

Planning Applications Sub-Committee 26 February 2007 Item No.

## **REPORT FOR CONSIDERATION AT PLANNING APPLICATION SUB-COMMITTEE**

**Reference No:** HGY/2006/2483

**Ward:** Seven Sisters

**Date received:** 18/12/2006

**Last amended date:** N/A

**Drawing number of plans** P102\_001-01, P102\_001-02, P102\_001-03, P102\_001-04, P102\_001-05, P102-100-01B, P102-100-02, P102-100-03, P102-200-01A, P102-200-02, P102-200-03, P102\_200-04, P102-200-05, P102\_300-01, P102\_300-02, P102\_300-03, P102\_300-04, P102-SK-20, 21,22,23 &24 & Design & Access Statement.

**Address:** 381 - 481 Seven Sisters Road N15

**Proposal:** Demolition of existing garages and erection of 3 x 3 storey building comprising 12 x 4 bed houses, 13 x 1 bed flats, 13 x 2 bed flats and 4 x 3 bed flats and associated landscaping (Revised scheme HGY/2005/1592).

**Existing Use:** Council Garages/Advertisements

**Proposed Use:** Residential

**Applicant:** Family Mosaic

**Ownership:** Council

### **PLANNING DESIGNATIONS**

Road - Classified

**Officer Contact:** Elizabeth Ennin-Gyasi

### **RECOMMENDATION**

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

### **SITE AND SURROUNDINGS**

The application site comprises the strip of land fronting Seven Sisters Road between Netherton Road to the south and Moreton Road to the north. The site is bounded by the properties in Pulford Road to the west. These properties form part of the larger Tiverton Road housing estate. Directly opposite the centre of the site is Manchester Gardens, a small local public open space identified in the Plan as a Historic Park.

To the west of the site at the south end is Tiverton primary School. On the east side of Seven Sisters Road opposite is Stamford Hill Primary School.

The area directly surrounding the application site is generally residential in character, to the west is the Tiverton estate built in the 1970's. On the east side of Seven Sisters Road are areas of late Victorian terraced housing.

Seven Sisters Road itself is a busy through route with commercial/retail frontages and a large Public House opposite the site. It is lined on both sides by large mature Plane trees. It is served by a number of bus routes and there is a bus stop directly outside the site. Seven Sisters Underground station is approximately a 10 – 15 minute walk away.

The application site area is 0.66 hectares. It is currently made up of disused garages in Council ownership and a grassed strip fronting Seven Sisters Road. Large advertising hoardings, 7 – 8 metres high, are located to the rear of the grassed area along a large part of the site.

The site is not identified in the Unitary Development Plan as being within any particular policy area. Directly to the south Nos. 341-379 Seven Sisters Road are identified as Site Specific Proposal 16 for a mixed use development including retail/offices/housing and community uses. The parade of shops to the north is identified as a local shopping area.

The site also falls within the New Deal for Communities area, a regeneration initiative for this part of the borough.

## **PLANNING HISTORY**

Historically, the site was occupied by a mixed use, 3-storey commercial/residential terrace of buildings similar to the existing terraces to the north and south of the site. These were demolished in the 1960's as part of the Tiverton Road estate redevelopment.

Recent planning history relates to the following:-

Demolition of existing garages and erection of four x part 3 / part 4 storey blocks comprising 28 x 1 bed, 30 x 2 bed and 10 x 3 bed residential units with associated landscaping - refused 31/10/2005.

## **DETAILS OF PROPOSAL**

The scheme proposes the demolition of existing garages and erection of 3 X 3 storey residential units. It comprises of three separate elements: Building 1 is located at the southern end of the site and comprises of 18 units, providing 1 and 2bed flats. Building 2 to the south of the pedestrian walkway comprises of 12 units, providing 1, 2 and 3bed flats. To the north of the site, would be a row of terraced dwellings comprising of 12 X 4bed units.

The buildings are arranged to form a new terrace fronting Seven Sisters Road, thereby creating a new street frontage to Seven Sisters Road, reflecting the original form of development demolished in the 1960's. The larger units are located on the ground floor and have rear gardens. All the housing will be affordable and would provide accommodation for shared ownership and social renting. The application is made on behalf of Mosaic Homes, a Registered Social Landlord with a number of schemes within the borough.

