

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2013/1169	Ward: Muswell Hill
<p>Address: 107-143 Muswell Hill Road N10 3HS</p> <p>Proposal: Erection of rear and side extensions to create additional retail floorspace and provision of eight residential units within a rear extension and a single storey roof extension at third floor level. Construction of new freestanding lift and stair core to rear, creation of new internal lift shaft. Public realm works including closure of existing car park entrance, slip road and short term parking, and creation of two way road access to car park from Fortis Green and hard landscaping of existing site frontage.</p> <p>Existing Use: Mixed Use – Residential and Commercial</p> <p>Proposed Use: Mixed Use – Residential and Commercial</p> <p>Applicant: Henderson UK Property Unit Trust</p> <p>Ownership: Private/LBH Highways</p>	
<p>Date received: 20/06/2013 Last amended date: 19/09/2013</p> <p>Drawing number of plans: 20858 P(--), 003 H, 004 F, 005 F, 006, F, 007 C, 008, 009, 010 B, 011 B, 12 A, 13 B, 14 A, 015 A, 018, 050 E, 060 A</p>	
<p>Case Officer Contact: Robbie McNaugher</p>	
<p>PLANNING DESIGNATIONS:</p> <p>Retrieved from GIS on 21/06/2013 Muswell Hill Conservation Area Road Network: C Road Grade II Listed Buildings</p>	
<p>RECOMMENDATION</p> <p>GRANT PERMISSION subject to conditions and subject to sec. 106 Legal Agreement</p>	

SUMMARY OF REPORT:

The application site is a 1930's 3 storey building with shops at ground floor and two floors of residential above. The site adjoins the Odeon cinema located on the western side of Muswell Hill Road next to the junction with Fortis Green Road. The application site is a Grade II listed building while the adjoining Odeon Cinema is a Grade II* listed building.

The principle of the proposal is considered acceptable with improved retail floorspace and public realm considered to enhance the vitality and viability of Muswell Hill Town Centre. An additional floor of residential accommodation has previously been accepted in an application approved in 2007.

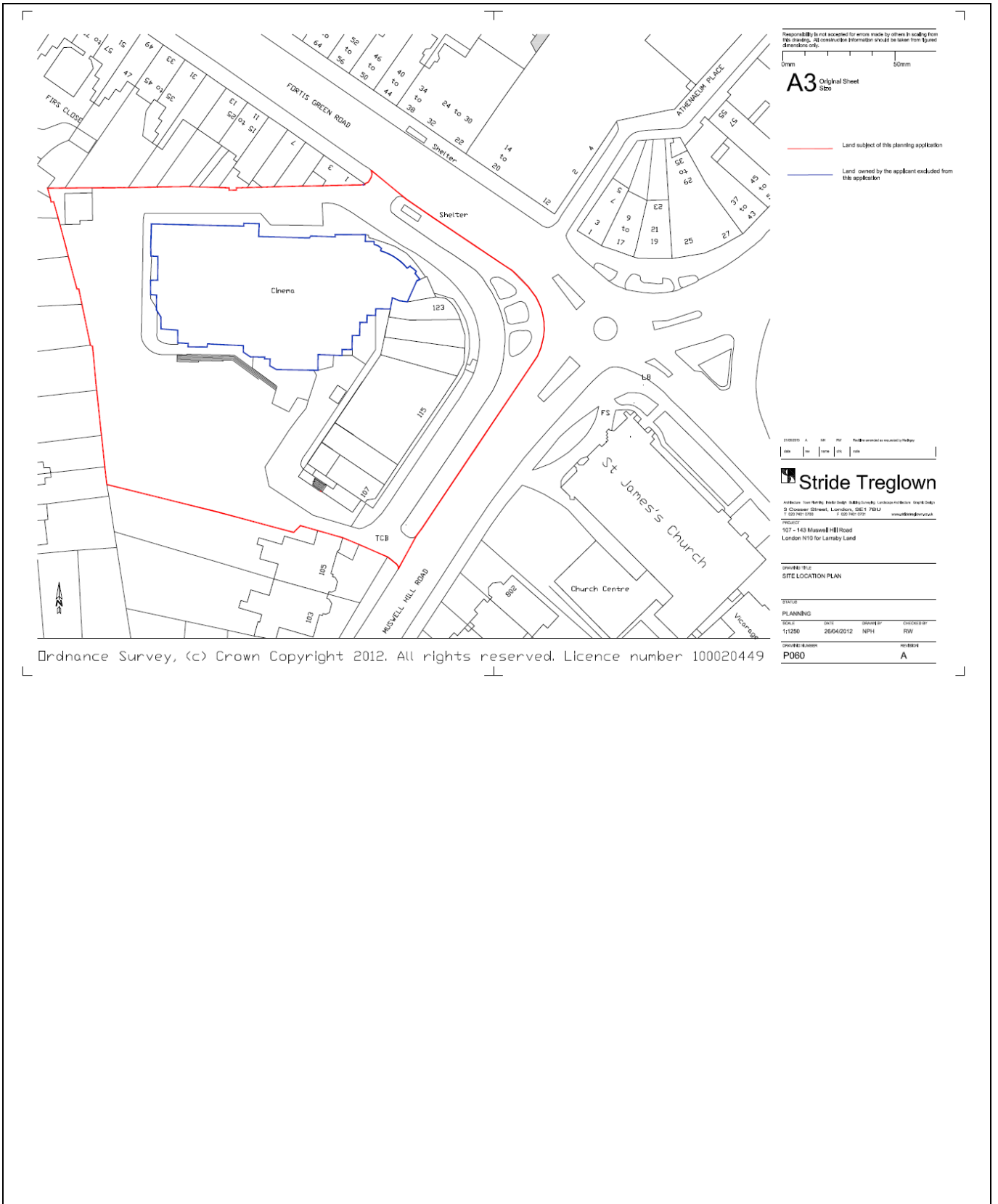
Since the initial submission the proposal has been amended to improve the design of the side and rear extension and landscaping works to the front of the building. The proposal now also includes residents parking, stop and shop parking spaces within the rear car park and improvements to the rear car park in terms of lighting, cctv and soft landscaping.

The proposal was broadly supported by the Haringey Design Review Panel and the amended proposal is considered to be of a high design quality which is considered acceptable in terms of the impact on the Listed Buildings and the Conservation Area.

The development would cause no significant harm to residential amenity, traffic and highway conditions and meets the required standards for sustainability. Where impacts will be caused, mitigation measures will be secured by condition or by S106 agreement. The Council has consulted widely and responses were taken into account by officers, several letters of support have been received from residents and local businesses.

The detailed assessments outlined in this report demonstrate that on balance there is strong planning policy support for these proposals embodied in the Local Development Plan and backed by Regional and National Planning Guidance. Therefore, subject to appropriate conditions and S106 contributions the application should be approved.

