alleviate this problem. Consequently, the highway and transportation authority would not object to this application

6 Letters of Objection received from Local residents on the following grounds:

- The overall outlook will be spoilt for local residents
- Will cut out light for residents
- Will be higher than opposite buildings
- More congestion in the area
- More environmental pollution
- Noise
- Does not increase visual continuity of the streetscape along Park Road
- Out of scale with its characterful and modest surroundings and does not add to visual amenity.
- 5 car parking spaces not adequate for the commercial use and residential units
- Existing roof is asbestos based – concerns over safe removal
- Industrial waste bins will be removed, but there is no indication on plans for replacement
- Proposed allocation of waste bins for residential inadequate
- No detail on access space on the very narrow road for delivery vehicles to existing commercial units and the very limited turning space. The development would only exacerbate this danger.

RELEVANT PLANNING POLICY

HSG1 New Housing Developments

HSG9 Density Standards

HSG10 Dwelling Mix

UD3 General Principles

UD4 Quality Design

UD6 Mixed use Development

UD7 Waste Storage

M10 Parking for Development

SPG1a Design Guidance and Design Statement

SPG3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes

SPG3b Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight

SPG7a Parking Standards

SPG8a Waste and Recycling

SPG12 Educational Needs Generated By New Housing Development

ANALYSIS/ASSESSMENT OF THE APPLICATION

The application site has already had two planning applications granted in recent years one in 2003 and the other in 2004. The application granted in 2003 was for a mixed use commercial and residential, including 40 new residential units. The application granted in 2004 was for retail units and offices over two floors. The application site does not actually lie within any Conservation Area but lies just outside the Crouch End Conservation Area; so it may affect the setting.

Since these previous approvals the site has implemented a row of commercial uses at the ground floor level, which has added to the vitality and viability of the area and local shopping parade. The proposal would introduce a truly mixed use scheme.

The main Planning issues to be considered are as follows:

1. The Principle of residential use
2. Residential Density
3. Height, bulk, scale and design of the building
4. Standards of Accommodation
5. Impact of the building on adjoining occupiers
6. Traffic Generation and parking
7. Comments on letters of objection
8. Matters to be included in a Section 106 Agreement

1. The Principle of residential use

The previous application in 2003 that allowed a mixed use on the site with commercial on the lower floors and residential on the upper floors dealt with the principle of residential. Therefore it is felt that the principle of residential is acceptable and appropriate within the locality. The existing building is mainly used as retail and as a warehouse. The site is not located in a defined employment area in the Unitary Development Plan. There would still be an employment use retained within the new development in the form of 4 new additional commercial units and the existing at ground floor level. The commercial units will be conditioned to keep the uses within retail, offices etc.

There would be no loss of employment, the existing commercial units on the ground floor will be retained and the introduction of 4 new commercial units. The surrounding area is in mixed use and it includes residential development opposite the site to the west and the surrounding roads. The site has good access to public transport and local services. Providing residential units contributes towards the achievement of the Council's housing targets, as outlined in Policy HSG1.

Affordable Housing; this proposal is part of an overall mixed use scheme comprising retention of warehousing at the rear, retail on the ground floor, business units, as well as the nine proposed flats. The scale of residential development is below the threshold at which the Council can require an element of affordable housing.

2. Residential Density

The proposal is to provide a total of 9 residential units comprising of 3 three-bed flats, 2 one-bed and 4 two bed flats. The proposal is for a mixed use; therefore the density has been worked out calculating the total net site area apportioned between the various uses. It has been calculated that 28% of the site would be used for residential and 72% commercial. There would be 36 habitable rooms within the 9 flats. Some of the habitable rooms such as the living, dining room and kitchen areas have been calculated as two habitable rooms due to their size. The floor area of the residential element is 0.08 of a hectare; therefore the density would be 450 habitable rooms per hectare. This density is acceptable under Policy HSG9 Density Standards, where part D of this policy which states that high density ranges would be acceptable in mixed use schemes. The previous scheme granted permission 2002/1877 was approved at a density of 499 habitable rooms per hectare.

3. Height, bulk, scale and design of the building

The proposal will include the extension to the existing property fronting Lynton Road and the erection of two additional floors, making the new development four-storeys. There have been a number of concerns from local residents about the overall height and scale of the proposed building. However the Council has to consider what was granted permission in 2003, which in parts rose to 5 storeys.

The surrounding properties, in particular the adjoining property is Veryan Court, which comprises of four-storeys, have heights of more than two-storeys. The public house adjacent and on the corner with Lynton Road is approximately 12 metres in height. The proposed development is just less than 12 metres in height. The residential flats opposite the site are only two-storey with the distance between them 23 metres, but further along the road towards the Broadway the buildings are primarily three-storey, with the ground floor serving commercial and the upper floors residential.