The scheme is car free. Secure, covered cycle parking is provided within the proposed building. All the proposed flats include either balcony, a terrace or rear gardens. The gardens range from 17 square metres to 65 square metres, with an average of approximately 33 square metres. These gardens are linked to the ground floor family accommodation.

Two amenity open spaces are created adjoining the pedestrian walkway. These spaces total 1000 square metres and will be landscaped and made usable and include low level planting and lighting. This will provide a much improved access to the estate and benefit visually Seven Sisters Road.

## **CONSULTATION**

Ward Councillors  
Transportation  
Cleansing  
Building Control  
Design Team  
Tree Officer:-  
Crime Prevention Officer  
NDC Regeneration  
Scientific Officer

### Residents

2 – 96 Pulford Road  
1- 67 Remington Road  
1 - 24 Moreton Road  
1 – 24 Osman Close  
1 – 24 Tewkesbury Close  
1 – 24 Moreton Close  
1 – 60 Eckington House  
1 – 30 John Masefield House  
361 – 487 Seven Sisters Road (odd)  
485a -487a Seven Sisters Road  
478b Seven Sisters Road  
550 Seven Sisters Road  
590 – 608 Seven Sisters Road  
1 – 29 Berkeley Road  
1 – 57 Heysham Road (odd)  
2 – 68 Heysham Road (even)  
1 – 41 Manchester Road  
2 – 52 Manchester Road  
1 – 19 Candler Street  
2 – 22 Candler Street

## **RESPONSES**

Ward Councillors – no responses received to date.

No. 46 Manchester Road - objects

Building Control- Access for fire Brigade, fire fighting and rescue considered acceptable.

Transportation – ‘Since this proposal falls on TfL road network and TfL is the highway authority for these roads.

Comment received from TfL on 15/01/07 in a letter dated 10/01/07 reads:

“Transport for London (TfL) is supportive of the proposal to create a car-free scheme on this site. However, we are concerned and object to the promotion of vehicular access for servicing and refuse collection directly from A503 Seven Sisters Road. The stopping restrictions on this part of the Transport for London Road network (TLRN) are 24 hours a day, 7 days a week.

There is a northbound nearside bus lane that operates from 7am to 7pm. There is guard rail along this entire length of road which is there to physically discourage kerbside stopping, which has been a problem in the past. The Design and Access Statement indicates vehicular servicing from local roads has been considered.

TfL would expect to see a Transport statement that indicates the level of person trips, a vehicular access strategy (eg refuse collection, other service vehicles, disabled provision, visitors) and how non-car modes will be encouraged. The demolition and the construction phase of the project could impede the safe operation of the TLRN. Should the Borough wish to approve the scheme, TfL would expect that a construction strategy would ensure no vehicles stopping on the TLRN and ensure no encroachment of hoardings or scaffolding onto the TLRN without TfL prior agreement and appropriate mitigation measures.

The principle of vehicular access from Seven Sisters Road is a matter for TfL to decide as the highway authority for this road. TfL would be more than willing to talk to the Borough and the developer about all the issues discussed above.’

Tree Officer:-

Tree cover.

The development site has a number of trees growing on it. The majority are self-seeded Sycamore and also located there are three Cypress trees. The trees appear to be in a fair condition, and of normal vigour for the species. All are proposed for removal.

None of these trees are worthy of retaining and therefore Tree Preservation Orders.

Located on the adjacent footpath is a row of mature London plane trees, which are under the ownership of the Greater London Authority. They are of significant amenity value.

### **Tree protection**

The new development is to be built within close proximity of the Plane trees. All the trees must be protected throughout the development by robust fencing creating a Tree Protection Zone to prevent any detrimental effects to them.

BS 5837:2005 Trees in relation to construction gives recommendations on minimum distances for erecting protective fencing. A Tree Protection Zone must be created using these recommendations:

- The protective fencing must be constructed of stout wooden boards securely attached to scaffold poles, to a height of 2.4m.

- The fencing must be erected before any construction work commences on site and remain until development is complete.
- The Tree Protection Zone must remain in place until construction works are complete. No access will be allowed without prior agreement with the Local Authority Tree Officer.

### **Proposed structures**

The nearest point of the new structure is 4m from the Plane trees. Only a structure built using a Pile and Beam foundations would be suitable. Piles within the trees crown spread will require hand digging to 1m initially to ensure no structural roots are damaged.