1.0 SITE PLAN



2.0 IMAGES



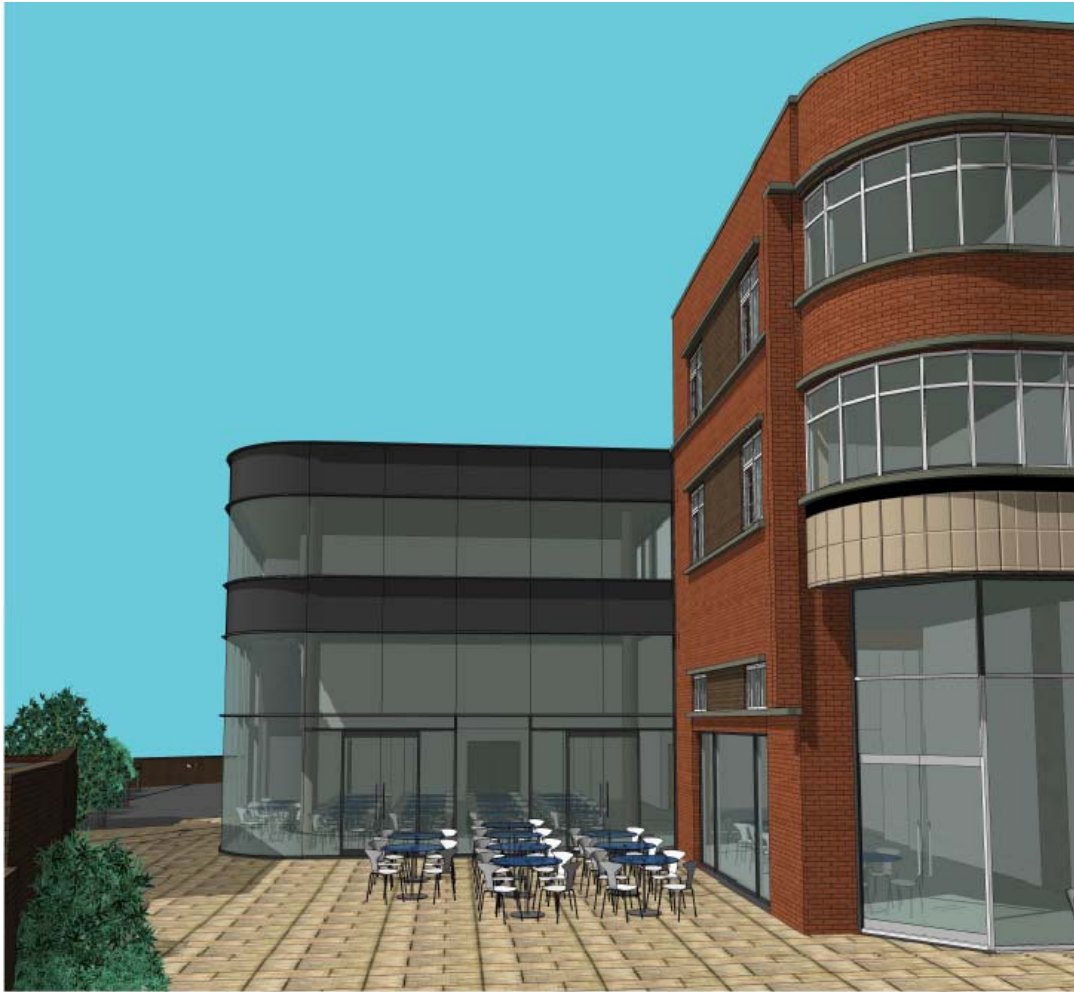
Strategic Views



① View from St James Circus



② View from south



① **View of restaurant extension**

3.0 SITE AND SURROUNDINGS

- 3.1 The site comprises a 1930's 3 storey building with shops at ground floor and two floors of residential above. The site forms part of the same development as the Odeon cinema and consists of a run of six retail units (circa 8,000 sq ft) with two storeys of residential accommodation above which were built as one development and completed in 1936 in the distinctive Art Deco style popularised by Oscar Deutsch's entertainment chain and designed by their leading architect George Coles. The building is located on the western side of Muswell Hill Road next to the junctions of Fortis Green Road, Muswell Hill Broadway, and St. James's Lane.
- 3.2 No.107-143 Muswell Hill Road is a Grade II listed building while the adjoining Odeon Cinema is a Grade II* listed building. The adjoining cinema building has an important curved front elevation clad in black and cream faience tile, whilst its side and rear elevations facing the rear car park are relatively utilitarian and clad in blank brickwork.
- 3.3 The shops within this parade have curved projecting ribs between each unit, and are clad in faience to resemble the forms of the adjoining Odeon. Above the parade of shops and below the first floor windows there is a wide cream coloured horizontal band of faience panels, some of which are damaged/ cracked. The elevation of the two upper floors consists of red / brown brickwork with horizontal concrete sills and ribbon windows. Many of the original Crittal steel windows have been replaced by UPVC windows. There is also a red/brown brickwork parapet wall above the second floor with a flat roof behind.
- 3.4 At its northern end the building follows the curve of the corner with radially laid out shops behind. It has a radius curved end to its flank wall with the ribbon windows swept around the corner in typical 1930 style. The existing entrance to the flats comprises open stairs between the end of the building and the car park entrance, leading to a first floor open balcony access providing access to individual front doors to first floor flats, as well as a communal entrance door to other flats from the building's frontage onto Fortis Green Road.
- 3.5 The existing entrance to the flats comprises open stairs between the end of the building and the car park entrance, leading to a first floor open balcony access providing access to individual front doors to first floor flats, and communal entrance doors to other flats. The gap to the Edwardian No 105 Muswell Hill Road is important as a visual break from the 1930's modern building.
- 3.6 The application site falls within Muswell Hill Town Centre (Secondary Retail Frontage) and within the Muswell Hill Conservation Area. The application site forms a distinctive parade of shops with apartments above and lies at the heart of this part of the Town Centre

4.0 PROPOSAL

- 4.1 This is an application for Planning Permission for the erection of a 2 storey rear and 3 storey side extension to create additional retail floorspace and provision of eight residential units within a rear extension and a single storey roof extension at third floor level; construction of new freestanding lift and stair core to rear; creation of new internal lift shaft. Public realm works including closure of existing car park entrance, slip road and short term parking, and creation of two way road access to car park from Fortis Green and hard landscaping of existing site frontage.
- 4.2 The proposal has been amended from the initial submission following concerns from the Conservation and Design Officers and Transportation Team. The design of the side and rear extension has been amended by reducing the footprint of the extension and increasing the height to reflect the proportions of the existing building and improve access to the car park at the rear. The landscaping works to the front of the building have been amended and simplified to reflect the design of the existing building and to provide a better access onto Fortis Green Road. Resident's parking for the proposed flats will be provided to the rear of the site along with 'stop and shop' parking to replace the existing parking to the front of the site. The car park environment will also be improved with the provision of soft landscaping and CCTV.
- 4.3 The application is accompanied by an application for Listed Building Consent HGY/2013/1170.

5.0 PLANNING HISTORY

Planning Application History

- 5.1 Planning permission was granted on 6th December 2007 (Reference: HGY/2007/2115) for the following: "Creation of new third (penthouse) floor and two storey side extension to accommodate five residential units and associated changes to external appearance." This permission, which followed a succession of failed applications and a public Inquiry (which upheld the previous refusal), has now lapsed.
- 5.2 The most recent planning application (HGY/2012/0967) and associated listed building consent application (HGY/2012/0978) granted planning permission for "Erection of rear extension to provide additional retail floorspace at ground and mezzanine levels". The original application submitted sought permission for "Erection of rear extension to provide additional retail floorspace at ground and mezzanine levels, and 2 x three bed flats at first and second floor levels, with installation of replacement door on front elevation" however the residential element of the scheme was withdrawn following concerns from planning officers.

Planning Enforcement History

- 5.3 No Planning Enforcement History

6.0 RELEVANT PLANNING POLICY

6.1 National Planning Policy Framework, March 2012

6.2 London Plan, July 2011

Policy 3.3 Increasing Housing Supply

Policy 3.4 Optimising Housing Potential

Policy 3.5 Quality and Design of Housing Developments

Policy 3.8 Housing Choice

Policy 3.9 Mixed and Balanced Communities

Policy 3.10 Definition of Affordable Housing

Policy 3.11 Affordable Housing Targets

Policy 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

Policy 3.13 Affordable Housing Thresholds

Policy 3.14 Existing Housing

Policy 4.3 Mixed Use Developments

Policy 4.7 Retail and Town Centre Development

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.10 Urban Greening

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable Drainage

Policy 5.14 Water Quality and Wastewater Infrastructure

Policy 5.15 Water Use and Supplies

Policy 5.18 Construction Excavation and Demolition Waste

Policy 6.2 Providing Public Transport Capacity & Safeguarding land for Transport

Policy 6.3 Assessing Effects of Development on Transport Capacity

Policy 6.7 Better Streets and Surface Transport

Policy 6.10 Walking

Policy 6.11 Smooth Traffic Flow and Tackling Congestion

Policy 6.13 Parking

Policy 7.1 Building London's Neighbourhoods and Communities

Policy 7.2 An Inclusive environment

Policy 7.3 Designing out Crime

Policy 7.4 Local Character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage Assets and Archaeology

Policy 8.3 Community Infrastructure Levy

6.3 Local Plan, March 2013

SP0 Presumption in Favour of Sustainable Development

SP1 Managing Growth

SP2 Housing

SP4 Working towards a Low Carbon Haringey

- SP6 Waste and Recycling
- SP7 Transport
- SP8 Employment
- SP9 Skills/Training to Support Access-Jobs/Community cohesion/Inclusion
- SP10 Town Centres
- SP11 Design
- SP12 Conservation

6.4 Unitary Development Plan (post Local Plan Adoption, March 2013)

- UD3 General Principles
- UD7 Waste Storage
- UD8 Planning Obligations
- TCR5 A3 Restaurants & Cafes, A4 Drinking Establishments & A5 Hot Food Takeaway
- M8 Access Roads
- M9 Car-free residential developments
- M10 Parking for development
- CSV4 Alterations and extensions to Listed Buildings
- CSV5 Alterations and Extensions in Conservation Areas

6.5 Supplementary Planning Guidance / Documents

- SPG1a Design Guidance and Design Statements
- SPG2 Conservation and Archaeology
- SPG4 Access for All – Mobility Standards
- SPG5 Safety by Design
- SPG7a Vehicle and Pedestrian Movements
- SPG7c Transport Assessment
- SPG10a The Negotiation, Management and Monitoring of Planning Obligations
- SPD Housing
- SPD Sustainable Design and Construction

The Majors Housing SPD

7.0 **CONSULTATION**

Internal	External
Ward Councillors Transportation Waste Management Building Control Design & Conservation Environmental Health	English Heritage Thames Water London Fire Brigade Police Crime Prevention Officer <u>Amenity Groups</u> Muswell Hill & Fortis Green Residents Association Muswell Hill/Fortis Green/Rookfield CAAC <u>Local Residents</u> 753 neighbouring residential commercial

	properties – see consultation list for details
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8.0 RESPONSES

8.1 English Heritage- no objections

Advise that the decision is made in line with national and local policy guidance and on the basis of specialist conservation advice.

8.2 Thames Water- no objections

Request conditions requiring sustainable drainage and a piling method statement

8.3 Building Control - No objections

8.4 Waste Management - No Objections:

Advise on bin requirements

8.5 The London Fire Authority - No objections:

Advise that the applicant considers the installation of sprinklers as part of the development

8.6 LBH Transportation - no objections. Their comments are summarised as follows:

The proposed change in access arrangement has been modelled and independently reviewed by a third party consultant appointed by the Council, the results of the modelling suggest that the new junction layout will operate within the theoretical acceptable parameters. The applicant has prepared a transport statement (TS) to support the application. The TS has concluded, that traffic movements would be distributed through the day and will not impact on the flow of traffic on the transportation and highways network. The applicant has proposed providing 8 off street car parking spaces and 8 secure sheltered cycle parking spaces as part of the residential aspect of the development proposal, we have considered that the level of parking proposed on site is acceptable considering that this site has good access to public transport. Based on the parking surveys completed for the existing car park which the car park is largely underutilised, the retail aspect of the development will not be required to provide any additional car parking spaces. The applicant is proposing to incorporate some 36 cycle parking spaces as part of the new landscaping post the removal of the service road. The development proposal is considered acceptable in principle subject to S106 obligations and pre-commencement conditions.

8.7 LBH Conservation and Design – no objections:

Background: This is a grade II listed row of shops (ground floor) and flats (upper floors) within the Muswell Hill Conservation Area. It was built in 1935-36 by George

Coles for the Muswell Hill and Harlesden Property Company, of which Oscar Deutsch of Odeon Cinemas was a Director. The grade II* Odeon Cinema is attached to the building and together they have a significant group value within the conservation area.