To the rear of the building are existing warehouses that are two-storeys and beyond this are some residential flats on the Grove. The distance from these residential properties to the proposed site is between 39 and 41 metres. Therefore it is considered that the additional two floors would not appear out of scale with the surrounding buildings.

The proposed design is considered contemporary with most residential units having French doors and small balconies to the front elevation. The proposed windows will be double glazed timber painted windows. The residential entrances will be situated off the main front facing Park Road. One entrance will front Lynton Road and the other on the side elevation on Park Road. The commercial units will be accessed from the front elevation fronting Park Road and each commercial unit will have its own entrance.

The scheme has been designed to have a communal garden on the proposed second floor level and two small private gardens on the third floor for two of

the units. With its proposed mixed use the proposal is acceptable within its context. The area is characterised by three-four storey properties that have a mixed use.

4. Standards of Accommodation

The proposed development would provide a mix of flat types, there will be 3 x three bedroom flats, 2 x one bedroom flats and 4 x two bedroom flats. The space standards in each flats is in accordance with SPG3a, the proposed flats offer satisfactory natural light, outlook and privacy. The scheme also provides small balcony areas and a communal garden area of 178m².

The proposal includes a bin store and a secure bicycle and pram storage area situated on the Lynton Road entrance. In addition the proposal incorporates 5 off street car parking spaces also located on the Lynton Road frontage. As mentioned before the residential units will have two entrances to gain access to the upper floors. The residential units will all have their own private entrances access through a central corridor on the second floor. The standard of accommodation and the level of facilities provided are acceptable and in accordance with the relevant SPG's.

5. Impact of the building on adjoining occupiers

The proposed building would be located close to the boundary with Veryan Court. However the proposed footprint is L shaped. At the point at which the proposed building is closest to Veryan Court, there are no facing windows. On the second and third floor levels there are facing windows but due to the separation between the two buildings there is a set back of 22 metres from any facing window, therefore it is considered that there will not be a loss of privacy or any degree of overlooking to the existing occupants of Veryan Court. The other surrounding properties are also considered to be a suitable distance away from the proposed development; therefore there will be little impact on the surrounding residential units in terms of privacy and overlooking. The proposed balconies front the highway and therefore will not cause considerable overlooking. The existing warehouses to the rear of the proposed development, although lower in height will not be affected.

6. Traffic generation and parking

Some residents have expressed concerns over the traffic generation and additional car parking demand and have raised issues regarding the level of proposed car parking being adequate. The site is in close proximity to Crouch End Broadway, where there is good public transport links, with a number of bus routes passing along Park Road or the surrounding areas. The Transportation Team have agreed that 5 off-street car parking spaces are adequate for the number of units.

Part of the site is currently used as a loading/unloading area for large trucks making deliveries to the warehouses. This will remain unchanged with the additional 5 car parking spaces laid out to not disrupt this flow. The

manoeuvring of the large trucks will still be possible. The Transportation Team is keen to ensure that the large trucks can reverse into the area without obstruction.

7. Comments on letters of objection

There were a number of letters of objection received during the consultation period. A number of concerns and issues were raised. These comments have been taken into consideration. In terms of the overall bulk and scale of the proposed building and the affect on the adjoining properties, it has been considered that the scheme has been sensitively designed to ensure that there will not be a loss of privacy or any additional overlooking. The size and scale of the building is appropriate within its context. The introduction of a four-storey building at this site would be in line with the adjoining building and not entirely out of character in terms of the height.

Parking, refuse and existing deliveries were also a concern. The refuse and off-street parking is thought to be acceptable for the 9 proposed residential units. As mentioned before the existing situation with the deliveries to the warehouse has been assessed in depth with the Transportation Team.

8. Section 106 Agreement

Educational Contribution

It is recommended that the applicant enters into an agreement with the Council in order to secure £53.098 educational contribution because of the expected child yield from the development. This figure is based on the guidance (formula) set out in SPG12 Educational Needs Generated by New Housing Development.

Environmental Contribution

As the proposal would have a significant affect on the local environment, it is considered that a sum of £10.000 for environmental improvements in the vicinity would assist in integrating the scheme into the locality. Such improvements may include tree planting and traffic calming measures.

Recovery Costs

As part of the S106, it is recommended that a financial contribution is required from this development through a legal agreement in order to secure a contribution towards recover costs. This has been calculated at 5% giving a total of £3.154.