The new boundary wall and raised beds also require careful construction to reduce any detrimental effects

Consideration also needs to be given to the future relationship between trees and buildings. Issues such as blocking of daylight, nuisance caused by leaf fall and personal anxiety caused by living close to large trees need to be addressed.

### **New tree planting**

It is proposed to remove a number of trees from the site. A new landscaping scheme needs to be produced with new tree planting.

### **Conclusions**

A Method Statement must be produced indicating the chronology of events with regard to tree protection. This should also include engineering specifications for fence design and a revised site plan showing the Tree Protection Zone.

Engineering details will also be required for construction of the new boundary wall and raised beds to the front of the site.

The statement must also indicate exactly where the site compound and storage area is to be located. It should also include details of where service runs are to be installed.

Once a Method Statement has been produced and its contents agreed by all, it must be conditioned into planning permission.

A new tree planting programme must also be conditioned into planning permission.

Design Team – Have no objection in principle to the proposed scheme. However, they have concerns regarding proximity to the playground at Tiverton Primary School, the colour of the external materials (brickwork), elevational arrangement & roofline and security. Conditions have been suggested as means of dealing with these issues.

Scientific Officer - 'Can you condition HGY/2006/2483 to provide a site investigation report, details of present/previous usage, risk assessment and details of any remediation required. Also I feel we need to ask for an Air Quality assessment as the development is on the side of a road that is already above the objectives for Nitrogen Dioxide and fine dust. If it is found that the levels are above the Air Quality Regs 2000 and (amendment) Regs 2002 levels set, then details of mitigation measures are required'.

## **RELEVANT PLANNING POLICY**

### **PPS1 Delivering Sustainable Development**

PPS1 2005 sets out the fundamental planning policies on the delivery of sustainable development through the planning system. PPS1 identifies the importance of good design in the planning system and that development should seek to improve rather than maintain the quality and character of towns and cities.

### **PPG3 Housing**

PPG3 sets out central Government guidance on a range of issues relating to the provision of housing. It states that the Government is committed to maximising the re-use of previously developed land in order to promote regeneration. PPG3 also sets out the Government's commitment to concentrating additional housing developments in urban areas and create sustainable communities. The need for development to include affordable housing is also set out in PPG3.

### **The London Plan**

The London Plan has now been formally adopted having been issued in draft in June 2002 by the Greater London Authority. The London Plan forms the emerging Spatial Development Strategy for Greater London. It contains key policies covering housing, transport, design and sustainability in the capital. It will replace Regional Planning Guidance Note 3 - Regional Planning Guidance for London.

The London Plan sets housing targets for individual boroughs for the period up to 2016. The target for Haringey is 19370 additional 'homes' (970 per year). Since the adoption of the London Plan, a London Housing Capacity Study published in 2004 indicated that the borough's housing potential capacity is lower than the London Plan's target. The new target for the Council is to achieve 6,800 units between 2007 and 2017 based on the housing capacity study of 2004.

In terms of density, the London Plan states that appropriate density ranges are dependent on location, setting and public transport accessibility (PTAL) rating. A site with a PTAL rating of 2, where flats are predominantly proposed, the density range suggested is 300 – 450 habitable rooms per hectare. The car parking provision for such locations should be less than 1 space per unit.

The London Plan sets affordable housing targets for individual boroughs. The target for Haringey is 50%. This figure should include a range of affordable housing following the guide 70:30 for social rented to intermediate housing. However, the actual proportions for any individual site will depend on the boroughs housing need priorities, the characteristics of the residential proposal, the level of affordable housing in the surrounding area & the economic viability of the scheme.

## **Local Policies**

Haringey's current Unitary Development Plan was adopted in July 2006, it set out policy guidelines for development in the borough. The following policies in the Unitary Development Plan and Supplementary Planning Guidance are considered relevant to the consideration of this application:

G3 Housing Supply

UD1 Planning Statements

UD2 Sustainable Design and construction

UD3 General Principles

UD4 Quality Design

UD7 Waste Storage

UD8 Planning Obligations

M9 Car-Free Residential Developments

M10 Parking for Development

HSG1 New Housing Developments

HSG 4 Affordable Housing

HSG 7 Housing for Special Needs

HSG 9 Density Standards

HSG10 Dwelling Mix

SPG1a Design Guidance

SPG 3a Density, Dwelling Mix, Floor space Minima & Lifetime Homes

SPG 3b Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight

SPG8a Waste and Recycling

SPG10a The Negotiation, Management and Monitoring of Planning Obligations

SPG10b Affordable Housing

SPG10c Education needs generated by new housing

## **ANALYSIS/ASSESSMENT OF THE APPLICATION**

The previous application for residential redevelopment on the site was refused at Committee in October 2005 on grounds of overdevelopment relating to height, bulk and size, loss of light and visual intrusion to properties on Pulford Road, loss of valuable public open space and insufficient provision for shared ownership/key worker accommodation.

The current application, which has been submitted on behalf Family Mosaic Housing Association is the applicant's attempt to address the issues relating to the reasons for refusal. The main changes to the previous proposal are:

- Three storey terraced houses replace four storey apartment buildings.
- Overall reduction in number of units and density –( from 68 units to 42 units)
- The current proposal is located away from houses on Pulford Road.
- Front gardens have been design into the current scheme with defensible space offering passive surveillance over Seven Sisters Road.
- Increased landscaped area lining up with Manchester Gardens
- Front façade material changed to brick instead of copper

- Incorporation of renewable energy resources – in the form of solar water panels

The main issues to be considered in relation to this development are:

Principle of the use and housing need

Density

Design, bulk and massing

Dwelling mix, unit and room size, layout and stacking

Traffic and parking

Privacy and overlooking

Relationship to the school

Sustainability

Community Involvement

### 1. Principle of the use and housing need

Planning Policy Statement 1: “Delivering Sustainable Development” advises that sustainable development is the core principle underpinning planning. The guidance advises, in paragraph 27 (viii), that planning should “promote the more efficient use of land through higher density, mixed-use development and the use of suitably located previously developed land and buildings”.

National Policy Guidance PPG 3 “Housing” and the London Plan encourage the residential development of brownfield sites. The pressure for new housing in the Borough means that brownfield sites, i.e. previously developed sites, are increasingly considered for housing development. In the Borough's tight urban fabric the opportunities for an acceptable form of development are increasingly limited as the availability of sites decrease.

The London Plan sets housing targets for Local Authorities for the period up to 2016. The target for Haringey is 19,370 additional ‘homes’ (970 per year). These targets are generally reflected in Unitary Development Plan policy G3 ‘Housing Supply’. However, since the adoption of the London Plan, a London Housing Capacity Study was undertaken. Its findings published in 2004 indicated that the borough's housing potential capacity is lower than the London Plan target. To this end the Council is now seeking to increase the number of dwellings in borough by 6,800 units between 2007 and 2017 based on the housing capacity study of 2004. Therefore, the redevelopment of the site for residential purposes will contribute toward the Council meeting its housing targets, in line with policies G3 ‘Housing Supply’ and HSG1 ‘New Housing Developments’.

The application site is currently occupied by lock up garages and a grassed open area fronting Seven Sisters Road which is backed by large advert hoardings facing the main road. The garages are vacant and the site is subject to anti-social behaviour. The open area has little townscape value and is dominated by the row of large hoardings. The garages are no longer required by Housing and the redevelopment of this site will bring about the re-use of what is currently under used land in line with advice in PPG3, The London Plan and policy G3 ‘Housing Supply’ of the Unitary Development Plan.



## 2. Density

The London Plan sets a density of 200 – 300 habitable rooms per hectare for developments, consisting terrace houses and flats, in urban areas along transport corridors and sites close to town centres with an accessibility index of 3 -2.

Policy HSG9 'Density Standards' of the adopted Unitary Development Plan sets a density range of 200 –700 habitable rooms per hectare. However, the policy requires that a 'design-led' approach is taken in the assessment of density of development proposals. Therefore matters such as the character of the local area, quality of the design, amenity standards, range and mix of housing types should also form part of the assessment to ensure proposed development relates satisfactorily with the site.

The scheme proposes a total of 42 residential units. The development would provide a mix of 13 x 1-bedroom units, 9 x 2 bedroom units, 8 x 3 bedroom units and 12 X 4bed houses. In total, the scheme has 145 habitable rooms. Therefore, applying the method set out in SPG3a 'Density, Dwelling Mix, Floor space Minima & Lifetime Homes', the density of the proposed development is 220 habitable rooms per hectare.