The building is typical of its period and Art Moderne style of architecture. The ground floor has black and white faience tiling, with banded brown and red bricks on the upper floors. The retail units at the ground floor have curved projecting ribs between each unit, clad in faience and resembling the forms of the adjoining Odeon. The shop fronts are obscured by later modern fascias that are considered to be inappropriate to the architectural integrity of the building. The building retains many original metal crittal type windows with horizontal glazing bars, although some have been replaced with inappropriate PVC. The shops and flats form a strong group with the Odeon cinema, which is considered to be the finest cinema of its type and date in England. Any new development should respect the integrity of the listed building as well as the setting of the adjacent listed buildings.

Comments: There has been previous planning history for the development of the site including more recent discussions following the previous concerns raised. In design terms, the side extension to the listed building is considered to be an improvement. Whilst still not completely aligned with the existing building, the increased height of the extension is considered more proportionate. The additional mullions to the glazed panels enable the extension to relate better to the listed building. The extension is, therefore, acceptable.

The rear extension has been aligned with the existing footprint and the very narrow inaccessible gaps have been eliminated. There are no further objections to this element.

There are several works proposed to the listed building, including restoration and reinstatement. These should be conditioned:

1. A detailed and itemised schedule of works and methodology statement, including repair, reinstatement and any additional works affecting the fabric of the listed building such as structural investigations should be submitted for approval prior to any works commencing on site.
2. Detail of the proposed structural investigations to verify the loading capacity of the building and any concealed damage to the structure should be submitted for approval prior to any works commencing on site.
3. Further details of how the new structure would be integrated with the existing structure should be submitted for approval prior to any works commencing on site.
4. Further details regarding the alterations to the existing structure to accommodate the new lift and stair cores and removal of the rear mezzanine floor level area should be submitted for approval prior to any works commencing on site.
5. All doors, windows and rainwater goods should be high quality metal and details of the same should be submitted for approval.

6. Details of all repair works, including concrete repairs, brick and mortar repairs, faience repairs should be submitted for approval prior to any works commencing on site.
7. Details of all decorative profiles on walls, ceiling surfaces, handrails, floor finishes, doors and fanlights as applicable should be submitted for approval.
8. Location and finish of all mechanical ventilation, louvers, and communal satellite should be agreed with the Council prior to its installation.
9. Further details regarding levelling of internal floor heights and related works to flats 131, 133, 141 and 143 including bricking up of existing windows and installation of the 'sunpipe' system should be submitted for approval prior to any works commencing on site.
10. No sale of new units should be agreed unless the listed building itself has been repaired and finished to a high quality.
11. Further details for public realm treatment and landscaping should be agreed with the Council prior to works on site.

8.8 Police Crime Prevention Officer- No objections: The new homes would benefit from the standards of the Secured by Design scheme, and I urge the Developer to consider this. It will also be necessary to consider the security of the refuse stores - these need to be lockable and consider the rear access between the new development and the Odeon Cinema. I note that the access is gated but I recommend moving the gate further towards the edge of the building to give additional protection to the fire exit and cycle storage.

8.9 Design Review Panel- Thursday 18th April 2013

Panel Observations:

1. At the strategic level, the panel considered it could have been preferable if the single vehicle entrance / exit was the one to the south-west of the cinema and shopping parade, rather than the roadway to the north of the cinema as proposed. This was because the south-western "gap" formed the natural termination of the shopping centre and the boundary of retail / residential ground floor uses, whereas the retail frontage continues north of the northern gap on Fortis Green Road. However it was accepted that the applicants were more likely to create a viable development that improves the residential and retail units in 107-143 by concentrating on a single development extending across the south western gap.
2. The panel welcomed the design of the proposed side extension, which was considered sympathetic to the existing building and appropriate for the intended use as a restaurant. The path would have to be robustly specified and well maintained.
3. The panel remarked that as the rear elevations of the existing building were very ugly and utilitarian, with now very messy and unsatisfactory servicing and refuse storage facilities, so that an extension that cleaned up this was to be welcomed. However they felt the proposed new rear elevations, whilst a considerable improvement, were still not particularly neat, elegant and well proportioned.
4. Insufficient details of the proposals for improving and landscaping the car park were provided. Flats that had a single aspect onto the car park, particularly

- the two new north west facing single aspect flats at mezzanine level and the two new south west facing single aspect flats in the angle of the existing building and the cinema, may not have a pleasant outlook. It is also important that the landscaping to the 1st floor roof on the car park side of the extension is well specified and with sufficient soil depth to allow a rich variety of plants to grow, provide some areas of privacy and screening to the car park edge.
5. The new flats had rather convoluted plans with long corridors.
 6. The applicant needs to demonstrate what the proposed roof top extension looks like from different angles, including from the frontage to the Odeon – they should provide an elevation flat to the cinema frontage, as well as views from that side, as part of the continuing pre-application discussions. In particular, panel members felt that at least 1 or two “verified” 3d views, as opposed to “artist’s impressions” showing the extension in the context of the existing cinema frontage, and the diagonally opposite corner, at the junction of the Broadway with St James’ Lane, are needed.
 7. However the panel consider that the principle of adding an additional floor is acceptable. They considered lightweight metal cladding for the rooftop extension preferable to brickwork, but that it should be designed and detailed to emphasise horizontality and continuity rather than windows as holes punched in a wall, as due to the curve and set back, they would never line up with those below. The panel recommended the Council ask the applicant to investigate different roof details; whether it should be a parapet as proposed or possibly a shallow oversailing roof with a slender soffit. The proposed restrained palette of materials should be acceptable provided it is of sufficient quality that picks up on the faience of the original building.
 8. The panel welcomed replacing recent uPVC windows with Crittall metal, double glazed windows, as an important improvement that strikes a good balance of thermal efficiency with respect for the building’s heritage.
 9. The panel considered that the expanded public realm was to be strongly welcomed but were concerned that that the entrance and exit to the car park (and servicing of shops) would be too busy with traffic and too vehicle dominated with too much vehicle priority. They recommend that the pedestrian paving continues across vehicle entrances, at a raised table, to give strong priority to pedestrians over vehicles.
 10. The panel also considered that the proposed landscaping to the public realm needs further thought; it should be more restrained and low key, of high quality design and materials, with just minimal furniture, little pattern making, a few good trees and lighting, in keeping with the early 20th Century architecture of Muswell Hill.

8.10 Local Residents

Letters of objection have been received from the following addresses, 6 Birchwood Avenue, 13 Grand Avenue, 143 Muswell Hill, 59 Queens Avenue Owners of 1 – 9 Fortis Green Road, 8 Grand Ave 139, Muswell Hill road and from Mrs Pretorius who did not provide an address. The Concerns raised are summarised as follows:

- Impact on shopping area
- Design
- Traffic and Safety

- Impact on the amenity of 105 Muswell Hill Road
- Concerns about the impact and future maintenance of the hard landscaping works

A detailed Council's response to the concerns raised by local residents is set out in Appendix 1.

Letters of support or containing points of support have been received from the following addresses 6 Birchwood Avenue, 105 Muswell Hill Road, 111-117 Muswell Hill Road (on behalf of the CEO Planet Organic) and from Nicola Di Palma who has not provided an address. The points raised are summarised as follows:

- The proposal will improve the shopping area of Muswell Hill and the Listed Buildings
- The single entrance and exit to the car park will improve traffic flow
- There are problems of vandalism and litter in the rear car park
- Planet Organic would have to seriously question their long term commitment to the location
- The street works will be funded by the landlord and not by council or other funds.

A letter of support has also been received from the chair of the Muswell Hill Traders Group (14 Woodside Avenue).

- The Muswell Hill Traders Group lends their full and unremitting support for this planning application.
- They represent over 80% of the retailers in the Muswell Hill Town Centre including thriving local independent businesses to the numerous medium sized concerns as well as our major national chains and banks.
- The applicant has engaged in a constructive manner with a determined effort to produce final plans which have the backing of the MHTG.
- The proposal will create over 60 new jobs
- The development of a fantastic new area of public realm when funding for this was rejected by every other public body

The points of support are detailed in Appendix 1.

Following receipt of amended plans a further 14 day consultation was carried out on 19th September. Further letters of objection were received from 13 Grand Avenue and J Cleverton (no address provided). No additional points were raised, a detailed Council's response to these concerns is set out in Appendix 1. A further letter of support was received from the owner of FEAST DELI 56 Fortis Green Road. The points raised are detailed in Appendix 1.

9.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

Principle of the development

9.1 The planning history is an important factor in the consideration of this planning application. The principle of a 3rd floor extension to the building was established by HGY2007/2115 which granted permission for a 3rd floor and two

storey side extension accommodating 5 additional residential units (this permission has now lapsed). Furthermore a rear extension to provide additional retail floor space was granted permission by HGY/2012/0967. The principle of the development is also supported by Local Plan Policies, notably SP2 which seeks to maximise the supply of additional housing to meet the Council's Housing targets, SP10 which encourages retail development and improvements to the public realm within the Muswell Hill Town Centre, and SP11 which promotes improvements to existing streets and public spaces and requires developments to be of the highest standard of design. The proposal is therefore considered acceptable in principle subject to detailed considerations.

9.2 The main issues in respect of this application are considered to be:

- Dwelling Mix
- Affordable Housing
- The layout and standard of residential accommodation
- Lifetime Homes and Wheelchair Access
- Design and the impact on the Listed Buildings and the conservation area
- Impact on amenity
- Traffic and Parking
- Sustainability
- Waste Management
- Planning Obligations and CIL

Dwelling Mix

9.3 The NPPF recognises that to create sustainable, inclusive and diverse communities, a mix of housing based on demographic and market trends and the needs of different groups should be provided. London Plan Policy 3.8 'Housing Choice' of the London Plan seeks to ensure that development schemes deliver a range of housing choices in terms of a mix of housing and types. This approach is continued in Haringey Local Plan SP2 Housing, which is supported by the Council's Housing SPD.