SUMMARY AND CONCLUSION

The proposal for the erection of two additional floors for the creation of 3 x three bedroom, 4 x two bedroom and 2 x one bedroom flats and four additional commercial units with 5 car parking spaces and bin and bicycle

storage is acceptable. Despite concerns from local residents, it is considered that the proposal would be a truly mixed used scheme that would incorporate residential units and more commercial units to an existing two-storey commercial building. The additional two-storeys will not adversely affect the privacy and amenities of any adjoining properties or local residents. The overall bulk and scale of the proposal will not be out of keeping with the area as Park road demonstrates many three and four-storey buildings, especially in the immediate locality and back up towards the town centre. The proposed car parking, refuse and bicycle storage are adequate for the residential units. The application site has good transport links and has many local facilities that would serve future occupiers. The standard of accommodation is satisfactory and provides adequate amenity space for future occupiers. In addition the scheme provide a mix of housing ranging from one bedroom flats to family sized units of three bedrooms.

Therefore the proposal should be approved on the grounds that the proposal will utilise the site area to provide a mixed use development, providing a suitable housing mix. The application site is close to the town centre where there are adequate transport links. The overall bulk and scale of the development will not be out of keeping with the area and will not have an adverse affect on the privacy and amenities of any adjoining properties or future occupants compliant with Policies HSG1 New Housing Development, HSG10 Dwelling Mix, UD3 General Principles, UD4 Quality Design, UD6 Mixed Use Development, M10 Parking for Development and SPG3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes of the Haringey Unitary Development Plan.

RECOMMENDATION 1

(1) That Planning Permission be granted in accordance with planning application reference number HGY/2006/1839, subject to a pre-condition that Mr Stephen Oratis and [the owner (s)] of the application site shall have first entered into an Agreement of Agreements 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 £53,098 as an Educational Contribution, £10,000 as environmental improvements and £3.152 as recovery costs; i.e. a total of £66,250.

(1.1) That the Agreements referred to in Resolution (1) above is to be completed no later than 17/12/06 or within such extended time as the Council's Assistant Director (Planning, Environmental Policy and Performance) shall in her sole discretion allow; and

(1.2) 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/2006/1839 be refused for the following reason:

The proposal fails to provide an education contribution in accordance with the requirements set out in Supplementary Planning Guidance 12 'Educational

Needs Generated by New Housing Development' attached to the Haringey Unitary Development Plan.

RECOMMENDATION 2

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/2006/1839 & applicant's drawing Nos. No.(s)

Applicant's drawing No.(s) E01-00; E02-00, 01, RF; E08-01, 02, 03, 04; 05; P02-00A, 01A, 02A, P08-01A, 02A, 03A, 04A & 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, in particular the amended plans received 23rd November 2006 plans nos: P02-00A, 01A, 02A, P08-01A, 02A, 03A, 04A & 05A.
Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.
3. The commercial unit shown on the plans hereby approved shall be used for purposes falling within Class A1 (shops), Class A2 (financial and professional services) or Class B1 (business) only and shall not be used for any other purpose.
Reason: In order to restrict the use of the premises to one compatible with the surrounding area because uses within other classes are not necessarily considered to be acceptable.
4. Samples of all materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references.
Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.
5. 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.

6. The car parking spaces shown on the approved drawings shall be marked out on the site to the satisfaction of the Local Planning Authority, and these spaces shall thereafter be kept continuously available for car parking 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 car parking is made within the site.
7. Prior to the occupation of the residential units a scheme for the installation of bollards along the adjoining footway abutting the western and southeastern periphery of this site on Park Road and Lynton Road shall be submitted to and approved in writing by the local authority.
Reason: In order to prevent parking on the forecourt and improve the condition for pedestrians at this location.
8. The applicants must ensure that servicing lorries enter and exit Lynton Road, from and onto Park Road respectively, in forward gear.
Reason: To minimise disruption to traffic and bus movements on Park Road.

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: You are advised that this development is under the threshold of residential units that would require provision of affordable units. Any future applications for changes of use from office or retail should take into consideration the existing numbers of residential units for the purposes of calculating the necessary provision of affordable housing.

REASONS FOR APPROVAL

The proposal should be approved on the grounds that the proposal will utilise the site area to provide a mixed use development, providing a suitable housing mix. The application site is close to the town centre where there are adequate transport links. The overall bulk and scale of the development will not be out of keeping with the area and will not have an adverse affect on the privacy and amenities of any adjoining properties or future occupants compliant with Policies HSG1 New Housing Development, HSG10 Dwelling Mix, UD3 General Principles, UD4 Quality Design, UD6 Mixed Use Development, M10 Parking for Development and SPG3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes of the Haringey Unitary Development Plan.