

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

**Reference No:** HGY/2007/0254

**Ward:** Seven Sisters

**Date received:** 02/02/2007

**Last amended date:** 09/03/2007

**Drawing number of plans:** 679-001 to 006 inclusive, 679-007A, 679-008B, 679-009A, 679-010A, 679-011A, 679-012, 679-013, 679-014, 679-015A, 679-016A, 679-017, 679-020, 679-021 & 679-022A.

**Address:** 21 - 27 Overbury Road N15

**Proposal:** Redevelopment of site to include demolition of existing buildings and erection of 1 x 3 storey block comprising of 363.55sqm of commercial (B1) floor space at ground floor level and 1 x one bed, 1 x 3 bed and 6 x two bed flats at 1st and 2nd floor level. Provision of communal garden at roof level and refuse and cycle storage at ground floor.

**Existing Use:** Mixed use

**Proposed Use:** Mixed use

**Applicant:** Staterule Ltd.

**Ownership:** Private

**PLANNING DESIGNATIONS**

Road - Borough

**Officer Contact:** Oliver Christian

**RECOMMENDATION**

GRANT PERMISSION subject to conditions and subject to section 106 Legal Agreement

**SITE AND SURROUNDINGS**

The site comprises a 2 storey building on Overbury Road part of a terrace of similar buildings close to the junction with Tewkesbury Road.

The site is no longer within a defined employment area.

The site is close to Seven Sisters Road and within easy access to public transport.

## **PLANNING HISTORY**

No recorded planning history

## **DETAILS OF PROPOSAL**

The current proposal seeks redevelopment of site including demolition of existing building and erection of 1 x 3 storey block comprising 1 x 1 bed, 6 x 2 bed and 1 x 3 bed self contained flats on the upper floors with accessible roof garden at 3rd floor level and B1 commercial use at ground floor with waste storage facility and cycle storage.

The proposal has been amended from that originally submitted with the front elevation being altered: Additionally the internal layout has been changed to provide a 3 bed unit by the removal of two, one bed units.

## **CONSULTATION**

Local residents / businesses  
Design Team  
Crime Prevention Officer  
Transportation group  
Waste Management  
Major / minor advert  
Ward Councillors

## **RESPONSES**

The proposal mirrors that recently approved on the adjoining site; regarding that development the Design Team – comments were as follows - This is a sensitively designed mixed use scheme which sits well on the site, and harmonizes with the local area.

The proposal has been amended to reflect the comments of the Council's design officer.

The development will enhance the local area in this part of Seven Sisters and enliven the street frontage to Overbuy Road by the providing new entrances and overlooking windows.

The scheme is acceptable in design policy terms and approval is recommended

## **Transportation Group –**

This development proposal is located within a walking distance of Seven Sisters Road bus route, which provides some 22 buses per hour (two-way), for frequent connection to Seven Sisters and Manor House tube stations. We have subsequently deemed that some of the prospective residents of this development would use sustainable travel modes for their journeys to and from the site. Also, this site is within Seven Sisters Controlled Parking Zone operating from Monday to Saturday, between 0800hrs and 1830hrs and controls parking at this location. In addition, we have deemed that due to the site's characteristics, this development is suitable for dedication as a car-free development.

Although it was observed that Overbury Road is heavily parked during the day, most of the car parking pressure is associated with existing daytime business activities in this area. The applicant has also proposed 8 cycle racks with secure shelter as detailed on Plan No. 679/007, in line with the cycle parking standard in the adopted 2006 UDP. We have also considered that the proposed development will not generate any significant traffic or indeed car parking demand that would adversely affect the adjoining highway network.

However, our site visit has confirmed that some improvements need to be made to pedestrian conditions at this location. In particular, there is the need to replace the damaged lighting column and relocate / replace few of the bollards around the junction of Overbury Road with Tewkesbury Road. Few vehicles were also observed encroaching the footway at this junction, hence this problem will have to be addressed through construction of double yellow lines and installation of bollards. Pedestrians at this location would also benefit from improved traffic calming measures along Overbury Road.

Consequently, the highway and transportation authority would not object to this application subject to the condition that the applicant enters into a S.106 agreement which would mean that:

1. The applicant contributes a sum of £15,000 (Fifteen thousand pounds) towards improved lighting, footway protection / entry treatment and traffic calming measures along Overbury Road.

Reason: To improve the conditions for pedestrians at this location.

2. "The residential unit is defined as 'car free' and therefore no residents therein will be entitled to apply for a residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development." The applicant must contribute a sum of £700 (Seven hundred pounds) towards the amendment of the TMO for this purpose.

Reason: To encourage residents of this development to use sustainable travel modes.