9.4 The proposed dwelling mix is 2 x1 bed, and 6 X 2 bed. Although the dwelling mix does not accord with the dwelling mix set required in the Housing SPD, given the development of the site is constrained by design considerations, particularly the impact on the listed building and the site lies within a town centre, it would be difficult to provide a different dwelling mix and large family units would not be appropriate for the site. The lack of 3 and 4-bed units is considered acceptable in this instance and the proposal is considered to comply with Local Plan Policy SP2 in this respect.

Affordable Housing

9.5 Local Plan Policy SP2 states that schemes below the ten unit threshold will be required to provide 20% affordable housing on site, based on habitable rooms, or provide financial contributions towards affordable housing provision. The

applicant proposes to provide affordable housing on site in the form of 1 x 2 bed and 1 x 1 bed for affordable rent. Therefore the proposal would comply with the affordable housing requirements set out in Local Plan Policy SP2. The provision will be secured through a Section 106 agreement.

The layout and standard of accommodation of the proposed residential units

9.6 London Plan Policy 3.5 ‘Quality and Design of Housing Developments’ requires the design of all new housing developments to enhance the quality of local places and for the dwelling in particular to be of sufficient size and quality. The Mayor’s Housing SPG sets out the space standards for all new residential developments to ensure an acceptable level of living accommodation offered.

London Plan Requirement	Proposed room size	Compliance?
2 bed 3 persons unit (2nd floor)		
Kitchen/Diner/Living Room (25 sqm)	33 sqm	Yes
Bedroom 1 12sqm	15 sqm	Yes
Bedroom 2 8 sqm	10 sqm	Yes
Total Floor area 61 sqm	83 sqm	Yes
Private Amenity 6 sqm	9 sqm	Yes
2 bed 4 persons unit (3rd floor)		
Kitchen/Diner/Living Room (27 sqm)	34 sqm	Yes
Bedroom 1 12sqm	14 sqm	Yes
Bedroom 2 12sqm	13 sqm	Yes
Total Floor Area 70 sqm	85 sqm	Yes
Private Amenity 7sqm	9 sqm	Yes
2 bed 4 persons unit (3rd floor)		
Kitchen/Diner/Living Room (27 sqm)	25 sqm	No
Bedroom 1 12sqm	12 sqm	Yes
Bedroom 2 12sqm	11 sqm	Yes
Total Floor Area 70 sqm	66 sqm	No
Private Amenity 7sqm	0 sqm	No
2 bed 4 persons unit (3rd floor)		
Kitchen/Diner/Living Room (27 sqm)	23 sqm	Yes
Bedroom 1 12sqm	14 sqm	Yes
Bedroom 2 12sqm	10 sqm	Yes
Total Floor Area 70 sqm	70 sqm	Yes
Private Amenity 7sqm	0 sqm	No
2 bed 4 persons unit (3rd floor)		
Kitchen/Diner/Living Room (27 sqm)	22 sqm	Yes
Bedroom 1 12sqm	14 sqm	Yes

Bedroom 2	12sqm	11 sqm	Yes
Total Floor Area	70 sqm	70 sqm	Yes
Private Amenity	7sqm	0 sqm	No
1 bed 1 persons unit (3rd floor)			
Kitchen/Diner/Living Room (21 sqm)		17 sqm	Yes
Bedroom 1	8 sqm	16 sqm	Yes
Total Floor Area	37 sqm	36 sqm	No
Private Amenity	4 sqm	0 sqm	No
1 bed 2 persons unit (mezzanine level)			
Kitchen/Diner/Living Room (23 sqm)		30 sqm	Yes
Bedroom 1	12 sqm	12 sqm	Yes
Total Floor Area	50 sqm	56 sqm	Yes
Private Amenity	5 sqm	0 sqm	No
2 bed 3 persons unit (mezzanine level)			
Kitchen/Diner/Living Room (25 sqm)		26 sqm	Yes
Bedroom 1	12sqm	14 sqm	Yes
Bedroom 2	8 sqm	10 sqm	Yes
Total Floor Area	61 sqm	70 sqm	Yes
Private Amenity	6 sqm	0 sqm	No

9.7 The plans as submitted demonstrate that the individual rooms of the separate flats and overall flat sizes are largely over the minimum requirements. There are minor shortfalls in the one of the 2 bedroom units and one of the 1 bedroom units. The floor areas of the flats are restricted by the need to provide an acceptable design which respects the Listed Building and these shortfalls in floor areas are considered acceptable in this instance. Although no private amenity is provided for several of the flats, they will have each have access to the communal roof garden area. A total area of 150 sqm of useable external space will be provided by the roof terrace which exceeds the 65 sqm minimum area of useable communal space set out in the Council's Housing SPD.

Aspect

9.8 The Mayor's Housing SPG recommends that developments should avoid single aspect dwellings that are north facing, exposed to noise levels above which significant adverse impacts on health and quality of life occur, or contain three or more bedrooms. The mezzanine flats and 3rd floor corner flat are single aspect however none of these flats would be north facing and they all contain less than 3 bedrooms. The corner flat would face south with a significant area of glazing in the front elevation serving the habitable rooms. The mezzanine level flats would face west with the habitable rooms served by large windows. The retail/restaurant use would abut the circulation spaces within these flats. There would be stairs serving the storage areas of the restaurant alongside the living area of one of these flats and it is considered

necessary to impose a condition requiring soundproofing to be provided in the interests of the amenity of future occupants.

- 9.9 Overall the proposed development in general has been reasonably laid out and provides reasonable living conditions for prospective occupiers of the individual units in accordance with London Plan Policy 3.5, London Housing Design Guide and Local Plan Policy SP2.

Lifetime Homes and Wheelchair Access

- 9.10 Local Plan Policy SP2 and Policy 3.6 of the London Plan require that all units are built to Lifetime Homes Standards. This standard ensures that dwellings are able to be easily adapted to suit the changing needs of occupiers, particularly those with limits to mobility. The applicant has provided an 'access statement' which notes that the eight new dwellings proposed will meet and exceed Lifetime Homes Standards, being fitted with a communal level entrance and communal lift access. Lift access will be provided to all other existing apartments significantly improving the accessibility of these properties. Level-(ramped) access will be provided to a new residential communal rooftop garden space from first floor level. The proposal is considered to comply with Local Plan Policy SP2 and Policy 3.6 of the London Plan in this respect.

Design and the impact on the Listed Buildings and the conservation area

- 9.11 The NPPF sets out the over-arching policy for design and emphasises its importance and indivisibility from good planning and sustainable development. Paragraph 60 states that planning decisions: "should not attempt to impose architectural styles or particular taste and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness." The NPPF has as one of its core principles to conserve heritage assets in a manner appropriate to their significance.
- 9.12 London Plan Policies 7.4 'Local Character' and 7.6 'Architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Haringey Local Plan Policy SP11 'Design' and Saved UDP Policy UD3 'General Principles' continue this approach. Policy 7.8 'Heritage Assets and Archaeology' of the London Plan requires development to conserve the significance of the heritage asset. Haringey Local Plan Policy SP12 seeks to ensure that proposals affecting Conservation Areas preserve or enhance the historic character of the Conservation Area.
- 9.13 This is a grade II listed row of shops (ground floor) and flats (upper floors) within the Muswell Hill Conservation Area. It was built in 1935-36 by George Coles for the Muswell Hill and Harlesden Property Company, of which Oscar Deutsch of Odeon Cinemas was a Director. The grade II* Odeon Cinema is

attached to the building and together they have a significant group value within the conservation area.

- 9.14 The building is typical of its period and Art Moderne style of architecture. The ground floor has black and white faience tiling, with banded brown and red bricks on the upper floors. The retail units at the ground floor have curved projecting ribs between each unit, clad in faience and resembling the forms of the adjoining Odeon. The shop fronts are obscured by later modern fascias that are considered to be inappropriate to the architectural integrity of the building. The building retains many original metal crittall type windows with horizontal glazing bars, although some replaced with inappropriate PVC. The shops and flats form a strong group with the Odeon cinema, which is considered to be the finest cinema of its type and date in England. In terms of the streetscene, the gap to the Edwardian No 105 Muswell Hill Road is important as a visual break from the 1930's modern building. Any new development should respect the integrity of the listed building as well as the setting of the adjacent listed buildings.
- 9.15 The proposal was considered by the Design Panel on Thursday 18th April 2013 a detailed response to the points raised is set out in Appendix 1. In summary the panel welcomed the design of the proposed side extension, which was considered sympathetic to the existing building and appropriate for the intended use as a restaurant. They felt the proposed new rear elevations, whilst a considerable improvement on the existing rear elevation were still not particularly neat, elegant and well proportioned. The panel considered that the principle of adding an additional floor is acceptable. They considered lightweight metal cladding for the rooftop extension preferable to brickwork, but that it should be designed and detailed to emphasise horizontality and continuity rather than windows as holes punched in a wall, as due to the curve and set back, they would never line up with those below. The proposed restrained palette of materials should be acceptable provided it is of sufficient quality that picks up on the faience of the original building. The panel welcomed replacing recent uPVC windows with Crittall metal, double glazed windows, as an important improvement that strikes a good balance of thermal efficiency with respect for the building's heritage.
- 9.16 The side extension has been amended since it was considered by the design panel with an increase in height and change to the footprint. The amended scheme was developed in consultation with Haringey's Conservation and Design officers and is considered to respond to several of the points raised by the Design Panel. Whilst still not completely aligned with the existing building, the increased height of the extension is considered to respect the vertical proportions of the existing building while remaining subservient. The additional mullions to the glazed panels enable the extension to relate better with the listed building. The alterations to the footprint of the extension have increased the gap between the extension and 105 Muswell Hill to give a better visual break between the building and this neighbouring Edwardian Building. The alterations have also resulted in a more harmonious rear elevation which incorporates the plant buildings into the body of the extension. The rear

extension has been aligned with the existing footprint and the very narrow inaccessible gaps where the extension joined the existing building have been eliminated.