The proposed density is within the range of 200 – 700 set out in the Unitary Development Plan. In the context of the surrounding area, the proposed density is considered appropriate for the site. As such, the scheme is considered to have an acceptable density, in compliance with the London Plan, Policy HSG9 'Density Standards' and SPG3a.

## 3. Design, bulk and massing

Policy UD3 'General Principles' & UD4 'Quality Design' require that new buildings are of an acceptable standard of design and be in keeping with the character of the surrounding area. The overriding aim of these criteria based policies is to encourage good design of new buildings in order to enhance the overall quality of the built environment and the amenity of residents. These policies reflect the advice in PPS1 and PPG3.

The underlying design principal of the scheme is to create a modern terrace, interpreting the traditional pattern of development in the area in a new way. The layout comprises linear blocks close to the street edge, overlooking the street with private rear gardens. The development is broken up into three separate buildings to respond to the slope of the site and provide views through the development to the areas behind. A landscaping strip is incorporated into the scheme on Seven Sisters Road frontage to provide for a defensible space in front of the ground floor units. Also two amenity spaces are proposed adjoining the pedestrian walkway, providing 1000m<sup>2</sup> landscaped area, which would include low level planting and lighting.

The proposed buildings are 3 storeys to reflect the slope of the site and to respond to the proximity of the existing buildings to the rear. The current scheme has been revised by locating the houses further away from Pulford Road. The proposed units would conform to 'Secured by Design' specification and are design to be dual aspect with front doors to the street and balconies, all of which contributes towards improved surveillance of the surrounding streets. Whilst wood and copper was proposed for the elevational treatment of the previous scheme, the current scheme would use high quality brick and timber to provide human scale and warmth to the buildings and houses. Also the design of the roofline has been revised by stepping down the buildings to help break down the overall bulk of the scheme. It is considered that the scale, bulk and overall design

of the scheme is acceptable and would bring an exciting and modern appearance to this part of Seven Sisters Road.

#### 4. Dwelling mix, unit and room size, layout and stacking

In terms of the mix and standard of accommodation provided, Policy HSG 10 'Dwelling Mix' and SPG3a "Density, Dwelling Mix, Floor space Minima, Conversions, Extensions & Lifetime Homes" set out the Councils standards. The policy encourages the provision of a mix of dwelling types and sizes and outlines minimum flat and room size requirements for new residential developments, which ensures that the amenity of future occupiers is protected.

This scheme would provide 13 X1bed units, 9 X 2bed units, 8 X 3bed units and 12 X 4bed houses, which would accords with policy guidelines. The majority of the one-bedroom units have a floor area of at least 48m<sup>2</sup>, which conforms to the Councils requirement. Therefore, the one-bedroom units are considered to provide a satisfactory standard of accommodation. The two-bedroom units are between 61m<sup>2</sup> and 69m<sup>2</sup>. All the two-bedroom units meet the minimum flat size requirement of 60m<sup>2</sup> (for a 2-bedroom, 3 person flat). The three-bedroom units vary between 82 and 85m<sup>2</sup>, which is in excess of the size requirements of a 73m<sup>2</sup> (4 person flat). The Four- bedroom houses allow 115m<sup>2</sup> per unit which exceeds the Council's requirement of 95m<sup>2</sup> (7-person accommodation).

All the flats are dual aspect. As such, all units/rooms are considered to have adequate light and ventilation. In addition, the stacking and layout arrangement is deemed to be acceptable, with all habitable rooms located above or below habitable rooms in other units. The units have been designed to conform to 'Lifetime Homes Standards' by incorporating provision to meet circulation requirements. In addition all the units have living room and convenient potential bed space at entrance level. Also the units have a wheel chair accessible entrance level and toilet facilities with provision made for future incorporation of a shower. All living rooms incorporate glazing at 800mm or lower, affording seated persons' views out.

Therefore the proposed units provide a satisfactory standard of accommodation and internal layout appropriate for the development. As such, the residential accommodation is found to comply with policy HSG10 and SPG3a.

#### 5. Traffic and parking

The development is proposed as a car free development. This is due in part to the location of the site fronting Seven Sisters Road, which is a main through route, served by a number of bus routes and being within approximately 10 minutes walking distance of Seven Sisters and Manor House stations, as well as the natural characteristics of the site making the provision of providing car spaces within the site difficult. A clause is inserted in the S106 agreement to prevent future occupiers obtaining residents parking permits for the surrounding area.