## **RELEVANT PLANNING POLICY**

### **National Policy Background**

## **Planning Policy Statement- 3 Housing**

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

PPG3 states that Local Planning authorities should:

- Provide sufficient housing land but give priority to re-using previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of greenfield sites;
- Promote improved quality of developments which in their design, layout and allocation of space create a sense of community; and
- Introduce greater flexibility in the application of parking standards, which the government expects to be significantly lower than at present.

## **Planning Policy Statement 13 Transport**

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

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

### ***The London Plan***

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

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

### **Local Policy Background**

#### **Unitary Development Plan 2006**

##### **EMP4: Non Employment Generating Uses**

Require that there is no demand for the site to be used in its existing form – evidence of unsuccessful marketing of the site – outside of a DEA – retain or increase the number of job on the site.

##### **UD3: General Principles**

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

##### **UD4: Quality Design**

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

##### **UD6: Mixed Use Developments**

Where appropriate developments should include a mix of uses in order to ensure sustainable development – aiming to make the optimal use of land whilst still maintaining a decent environment.

##### **UD7: Waste Storage**

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

##### **HSG 4: Affordable Housing**

Housing developments capable of providing 10 or more units will be required to include a proportion of affordable housing to meet an overall Borough target of 50%.

##### **HSG8: Density Standards**

Reflects the advice in the London Plan also increased densities.

## **HSG9: Dwelling Mix**

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

## **M9: Car Free Development**

Assess the appropriateness for car free developments

## **Supplementary Guidance**

SPG1a - Design Guidance

SPG3a – Density / Dwelling mix

SPG 4 - Access for all

SPG5 - Safety by Design

SPG8a - Waste and recycling

SPG9 - Sustainability Statement (checklist)

SPG12 - Education needs generated by new housing development

SPG7a – Parking Standards

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

The main issues created by the proposal are:

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

Each of these issues is discussed below.

### **Principle of Residential Use**

The subject site has been removed from the Defined Employment Area (DEA) as such Policy EMP4 is applicable.

The proposal provides commercial floor space on part of the ground floor that has the potential to create employment opportunity.

It is considered that the proposal will result in a sustainable mix of uses that will benefit the community complying with Policy UD 6 'Mixed Use Development'.

PPS3 and the London Plan encourage the residential development of brownfield sites. The pressure of land for new housing in the Borough means that brownfield sites such as this one are increasingly considered for housing development. In the Borough's tight urban fabric the opportunities for an acceptable form of this development are increasingly limited as the available sites decrease.

### **Density**

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

The Unitary Development Plan sets a density range of 200 – 400 hrh. The densities allowed in the Unitary Development Plan reflect more closely with the densities set out in the London Plan.

The site displays the characteristics of an urban site with a low accessibility index as defined in the London Plan. As such, the Plan allows for a density of development up to 450 hrh. Applying the method of calculation set out in Supplementary Planning Guidance Note 23a Density, this mixed use scheme has a density of 454hrh based on a gross site area of 0.0528 hectares, which is in line with this requirement.

The ground floor has been laid out as commercial floor space. In line with guidance contained in Supplementary Planning Guidance Note.3a 'Standards for New Build Residential Development', a communal roof garden has been proposed.

Policy HSG 9 'Dwelling Mix' requires a mix of unit sizes to provide some family, (i.e. over 1-bed), units. This scheme proposes 1 x three bed, 1 x one bed and 6 x two bedroom flats, which generally meet the flat size and room size requirements of Supplementary Planning Guidance Note 3a 'Standards for New Build Residential Development'. The proposed development is below the threshold that requires an affordable housing contribution and as such the proposal complies with Policy HSG 4 'Affordable Housing'.

### **Size, Bulk and Design**

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

The building is three storeys in height incorporating commercial use on the ground floor, which generally reflects the height of the nearby building and a number of industrial buildings within the vicinity.

The result is a contemporary building, which respects the constraints of the site and contrasts with the predominantly industrial buildings and workshops in the area.

The Council's Design Team considers that this is a sensitively designed mixed use scheme which sits well on the site, and harmonizes with the local area.

The development will enhance the local area in this part of Seven Sisters and enliven the street frontage by the provision of new entrances and overlooking windows.

The amended scheme is acceptable in design policy terms and approval is recommended.

The secure rear boundary provides a barrier between the site and the adjoining play area. It is also considered that the neighbouring industrial estate will not have a significant negative impact on the future occupants of the site.

It is considered that the development will not have an adverse effect on any adjoining property. In fact it will have a positive regenerative impact on the streetscape and the amenity of the area.

### **Privacy and Overlooking**

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

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

Policy UD3 and SPG 3b 'Privacy and Overlooking' seeks to protect the existing privacy and amenity of neighbouring occupiers. In this case, the proposed buildings meet the requirements of Policy and will not therefore result in loss of privacy from overlooking.