- 9.17 A third floor extension of a similar design was accepted under the previously approved application HGY/2007/2115. The current proposal replicates the previous design approach but with an increase in the depth of the extension and a reduction in the set back of the extension from the parapet of the existing building. The extension would still remain subservient to the main building and would respect the significance of the existing listed building through the design detailing. It would not dominate the neighbouring Odeon Building and is therefore considered acceptable.
- 9.18 The proposal would result in significant improvements to the fabric of the existing Listed Building with the windows to south east & north east elevations replaced with steel frames as originally used and all original windows refurbished & repainted. The proposal also includes improvement to the existing shopfronts which will restore the original character which has been lost through incremental alterations to the frontage of the building. A condition will be attached requiring a schedule of works, methodology statement and detailed plans and drawings of the works to the Listed Building.
- 9.19 The proposed hard and soft landscaping works to the front and rear of the property are considered to significantly enhance the setting of the building and the character of the conservation area. Soft landscaping and increased passive surveillance will improve the environment of the car park to the rear of the property. The hard landscaping works will improve the pedestrian environment to the front of the property and provide an 'al fresco' dining area alongside the building. The design of the streetscape works will enhance the character and appearance of the Conservation Area. A condition will also be attached requiring further details of the hard landscaping works.
- 9.20 Letters of support have commended the design which, following amendment is now supported by Haringey's Conservation and Design officers. A condition will be attached requiring details of the external materials to be provided. Overall the design is considered to be of the highest design quality which conserves the significance of the Listed Buildings and enhances the historic character of the Conservation Area in accordance with London Plan Policies 7.4 and 7.6, Haringey Local Plan Policies SP11 and SP12 and Saved UDP Policy UD3.

Residential Amenity

- 9.21 The London Plan 2011 Policy 7.6 *Architecture* states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Saved Policy UD3 also requires development not to have a significant adverse impact on residential amenity in terms of loss of daylight, or sunlight, privacy overlooking and aspect.

- 9.22 Concerns have been raised with regard to the impact on amenities of 105 Muswell Hill Road which is the adjacent property to the south of the site. The proposal would bring development closer to the boundary with this property. The side extension would sit some 3 metres from the boundary at the closest point tapering to a distance of 8 metres at the farthest point. The extension would be 3 storeys in height. The distance between the extension and the boundary is considered sufficient to prevent an overbearing appearance to this property or significant loss of daylight and sunlight to the garden area and windows. The roof terrace to the rear of the existing building would be screened and the area of green roof alongside the boundary which would not be accessed by residents. The windows in the flank elevation of the extension would be fitted with obscure glazing so would not result in overlooking to the neighbouring properties. Overall it is considered that the proposal would not result in a significant loss of amenity to this neighbouring property.
- 9.23 With regard to the impact of the proposal on the existing flats, concerns have been raised about the loss of amenity during the building process and other impacts on the amenity of the existing flats. It is acknowledged that the proposed works would require the existing tenants to leave the flats while construction works take place, however this would be a temporary impact and is not considered to substantiate a reason for refusal. The individual tenancies of the existing flats are a private matter and not a material planning consideration.
- 9.24 The proposed works are considered largely to improve the amenity of the existing flats through the provision of better access in the form of lifts and improved circulations spaces and corridors. The flats will also be provided with an outdoor amenity space in the form of the large roof terrace. Concerns have been raised with regard to 139 Muswell Hill, in particular that the proposal would result in the loss of a view, light and the removal of the existing external walkway. The flats most likely to be affected are No. 139 and 1st and 2nd floor flats in this corner of the building adjacent to the Odeon Cinema. Considering the impact of the proposed extensions on these flats, it is noted that the habitable rooms sit largely to the front of the building facing onto Muswell Hill therefore the 1st and 2nd floor extensions would not result in a significant loss of amenity to the existing flats through loss of light or an overbearing appearance. Several of the windows in the rear elevation would lose their open aspect at the rear however these are not habitable rooms and an acceptable level of amenity would be maintained. The open walkway to the rear of 139 Muswell Hill would be removed and replaced by an internal corridor but the open aspect to the rear of this property would not be lost. The walkway is a communal area and not specifically for the use No. 139 therefore the additional amenity space provided at 1st floor level is considered to compensate for its removal.
- 9.25 The proposed stairwell to the rear of the flats would result in alterations to the internal layout of the 1st and 2nd floor flats at the southern end of the building however it would reduce the circulation space within these flats thus increasing the habitable floorspace and the stairwell itself would not have a significant

impact on the amenity of these flats. The proposed 3rd floor flats would not result in any significant impact to the existing flats.

- 9.26 The proposal would not impact on any other neighbouring properties and overall is considered not to result in significant loss of amenity to the surrounding properties and therefore complies with London Plan Policy 7.6 Saved Policy UD3 in this regard.

Traffic and Parking

- 9.27 National planning policy seeks to reduce greenhouse gas emissions and congestion. This advice is also reflected in the Parking Policies in the London Plan 2011. Local Plan Policy SP7 'Transport' states that the Council will work with its partners to promote the following travel demand management schemes to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by: Minimising congestion and addressing the environmental impacts of travel, promoting public transport, walking and cycling (including minimum cycle parking standards), promoting road safety and pedestrian movement particularly in town centres and close to local services.
- 9.28 Saved Policies M10 'Parking for Development' of the Unitary Development Plan states that development proposals will be assessed against the parking standards set out in Appendix 1. Proposals that do not meet these standards will not normally be permitted. Parking requirement will be assessed on an individual basis as part of the Transport Assessment.
- 9.29 The transport impact of the proposed development has been assessed by the Council's Transport and Highways Group. They note that the application site has a medium Public Transport Accessibility Level (PTAL) of 4 and that the site is also located within the Muswell Hill Restricted Conversion Area which is identified in Saved Unitary Development Plan Policy HSG 11 as an area where the existing on street parking pressure is high and has significant adverse impact on residential amenity. The applicant is therefore required to provide off street parking in line with the minimum parking standard as per Saved UDP Policy M10 and parking standards 1.3 of Appendix 1 of the UDP.
- 9.30 The applicant's transport consultant Russell Giles Partnership (RGP), has prepared a transport statement (TS) to support the application. The TS has concluded, that based on sites with similar characteristics from the TRAVL trip prediction database, this development proposal will generate some 71 person 2-way daily trips, with some 4 daily trips by car for the residential aspect of the development. The restaurant element of the proposal would generate some 395 2-way daily trips with some 61, 2-way daily trips by car. These trips would be distributed through the day and will not impact on the flow of traffic on the transportation and highways network.
- 9.31 The applicant has proposed providing 8 off street car parking spaces and 8 secure sheltered cycle parking spaces as part of the residential aspect of the

development proposal, which is acceptable considering that this site has good access to public transport and could be secured through a Section 106 agreement and condition respectively. Based on the parking surveys completed for the existing car park which suggests that the car park is largely underutilised, the retail aspect of the development will not be required to provide any additional car parking spaces. The applicant is proposing to incorporate some 36 cycle parking spaces as part of the new landscaping following the removal of the service road which will encourage members of the public to cycle to the town centre.

- 9.32 The proposal will result in the loss of 12 on -street car parking spaces in the access road which will be replaced within the car park to the rear of the site. The applicant will be required through a Section 106 agreement to ensure that the fees associated with these spaces do not exceed that of the publicly available highways parking charges and charging periods will reflect that of the highways (8am-6:30pm Monday to Saturdays). To ensure that the removal of these spaces does not result in additional parking pressure on the surrounding residential streets the applicant will be required to provide a parking management plan through a section 106 agreement. This must include measures to improve the car park including, lighting, CCTV and landscaping which will mitigate against the loss of on street parking by increasing the use of this parking area which has been shown to have capacity to accommodate additional parking.
- 9.33 The proposed development will result in changes to the existing parking on site and how the car park will be accessed. At present the car park is accessed via Muswell Hill Road and exits via Fortis Green Road. The proposed new access arrangements will provide access and egress via Fortis Green, the existing access point to Muswell Road will be used as a pedestrian and cycle access point only.
- 9.34 The proposed change in access arrangements has been modelled using PICADY software and has been independently reviewed by a third party consultant appointed by the Council, the result of the modelling suggest that the new junction layout will operate within the theoretical acceptable parameters. However the independent safety audit of the new junction layout has raised concerns with the visibility on exiting the site resulting for the location of the bus stop on Fortis Green Road. Following site meetings between the applicant's consultants and Haringey's highways engineer's amendments to the proposed highways layout, including the possibility of relocation of the existing bus stop has been agreed to address this problem, these works will be implemented as part of the S.278 works.
- 9.35 A condition can be attached requiring the applicant to submit a construction management plan (CMP) and construction logistics plan (CLP) to prevent congestion and mitigate any obstruction to the flow of traffic on the transportation and Highways network during the construction works. Therefore subject to the above provisions, the proposed development is considered to have no harmful impact on the highway network.

- 9.36 With regard to the loss of the slip road parking, which is a well utilised short term parking area for customers of the surrounding shops, it is acknowledged that its removal may inconvenience shoppers who travel by car and this could have a negative impact on the surrounding businesses. However it is considered that the wider benefits of providing a seating area and communal space in this area outweigh the loss of this parking area in terms of the vibrancy and vitality of the shopping area.
- 9.37 Removal of the access road will require revoking the existing traffic regulation order, the applicant must pay all cost associated with the revoking the existing order and the making of any subsequent order resulting from this proposal. The cost of revoking and making these orders must be paid to the Council, the costs are estimated at £5,900 (five thousand nine hundred pounds) this should be basis on the signing of the S106 agreement. In addition no development which impacts on the operation of the existing traffic arrangements must take place until the existing traffic regulation order has been revoked.