Seven Sisters Road is the responsibility of TfL. TfL have no objection to the scheme but have requested a vehicular access strategy/ construction strategy (in relation to refuse collection, construction vehicles, service vehicles, disabled provision etc). Therefore a condition has been attached to this report requesting the applicants to submit details for consideration prior to any construction work on the site.

12 secure, covered cycle parking bays are provided within the development.

Refuse storage areas are provided within the development with direct access for refuse collection vehicles from Seven Sisters Road, however, TfL considered that to be problematic, a condition has been attached to this report requiring a scheme for refuse collection to be submitted.

## 6. Privacy and overlooking

Policy UD3 'General Principles' and SPG3b 'Privacy/Overlooking aspect/outlook, daylight/sunlight' seek to protect existing residential amenity and avoid loss of light and overlooking issues.

Due to the narrow nature of the site and the proximity of the existing housing, particularly in Pulford Road, the proposed development is within the 20 metre distance required by policy between principal facing windows. To avoid the potential overlooking of the existing houses by the new development, the upper storey of the rear elevations have been designed to minimise any loss of privacy by providing screens to the rear balconies, angled windows to avoid direct overlooking and obscured glass to rear facing windows where required.

## 7. Relationship to Tiverton Primary School

The proposed development shares a common boundary with Tiverton Primary School at its southern end. Due to the difference in levels at this point, the development is effectively raised up by a storey at this point relative to the school playground. To address this, the scheme incorporates an "art wall" at playground level. This will be finished to allow the School to be involved in the development of suitable art work to be created through a collaboration between the applicant and the school. A provisional sum of money has been set aside for this project.

The scheme has been presented to the Head Teacher of the Primary School and the Chair of Governors of the School to identify and resolve any issues and concerns that the School may have.

## 8. Sustainability

The re-use of under utilised land and the provision of 100% affordable housing are regarded as important sustainable features of the development in themselves which comply with the thrust of both national and London wide guidance. In addition, the scheme is car free (with provision of 12 secure cycle parking bays) and the configuration of the proposed buildings, for example all the units are dual aspect, provide for good natural ventilation and daylighting.

In terms of assessment of this type of development, the BRE Ecohomes Assessment procedure is regarded as most appropriate. This approach is used to benchmark the overall sustainability of developments. Using this approach based on an assessment of seven key areas; (including energy, transport, pollution, materials, health and wellbeing, water & land use and ecology) the scheme would achieve a very good rating. The scheme includes particular features to improve its energy efficiency/sustainability including solar water panels, condensing boilers, low flush toilets and water meters. The scheme also proposes the use of solar panels for hot water.

## 9. Community Involvement

The applicant has carried out an extensive series of meetings with stakeholder groups in the local area including the NDC partnership, the local schools, residents groups and the local Crime Prevention officer. The intention of this process was to allow local people to see the scheme and comment on it. As a result of this process, the scheme has been developed and where possible the comments made have been incorporated into the scheme.

### RESPONSES TO CONSULTATION

One objection letter has been received from a local resident which expresses concern on the following issues. In summary these are:

- Lack of parking/increase congestion in the area
- Loss of open space,
- Increase population in the area resulting in anti social behaviour

In response to these issues, the proposed scheme would be car free nature, which will be incorporated into the S106 agreement. It is considered that this would mitigate the issue of parking problems and congestion. The scheme incorporates open space landscaped areas, for the residents as well as rear gardens for the large family housing. The Council does not accept that the redevelopment of the site for residential would result in anti social behaviour.

### S106 AGREEMENT

Policy UD8 Planning Obligations, SPG10c 'Education needs generated by new housing' and SPG10b Affordable Housing set out the requirement for development in the borough to provide contributions to enhance the local environment where appropriate, in line with the national guidance set out in Circular 1/97.