### **Waste management, Access and Parking**

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



The waste storage facility accommodates both residential and commercial waste in an easily accessible location.

The Council's Transportation Group was consulted and recommends that the proposal will not lead to adverse traffic conditions or congestion in the area and is satisfied that the scheme can be a car-free development.

### **Sustainability and Energy renewal**

The applicant has completed the Council's sustainability checklist.

The individual units have been designed to meet a "very good" ecohomes rating which is in line with the requirement of ENV6a.

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

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

### **Contributions**

**Education** - Supplementary Planning Guidance Note 12 'Education Needs Generated by New Housing Development' requires the applicant enter into a legal agreement with the Council to provide a financial contribution towards the impact of the development on local education provision. The Guidance recognises that all, new development, with 5 or more units with children bed spaces are likely to have an impact. The Guidance sets out a formula for assessing the contribution based on figures provided by the Department of Education and Science of the cost of school places. This report recommends that a contribution is required for this development through a legal agreement should planning permission be granted. The applicant is required to contribute a sum of £39,206.

**Footway improvements within the vicinity** – The applicant is required to contribute £15,000 toward footway improvements within the immediate locality also the applicant must contribute a sum of £700 (Seven hundred pounds) towards the amendment of the Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development (£15,700).

**Administrative recovery charges** – £2,745.

## **SUMMARY AND CONCLUSION**

The proposed development accords with Council Policy EMP4 'Non Employment Generating Uses'. The site is not within a DEA and the proposed development incorporates commercial use on the ground floor with the potential to create new employment on the site.

The location of the proposed building on the site means neighbouring occupiers will not suffer loss of amenity regarding additional overlooking, loss of sunlight or daylight as the distances between the proposed building and the existing properties

surrounding the site meet the Council's guidelines. The design approach is modern, adequate amenity space is provided and the scheme will be car-free.

The proposed development is of a type and scale which is appropriate to this location. Mixed use is proposed that raises the density proposed but not such that the scheme fails to meet the relevant policy requirements – additionally the proposal is in line with general national policy and guidance which encourages Local Planning Authorities to approve higher density schemes in locations such as this.

## **RECOMMENDATION 1**

That planning permission is granted in accordance with planning application no. HGY/2007/0254, subject to a pre-condition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under Section 106 of the Town & Country Planning Act 1990 (As Amended).

This report also recommends that under the guidance contained in SPG 12, the applicant enter into an Agreement under Section 106 and Section 16 of the recently adopted Greater London Plan to make a contribution of £39,206 toward local education facilities, £15,700 toward footway improvements and Traffic Management Order within the vicinity, also administrative recovery costs of £2,745.

## **RECOMMENDATION 2**

(1) That planning permission be granted in accordance with planning application reference number HGY/2007/0254 subject to a pre-condition that the applicant shall first have entered into an Agreement with the Council under Section 106 of the Town and Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974] in order to secure: Education contribution of £39,206, also £15,700 toward footway improvements and a Traffic Management Order within the vicinity and recovery / administrative costs of £2,745.

(2). That, following completion of the Agreement referred to in resolution (1) planning permission be granted in accordance with planning application reference number HGY/2007/0254 & applicant's drawing No's: 679-001 to 006 inclusive, 679-007A, 679-008B, 679-009A, 679-010A, 679-011A, 679-012, 679-013, 679-014, 679-015A, 679-016A, 679-017, 679-020, 679-021 & 679-022A. - subject to the following conditions:

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.  
Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.
2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in

writing by the Local Planning Authority.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in connection with the development hereby permitted have been submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.  
Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.
4. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.  
Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.
5. 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.
6. That not more than 8 separate residential units shall be constructed on the site.  
Reason: In order to avoid overdevelopment of the site.
7. The building proposed by the development hereby authorised shall comply with BS 8220 (1986) Part 1 'Security of Residential Buildings' and comply with the aims and objectives of the police requirement of 'Secured By Design' & 'Designing Out Crime' principles.  
Reason: In order to ensure that the proposed development achieves the required crime prevention elements as detailed by Circular 5/94 'Planning Out Crime'.

8. No development shall take place until site investigation detailing previous and existing land uses, potential land contamination, risk estimation 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.

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

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

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

INFORMATIVE: 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 to contact the Crime Prevention Officer, Tottenham Police Station, 398 High Road, London N17 9JA (tel. 020 8345 0934) regarding crime prevention information that may assist the security of the proposed development hereby authorised.

## REASONS FOR APPROVAL

The proposal complies with Policies UD2 'Sustainable Design and Construction', UD3 'General Principles', UD4 'Good Design', UD5 'Mixed Use Development', HSG9 'Density Standards', EMP4 'Non Employment Generating Uses', EMP5 'Promoting Employment Uses', M9 'Car Free Development' of the Haringey Unitary Development and appropriate Supplementary Planning Guidance.