Sustainability

- 9.38 The NPPF, London Plan and local policy requires development to meet the highest standards of sustainable design, including the conservation of energy and water; ensuring designs make the most of natural systems and the conserving and enhancing the natural environment.
- 9.39 Chapter 5 of the London Plan requires all new homes to meet Level 4 of the Code for Sustainable Homes. The proposal incorporates large areas of “green roof” on the first floor and solar panels on the roof of the 3rd floor. A condition has been imposed to require the residential development to meet Code for Sustainable Homes Level 4.

Waste management

- 9.40 London Plan Policy 5.17 ‘Waste Capacity’, Local Plan Policy SP6 ‘Waste and Recycling’ and Saved UDP Policy UD7 ‘Waste Storage’, require development proposals make adequate provision for waste and recycling storage and collection.
- 9.41 The Council’s Waste Management Team has provided comments on bin storage and a condition will be imposed to ensure adequate bin storage is provided in accordance with its requirements.

10.0 Planning Obligations and Community Infrastructure Levy (CIL)

- 10.1 Section 106 of the Town and Country Planning Act 1990 allows the Local Planning Authority (LPA) to seek financial contributions to mitigate the impacts of a development.

- 10.2 As discussed above the applicant has agreed to provide 1 x 1 and 1 x 2 Bedroom flats for affordable rent to comply with Local Plan Policy SP2.
- 10.3 The heads of terms put to the applicant include a contribution towards education in accordance with Policy SP16 'Community Facilities' with a provisional figure of £22,158.99.
- 10.4 To comply with Policy SP9 'Skills/Training to Support Access- jobs/Community cohesion/Inclusion' the applicant will be required to secure 20% workforce comprised of 'local residents' with 10% of the local workforce comprising trainees (bricklaying, carpentry, joinery, plumbing, painting, decorating) to contribute £3,750 for every £1M of construction costs towards a work placement co-ordinator, a provisional figure of £18,750 and provision of serviced, on-site recruitment and/or training facilities (on the basis that the gross Construction Costs to be £5 m or more)
- 10.5 In accordance with SPG10a an administration charge is required which is provisionally £2045.45. Based on the figures set out above, the total amount of s106 contribution would be £42954.44. The final figures will be reported to the committee once they have been agreed.

Transport

- 10.6 As discussed above the applicant is required to provide 8 designated parking spaces provided free to residents of the 8 flats proposed. 12 parking spaces with charges which do not exceed that of the publicly available highways parking charges (stop and shop) and charging periods will reflect that of the highways - 8am-6:30pm Monday to Saturdays.
- 10.7 A parking management plan will be secured by way of a S.106 agreement, this must include measures to improve the car park including, lighting, CCTV and landscaping. The plan must also include operational monitoring of the parking space and measures to address any issues resulting from the monitoring. The parking management plan must be submitted annually for a period of no less than 5 year post occupation.
- 10.8 The removal of the access road will require revoking the existing traffic regulation order, the applicant must pay all costs associated with the revocation the existing order and making of any subsequent order resulting from this proposal. The cost of revoking and making these orders must be paid to the Council in full through a S106 agreement, the costs are estimated at £5,900 (five thousand nine hundred pounds). No development which will impact on the operation of the existing traffic arrangements must take place until the existing traffic regulation order has been revoked.
- 10.9 The applicant has submitted a preliminary highways layout including the landscaping and upgrading the existing footways and lighting in the area as indicated by Drawing 20858 P(--)-050 E. The applicant has offered £170,000 to cover the works and the final specifications will be agreed through the

discharge of a condition and a S.278 agreement.

CIL

10.10 Based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £36995 (1057 x £35). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

11.0 HUMAN RIGHTS

11.1 All applications are considered against a background of the Human Rights Act 1998 and in accordance with Article 22(1) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 where there is a requirement to give reasons for the grant of planning permission. Reasons for refusal are always given and are set out on the decision notice. Unless any report specifically indicates otherwise all decisions of this Committee will accord with the requirements of the above Act and Order.

12.0 EQUALITIES

12.1 In determining this planning application the Council is required to have regard to its obligations under equalities legislation including the obligations under section 71 of the Race Relations Act 1976. In carrying out the Council's functions due regard must be had, firstly to the need to eliminate unlawful discrimination, and secondly to the need to promote equality of opportunity and good relations between persons of different equalities groups. Members must have regard to these obligations in taking a decision on this application.

13.0 CONCLUSION

13.1 The principle of the proposal is considered acceptable with improved retail floorspace and public realm considered to enhance the vitality and viability of Muswell Hill Town Centre. The quality and mix of the residential accommodation is considered acceptable and would provide 2 units for affordable rent.

13.2 The design is considered to be of the highest design quality which conserves the significance of the Listed Buildings and enhance the historic character of the Conservation Area

13.3 The development would cause no significant harm to residential amenity, traffic and highway conditions and meets the required standards for sustainability. Where impacts will be caused, mitigation measures will be secured by condition or by s106 agreement. The Council has consulted widely and responses were taken into account by officers, several letters of support have been received from residents and local businesses.

13.4 The proposal is considered to be in accordance with National Guidance and London and Local Policy and planning permission should therefore be granted subject to conditions and a section 106 agreement.

14.0 RECOMMENDATIONS

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

Applicant's drawing No.(s) 20858 P(--), 003 H, 004 F, 005 F, 006, F, 007 C, 008, 009, 010 B, 011 B, 12 A, 13 B, 14 A, 015 A, 018, 060 A

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of three years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

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

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

3. Notwithstanding the information submitted with this application, no development shall take place until precise details of the external materials to be used in connection with the development hereby permitted be submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority and retained as such in perpetuity.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area and consistent with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

4. Any noise generated by virtue of this development shall not cause an increase in the pre-existing background noise level or more than 5db (A). In this context, the background level is construed as measuring the level of noise which is exceeded for 90% of the time.

Reason: In order to protect the amenities of nearby residential occupiers consistent with Policy 7.15 of the London Plan 2011 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

5. The dwelling(s) hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.

Reasons: To ensure that the development achieves a high level of sustainability in accordance with Policies 5.1, 5.2, 5.3 and 5.15 of the London Plan 2011 and Policies SP0 and SP4 the Haringey Local Plan 2013.

6. No development shall commence until a scheme of surface water drainage works including an appropriate maintenance regime have been submitted to and approved in writing by the Local Planning Authority. The sustainable drainage scheme shall be constructed in accordance with the approved details and thereafter retained.

Reason: To promote a sustainable development consistent with Policies SP0, SP4 and SP6 of the Haringey Local Plan 2013.

7. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To promote a sustainable development consistent with Policies SP0, SP4 and SP6 of the Haringey Local Plan 2013.

8. No development shall commence until further details of the proposed "green" roofs for the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The details shall include their type, vegetation, location and maintenance schedule. The development shall be implemented in accordance with the approved scheme prior to its first occupation and the vegetated or green roof shall be retained thereafter. No alterations to the approved scheme shall be permitted without the prior written consent of the Local Planning Authority.

Reason: To ensure a sustainable development consistent with Policy 5.11 of the London Plan 2011 and Policies SP0, SP4 and SP11 of the Haringey Local Plan 2013.

9. Prior to the implementation of the permission, details of any extract fans or flues shall be submitted to and approved by the Local Planning Authority prior to commencement of use.

Reason: In order to protect the amenity of occupants of the adjoining residential properties consistent with Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

10. No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been

submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

11. The development shall not be occupied until a minimum of 8 cycle parking spaces for users of the development, have been installed in accordance with the approved details. Such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with Policies 6.1 and 6.9 of the London Plan 2011 and Policy SP7 of the Haringey Local Plan 2013.

12. No development shall take place, including any works of demolition, until a Method of Construction Statement which demonstrates that disruption to traffic and pedestrians traffic and pedestrians on Fortis Green and Muswell Hill Road would be minimised. Construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods. The Method of Construction Statement shall include details of :

- a) parking and management of vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) programme of works (including measures for traffic management)
- e) provision of boundary hoarding behind any visibility zones
- f) wheel washing facilities:

and shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained during the demolition and construction period.

Reasons: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies 6.3, 6.11 and 7.15 of the London Plan 2011, Policies SP0 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

13. A detailed and itemised schedule of works, methodology statement, detailed plans and drawings as appropriate in respect of the following, shall be submitted to and approved by the Local Planning Authority before the relevant part of the work is begun.

- a. repair, reinstatement and any additional works affecting the fabric of the listed building such as structural investigations
- b. Detail of the proposed structural investigations to verify the loading capacity of the building and any concealed damage to the structure

- c. Further details of how the new structure would be integrated with the existing structure
- d. Details regarding the alterations to the existing structure to accommodate the new lift and stair cores and removal of the rear mezzanine floor level area
- e. All doors, windows and rainwater goods (which shall be a high quality metal)
- f. Details of all repair works, including concrete repairs, brick and mortar repairs, faience repairs
- g. Details of all decorative profiles on walls, ceiling surfaces, handrails, floor finishes, doors and fanlights as applicable
- h. Location and finish of all mechanical ventilation, louvers, and communal satellite
- i. Further details regarding levelling of internal floor heights and related works to flats 131, 133, 141 and 143 including bricking up of existing windows and installation of the 'sunpipe' system.

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

Reason: In order to safeguard the special architectural or historic interest of the building consistent with Policy 7.8 of the London Plan 2011, Policy SP12 of the Haringey Local Plan 2013 and Policies CSV4 and CVS5 of the Haringey Unitary Development Plan 2006.