The applicant has agreed to enter into an Agreement of S106 of the Town and Country Planning Act 1990 to include provision to achieve improvements to the local environment and facilities in the borough. The main features of the S106 Agreement are:

- The provision of affordable housing at 50% of the total units, to achieve: 50 habitable rooms for shared ownership units and 23 habitable rooms for renting.
- An education contribution as required under SPG10c 'Education needs generated by new housing' to a value of £349,000.
- Car free scheme to prevent current or future occupiers being eligible for residents parking permits for existing or future restricted parking areas in the area.
- A contribution of £10,000 towards the scheme for the 'art wall' at Tiverton School.
- A cost recovery charge of £10,470; 3% of the total value of the S106.
- Participation in the Construction Web Initiative.

## SUMMARY AND CONCLUSION

The application site comprises the strip of land fronting Seven Sisters Road between Netherton Road to the south and Moreton Road to the north. The application site area is 0.66 hectares. It is currently made up of disused garages in Council ownership and a grassed strip fronting Seven Sisters Road. Large advertising hoardings, 7 – 8 metres high, are located to the rear of the grassed area along a large part of the site.

The scheme proposes the demolition of existing garages and erection of three storey residential development, which would be broken up into three separate buildings comprising 13 x 1 bed, 9 x 2 bed, 8 x 3 bed flats and 12 x 4 bed houses with associated landscaping. All the housing will be affordable; 50 habitable rooms would be provided for shared ownership units and 23 habitable rooms for social renting.

The redevelopment of this site will bring about the re-use of what is currently under used land in line with advice in PPG3, The London Plan and G3 Housing Supply of the Unitary Development Plan.

The scheme proposes a total of 42 residential units which results in a density of 220 habitable rooms per hectare.

The underlying design principle of the scheme is to create a modern terrace, interpreting the traditional pattern of development in the area in a new way. The use of bricks/ wood and colour glazing for the elevational treatment would bring an exciting and modern appearance to the buildings. The development is proposed as a car free development.

Whilst the proposed development is within the 20 metre distance required by policy between facing principal windows, the rear elevation has been designed to minimise potential overlooking of the existing houses.

The proposed development shares a common boundary with Tiverton Primary School at its southern end. The scheme incorporates an “art wall” at playground level which will be finished to allow the School to be involved in the development of suitable art work to be created through collaboration between the applicant and the school.

The applicant has carried out an extensive series of meetings with stakeholder groups in the local area including the NDC partnership, the local schools, residents groups and the local Crime Prevention Officer.

The applicant will enter into a S106 Agreement of the Town and Country Planning Act 1990 covering in particular affordable housing, education, environment and Construction Web.

Therefore it is considered that overall the proposed scheme is acceptable and complies with national, regional and relevant local policies G3 ‘Housing Supply’, UD1 ‘Planning Statements’, UD2 ‘Sustainable Design and construction’, UD3 ‘General Principles’, UD4 ‘Quality Design’, UD7 ‘Waste Storage’, UD8 ‘Planning Obligations’, M9 ‘Car-Free Residential Developments’, M10 ‘Parking for Development’, HSG1 ‘New Housing Developments’, HSG 4 ‘Affordable Housing’, HSG 7 ‘Housing for Special Needs’, HSG 9 ‘Density Standards’ and HSG10 ‘ Dwelling Mix’.

## **RECOMMENDATION 1**

- (1) That planning permission be granted in accordance with planning application reference number HGY/2006/2483, subject to a pre-condition that the applicant shall first have entered into an Agreement or Agreements with the Council [under Section 106 of the Town and Country Planning Act 1990 (As Amended)] in order to secure:
- The provision of affordable housing at 50% of the total units, to achieve: 50 habitable rooms for shared ownership units and 23 habitable rooms for renting.
  - An education contribution as required under SPG10c 'Education needs generated by new housing' to a value of £349,000.
  - Car free scheme to prevent current or future occupiers being eligible for residents parking permits for existing or future restricted parking areas in the area.
  - A contribution of £10,000 towards the scheme for the 'art wall' at Tiverton School.
  - A cost recovery charge of £10,470; 3% of the total value of the S106.
  - Participation in the Construction Web Initiative.

and

- (2) That the Agreement referred to in Resolution (1) above is to be completed no later than 19 March 2007 or within such extended time as the Council's Assistant Director (PEPP) shall in her sole discretion allow; and

## **RECOMMENDATION 2**

- (3) 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 the planning application