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

Reason: In order to safeguard the special architectural or historic interest of the building consistent with Policy 7.8 of the London Plan 2011, Policy SP12 of the Haringey Local Plan 2013 and Policies CSV4 and CVS5 of the Haringey Unitary Development Plan 2006.

15. No development shall take place until full details of the hard and soft landscaping works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.

Reason: In order for the Local Planning Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area consistent with Policy 7.21 of the London Local Plan 2011, Policy SP11 of the Haringey Local Plan 2013 and Policy UD3 of the Haringey Unitary Development Plan 2006.

16. The development shall not be occupied until provision of refuse and waste storage and recycling facilities has been installed in accordance with the approved details. The facilities shall be permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Saved Policy UD7 of the Haringey Unitary Development Plan 2006 and Policy 5.17 of the London Plan 2011.

17. Prior to the commencement of the development, details of a scheme of sound insulation between the commercial space and proposed residential accommodation shall be submitted to an approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to first occupation of the residential accommodation.

Reason: To ensure that the proposed development does not prejudice the amenities of the future occupiers of the approved residential properties.

INFORMATIVES

The new development will require numbering. The applicant should contact Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

Adequate storage and collection arrangements must be in place to service the proposed development consisting of various size dwellings. Side waste and uncontrolled waste accumulations must be avoided. Access for refuse vehicle of 26 tonne is required. Wheelie bins or bulk waste containers must be provided for household collections. Wheelie bins must be located no further than 25 metres from the point of collection. Adequate waste storage arrangements must be made so that waste does not need to be placed on the public highway other than immediately before it is due to be collected. Further detailed advice can be given on this where required. All doors and pathways need to be 200mm wider than any bins that are required to pass through or over them. If access through security gates/doors is required for household waste collection, codes, keys, transponders or any other type of access equipment must be provided to the council. No charges will be accepted by the council for equipment required to gain access. If waste containers are housed, housings must be big enough to fit as many containers as are necessary to facilitate once per week collection and be high enough for lids to be open and closed where lidded containers are installed. Internal housing layouts must allow all containers to be accessed by users. Waste container housings may need to be lit so as to be safe for residents and collectors to use and service during darkness hours.

Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

The applicant is advised by The London Fire Authority to consider the installation of sprinklers as part of the development.

The applicant is advised that the new homes would benefit from the standards of the Secured by Design scheme and to consider the security of the refuse stores - these need to be lockable and consider the rear access between the new development and the Odeon Cinema. It is noted that the access is gated but moving the gate further towards the edge of the building to give additional protection to the fire exit and cycle storage is recommended.

The applicant is advised that based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £36995 (1057 x £35). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our development plan comprising the London Plan 2011, the Haringey Local Plan 2013 and the saved policies of the Haringey Unitary Development Plan 2006 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant during the consideration of the application.

Appendix 1 – Consultation response

No.	Stakeholder	Comments	Response
1.	English Heritage	No objections- Advise that the decision is made in line with national and local policy guidance and on the basis of specialist conservation advice.	Noted
2.	Thames Water	No objections- Request conditions requiring sustainable drainage and a piling method statement	Noted. Drainage and piling method statement conditions attached
3.	Building Control	No objections	Noted
4.	Waste Management	No Objections- advise on bin requirements	Noted. Condition requiring further details of bin storage and informative attached.
5.	<u>The London Fire Authority</u>	No objections: Advise that the applicant considers the installation of sprinklers as part of the development	Noted. Informative attached advising the applicant to consider the installation of sprinklers
6.	<u>LBH Transportation -</u>	No objections: The proposed site is located in an area with a medium Public Transport Accessibility Level (PTAL 4), the site is also located within the Muswell Hill Restricted Conversion Area as per Saved Unitary Development Plan Policy HSG 11, this is an area where the existing on-street parking pressure is high and has significant adverse impact on residential amenity". With this policy in mind the applicant is required to provide off street parking in line with the minimum parking standard as per Saved UDP Policy M10 and parking standards 1.3 of Appendix 1 of the UDP.	Noted. Conditions and informative attached and s106

No.	Stakeholder	Comments	Response
		<p>The applicant is proposing to construct a side and rear extension to the existing building to facilitate the construction of 8 residential units and the provision of some 325 s.q.m. of retail floor area for the use as a restaurant. The proposed development will result in changes to the existing parking on site and how the car park will be accessed. At present the car park is accessed via Muswell Hill Road and exits via Fortis Green Road. The proposed new access arrangements will provide access and egress via Fortis Green, the existing access point to Muswell Hill Road will be used as a pedestrian and cycle access point only. The proposed change in access arrangement has been modelled using PICADY software and has been independently reviewed by a third party consultant appointed by the Council, the results of the modelling suggest that the new junction layout will operate within the theoretical acceptable parameters. However, the independent safety audit of the new junction layout has raised concerns with the visibility on exiting the site resulting from the location of the bus stop on Fortis Green Road. Following</p>	

No.	Stakeholder	Comments	Response
		<p>site meetings between the applicant's consultants and Haringey's highways engineer's amendments to the proposed highways layout, including the possibility of relocation of the existing bus stop has been agreed to address this problem, these works will be implemented as part of the S.278 works. The applicants transport consultant Russell Giles Partnership (RGP), has prepared a transport statement (TS) to support the application. The TS has concluded, that based on sites with similar characteristics from the TRAVL trip prediction database, this development proposal will generate some 71 person 2-way daily trips, with some 4 daily trips by car for the residential aspect of the development. The restaurant element of the proposal would generate some 395 2-way daily trips with some 61, 2-way daily trips by car. These trips would be distributed through the day and will not impact on the flow of traffic on the transportation and highways network. The applicant has proposed providing 8 off street car parking spaces and 8 secure sheltered cycle parking spaces as part of the residential aspect of the development proposal, we have</p>	

No.	Stakeholder	Comments	Response
		<p>considered that the level of parking proposed on site is acceptable considering that this site has good access to public transport. Based on the parking surveys completed for the existing car park which the car park is largely underutilised, the retail aspect of the development will not be required to provide any additional car parking spaces. The applicant is proposing to incorporate some 36 cycle parking spaces as part of the new landscaping post the removal of the service road.</p> <p>We have therefore concluded that this development proposal is acceptable in principle subject to the following S106 obligations and pre-commencement conditions:</p> <p>1) Parking and management of parking on site.</p> <p>A) The applicant provides a minimum of 8 off street car parking spaces for the residential aspect of the development proposal, the provision of the spaces are to be secured by S.106 agreement and must be retained for the life of the development.</p> <p>B) The 12 on –street car parking spaces lost as part of the removal of the access road must be replaced within the car</p>	

No.	Stakeholder	Comments	Response
		<p>park, the fees associated with these spaces must not exceed that of the publicly available highways parking charges and charging periods must reflect that of the highways 8am-6:30pm Monday to Saturdays.</p> <p>Reason: In order for the development proposal to comply with the Council's saved UDP Policy, HSG11 and M10.</p> <p>2) A parking management plan must be secured by way of a S.106 agreement, this must include measures to improve the car park including, lighting, CCTV and landscaping. The plan must also include operational monitoring of the parking spaces and measures to address any issues resulting from the monitoring. The parking management plan must be submitted annually for a period of no less than 5 years post occupation.</p> <p>Reason: To improve the car park and safeguard pedestrian amenity and access to car parking.</p> <p>3) Removal of the access road will require revoking the existing traffic regulation order, the applicant must pay</p>	

No.	Stakeholder	Comments	Response
		<p>all costs associated with revoking the existing order and the making of any subsequent order resulting from this proposal. The cost of revoking and making these orders must be paid to the Council in full on signing of the S106 agreement, the costs are estimated at £5,900 (five thousand nine hundred pounds). In addition no development which impacts on the operation of the existing traffic arrangements must take place until the existing traffic regulation order has been revoked.</p> <p>Reason: To safeguard the highways network and protect pedestrian amenity.</p> <p>4) The applicant has submitted a preliminary highways layout including the landscaping and upgrading, of the existing footways and lighting in the area as indicated by Drawing 20858 P(-)050 E. The final specification of the scheme will be agreed by way of a S.278 agreement.</p> <p>Reason: In order to implement the highways works as per Drawing 20858 P(-)050 E</p>	

No.	Stakeholder	Comments	Response
		<p>Conditions:</p> <p>1. The applicant is required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for TfL and the local authority's approval prior to construction work commencing on site. The plans should provide details on how construction work (inc. demolitions) would be undertaken in a manner that disruption to traffic and pedestrians on Fortis Green and Muswell Hill Road would be minimised. It is also requested that construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods.</p> <p>Reason: To reduce congestion and mitigate any obstruction to the flow of traffic on the transportation and Highways network.</p> <p>Informative The new development will require numbering. The applicant should contact Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.</p>	

No.	Stakeholder	Comments	Response
7.	<u>LBH Conservation and Design</u>	<p>No objections:</p> <p>Background: This is a grade II listed row of shops (ground floor) and flats (upper floors) within the Muswell Hill Conservation Area. It was built in 1935-36 by George Coles for the Muswell Hill and Harlesden Property Company, of which Oscar Deutsch of Odeon Cinemas was a Director. The grade II* Odeon Cinema is attached to the building and together they have a significant group value within the conservation area.</p> <p>The building is typical of its period and Art Moderne style of architecture. The ground floor has black and white faience tiling, with banded brown and red bricks on the upper floors. The retail units at the ground floor have curved projecting ribs between each unit, clad in faience and resembling the forms of the adjoining Odeon. The shop fronts are obscured by later modern fascias that are considered to be inappropriate to the architectural integrity of the building. The building retains many original metal crittal type windows with horizontal glazing bars, although some replaced with inappropriate PVC. The shops and flats form a strong group</p>	Noted, conditions attached.