### **GRANT PERMISSION**

Registered No. HGY/2006/1934

Applicant's drawing Nos. P102\_001-01, P102\_001-02, P102\_001-03, P102\_001-04, P102\_001-05, P102-100-01B, P102-100-02, P102-100-03, P102-200-01A, P102-200-02, P102-200-03, P102\_200-04, P102-200-05, P102\_300-01, P102\_300-02, P102\_300-03, P102\_300-04, P102-SK-20, 21, 22, 23 & 24 & Design & Access Statement.

subject to the following planning 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 existing trees on the site shall not be lopped, felled or otherwise affected in any way (including raising and lowering soil levels under the crown spread of the trees) and no excavation shall be cut under the crown spread of the trees without the prior written permission of the Local Planning Authority.  
Reason: In order to safeguard the trees in the interest of visual amenity of the area.
5. A scheme for the treatment of the surroundings of the proposed development including the planting of trees and/or shrubs shall be submitted to, approved in writing by the Local Planning Authority, and implemented in accordance with the approved details.  
Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity.
6. Details of a scheme depicting those areas to be treated by means of hard landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme to include a detailed drawing of those areas of the development to be so treated, a schedule of proposed materials and samples to be submitted for written approval on request from the Local Planning Authority.  
Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.
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. That the levels of all thresholds 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.

9. 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.
10. That a detailed scheme for the provision of refuse and waste storage 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. The proposed development shall have a central dish/aerial system for receiving all broadcasts for all the residential units created, details of such a scheme shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property and the approved scheme shall be implemented and permanently retained thereafter.  
Reason: In order to protect the visual amenities of the neighbourhood.
12. That precise details of the fenestration to the rear of the of the south block overlooking Tiverton Primary School playground shall be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved being commenced.  
Reason: To avoid overlooking of the school playground.
13. Prior to the commencement of the development hereby approved, a method statement must be produced setting out the chronology of events with regard to tree protection. This method statement should include engineering specifications for fence design and a revised site plan showing the tree protection zone. Engineering details will also be required for the construction of the new boundary wall and raised beds to the front of the site. The statement should also include precise details of the site compound, storage areas and service runs.  
Reason: To ensure the adequate protection of the existing trees.
14. That a scheme illustrating a vehicular access strategy for construction traffic, refuse collection, other service vehicles and disabled provision be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved scheme.  
Reason: In order to confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.
15. Prior to the commencement of the development hereby approved, a Travel Plan and a Transport Assessment Report must be submitted to and approved by the Local Planning Authority. Detailing should be as specified in SPG 7b 'Travel Plans' and SPG 7c 'Travel Assessments' dated October 2006.  
Reason: In order to ensure that the proposed developments does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.



16. 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 H 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.
17. That the existing hoardings on the site shall be removed and not reinstated without planning permission.  
Reason: In order to safeguard the amenities of the locality.
18. No development shall take place until site investigation detailing previous and existing land uses, potential land contamination, risk estimation, air quality assessment and remediation work if required have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.  
Reason: In order for the Local Planning Authority to ensure the site is contamination free.

## REASONS FOR APPROVAL

The scheme is acceptable and complies with national, regional and relevant local Policies G3 'Housing Supply', UD1 'Planning Statements', UD2 'Sustainable Design and Constructions', UD3 'General Principles', UD4 'Quality Design', UD7 'Waste Storage', UD8 'Planning Obligations', M9 'Car-Free Residential Developments', M10 'Parking for Development', HSG1 'New Housing Developments', HSG 4 'Affordable Housing', HSG 7 'Housing for Special Needs', HSG 9 'Density Standards' and HSG10 'Dwelling Mix'.

- (3) That, in the absence of the Agreement referred to in Resolution (1) above being completed within the time period provided for in Resolution (2) above, the planning application be refused for the following reason:

The proposal fails to provide the affordable housing provision in accordance with the requirements set out in Policy HSG4 'Affordable Housing' and Supplementary Planning Guidance 10b 'Affordable Housing' of Unitary Development Plan

- (4) In the event that the Planning Application is refused for the reasons set out in Resolution (3) above, the Assistant Director (PEPP) (in consultation with the Chair of PASC) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:
  - (i) there has not been any material change in circumstances in the relevant planning considerations, and
  - (ii) the further application for planning permission is submitted to and approved by the Assistant Director (PEPP) within a period of not more than 12 months from the date of the said refusal, and
  - (iii) the relevant parties shall have previously entered into the agreement contemplated in resolution (1) above to secure the obligations specified therein.