No.	Stakeholder	Comments	Response
		<p>with the Odeon cinema, which is considered to be the finest cinema of its type and date in England.</p> <p>Any new development should respect the integrity of the listed building as well as the setting of the adjacent listed buildings.</p> <p>Comments: There has been previous planning history re the development of the site including more recent discussions following the previous concerns raised.</p> <p>In design terms, the side extension to the listed building is considered to be an improvement. Whilst still not completely aligned with the existing building, the increased height of the extension is considered more proportionate. The additional mullions to the glazed panels enable the extension to relate better with the listed building. The extension is, therefore, acceptable.</p> <p>The rear extension has been aligned with the existing footprint and the very narrow inaccessible gaps have been eliminated. There are no further objections to the same.</p> <p>There are several works proposed to</p>	

No.	Stakeholder	Comments	Response
		<p>the listed building, including restoration and reinstatement. These should be conditioned:</p> <ol style="list-style-type: none"> 1. A detailed and itemised schedule of works and methodology statement, including repair, reinstatement and any additional works affecting the fabric of the listed building such as structural investigations should be submitted for approval prior to any works commencing on site. 2. Detail of the proposed structural investigations to verify the loading capacity of the building and any concealed damage to the structure should be submitted for approval prior to any works commencing on site. 3. Further details of how the new structure would be integrated with the existing structure should be submitted for approval prior to any works commencing on site. 4. Further details regarding the alterations to the existing structure to accommodate the new lift and stair cores and removal of the rear mezzanine floor level area should be submitted for approval prior to any works commencing on site. 5. All doors, windows and rainwater goods should be high quality metal and 	

No.	Stakeholder	Comments	Response
		<p>details of the same should be submitted for approval.</p> <p>6. Details of all repair works, including concrete repairs, brick and mortar repairs, faience repairs should be submitted for approval prior to any works commencing on site.</p> <p>7. Details of all decorative profiles on walls, ceiling surfaces, handrails, floor finishes, doors and fanlights as applicable should be submitted for approval.</p> <p>8. Location and finish of all mechanical ventilation, louvers, and communal satellite should be agreed with the Council prior to its installation.</p> <p>9. Further details regarding levelling of internal floor heights and related works to flats 131, 133, 141 and 143 including bricking up of existing windows and installation of the 'sunpipe' system should be submitted for approval prior to any works commencing on site.</p> <p>10. No sale of new units should be agreed unless the listed building itself has been repaired and finished to a high quality.</p> <p>11. Further details for public realm treatment and landscaping should be agreed with the Council prior to works</p>	

No.	Stakeholder	Comments	Response
8.	<u>Police Crime Prevention Officer</u>	<p>on site.</p> <p>No objections: The new homes would benefit from the standards of the Secured by Design scheme, and I urge the Developer to consider this. It will also be necessary to consider the security of the refuse stores - these need to be lockable and consider the rear access between the new development and the Odeon Cinema. I note that the access is gated but I recommend moving the gate further towards the edge of the building to give additional protection to the fire exit and cycle storage.</p>	Noted. Informative attached.
9.	<u>Design Panel</u> Thursday 18th April 2013	<p>Panel Observations:</p> <p>1. At the strategic level, the panel considered it could have been preferable if the single vehicle entrance / exit was the one to the south-west of the cinema and shopping parade, rather than the roadway to the north of the cinema as proposed. This was because the south-western “gap” formed the natural termination of the shopping centre and the boundary of retail / residential ground floor uses, whereas the retail frontage continues north of the northern gap on Fortis Green Road. However it was accepted that the applicants were more likely to</p>	Noted.

No.	Stakeholder	Comments	Response
		<p>create a viable development that improves the residential and retail units in 107-143 by concentrating on a single development extending across the south western gap.</p> <p>2. The panel welcomed the design of the proposed side extension, which was considered sympathetic to the existing building and appropriate for the intended use as a restaurant. The path would have to be robustly specified and well maintained.</p> <p>3. The panel remarked that as the rear elevations of the existing building were very ugly and utilitarian, with now very messy and unsatisfactory servicing and refuse storage facilities, so that an extension that cleaned up this was to be welcomed. However they felt the proposed new rear elevations, whilst a considerable improvement, were still not particularly neat, elegant and well proportioned.</p> <p>4. Insufficient details of the proposals for improving and landscaping the car park were provided. Flats that had a single aspect onto the car park, particularly the two new north west facing single aspect flats at mezzanine level and the two new south west facing single aspect</p>	<p>Noted. The design has been amended but reflects the approach of the previous proposal. The path to the side of the building has been improved through soft landscaping and changes to the footprint of the site extension.</p> <p>Noted. The proposed rear elevation has been improved through the amended design and now has a more cohesive appearance.</p> <p>Noted. Further details of the landscaping within the car park have been provided.</p> <p>Noted. On balance the single aspect flats are considered acceptable.</p>

No.	Stakeholder	Comments	Response
		<p>flats in the angle of the existing building and the cinema, may not have a pleasant outlook. It is also important that the landscaping to the 1st floor roof on the car park side of the extension is well specified and with sufficient soil depth to allow a rich variety of plants to grow, provide some areas of privacy and screening to the car park edge.</p> <p>5. The new flats had rather convoluted plans with long corridors.</p> <p>6. The applicants need to demonstrate what the proposed roof top extension looks like from different angles, including from frontage to the Odeon – they should provide an elevation flat to the cinema frontage, as well as views from that side, as part of the continuing pre-application discussions. In particular, panel members felt that at least 1 or two “verified” 3d views, as opposed to “artist’s impressions” showing the extension in the context of the existing cinema frontage, and the diagonally opposite corner, at the junction of the Broadway with St James’ Lane, are needed.</p> <p>7. However the panel consider that the principle of adding an additional</p>	<p>A condition has been attached requiring further details of the “green roof”.</p> <p>Noted.</p> <p>Noted. Verified views have been provided from several angles.</p> <p>Noted. The design has been amended since the initial submission to reflect these comments. The roof would now</p>

No.	Stakeholder	Comments	Response
		<p>floor is acceptable. They considered lightweight metal cladding for the rooftop extension preferable to brickwork, but that it should be designed and detailed to emphasise horizontality and continuity rather than windows as holes punched in a wall, as due to the curve and set back, they would never line up with those below. The panel recommended the Council ask the applicant to investigate different roof details; whether it should be a parapet as proposed or possibly a shallow oversailing roof with a slender soffit. The proposed restrained palette of materials should be acceptable provided it is of sufficient quality that picks up on the faience of the original building.</p> <p>8. The panel welcomed replacing recent uPVC windows with Crittall metal, double glazed windows, as an important improvement that strikes a good balance of thermal efficiency with respect for the building's heritage.</p> <p>9. The panel considered that the expanded public realm was to be strongly welcomed but were concerned that that the entrance and exit to the car park (and servicing of shops) would be too busy with traffic and too vehicle</p>	<p>feature a slender soffit and oversailing roof.</p> <p>Noted.</p> <p>Noted. The amended scheme has now improved the pedestrian crossing at this junction.</p>

No.	Stakeholder	Comments	Response
		<p>dominated with too much vehicle priority. They recommend that the pedestrian paving continues across vehicle entrance, at a raised table, to give strong priority to pedestrians over vehicles.</p> <p>10. The panel also considered that the proposed landscaping to the public realm needs further thought; it should be more restrained and low key, of high quality design and materials, with just minimal furniture, little pattern making, a few good trees and lighting, in keeping with the early 20th Century architecture of Muswell Hill.</p>	
	<u>RESIDENTS</u>		
10.		<p>Impact on shopping area</p> <ul style="list-style-type: none"> • There are plenty of retails units closing in the Muswell Hill area so not sure why there is an application to create more retail space. • The proposed application should be rejected as we have sufficient commercial retail space in Muswell Hill already (as demonstrated by the substantial number of retail shops which have recently closed to be replaced by charity shops) • Additional shopping floor space 	<p>Noted, however additional retail space within the Town Centre is supported by Local Plan Policy SP10.</p> <p>As above.</p> <p>As above.</p>

No.	Stakeholder	Comments	Response
		<p>is not required in Muswell Hill; the area is full of empty units and charity shops. A reduction in rents and rates would be far more helpful.</p> <ul style="list-style-type: none"> • The proposal will compromise the front elevation of the Cinema. • The proposal is out of character with the conservation area • The redevelopment would harm the special character of the existing building and have a severe impact on its current aesthetic. • The relevant personnel involved with the cultural, artistic, architectural and historic organisations of the area, and city of London should be consulted at this stage • This design of this development changes the local historic character of the Broadway • The development it is out of scale in relation to adjacent buildings, the church opposite and the local area. • The visualizations for this development are deceptive and presented from favourable angles. The side extension 	<p>The proposal is considered to have an acceptable impact on the Listed Cinema. The Council's Conservation and Design Officers support the scheme.</p> <p>The proposal is considered to enhance the character and appearance of the conservation area</p> <p>The extensions are a modern design but considered to be sympathetic and respect the special character of the existing Listed Building.</p> <p>The Muswell Hill/Fortis Green/Rookfield CAAC and English Heritage have been consulted and raise no objections.</p> <p>The modern design proposed is considered the best approach to extending the building.</p> <p>The height of building would not dominate the surrounding area and has previously been accepted under the applications approved in 2007.</p> <p>Additional visualisations and verified views have been provided and the design is considered acceptable.</p>

No.	Stakeholder	Comments	Response
		<p>(Muswell Hill Road) is enormous and is not shown from a direct angle in the plans.</p> <ul style="list-style-type: none"> • The proposed roof extension and lift housings will clearly be seen from street level. • An additional storey on top of the original block of flats is unnecessary, and an ugly addition to the building. • If a development does go ahead, a modest design that does not radically alter the appearance of the area should be considered. • If a development does go ahead, in some form, I would be particularly concerned that the existing Crittal metal windows are preserved or reinstated and any windows in the new building match the existing. • The listed building's exterior tiles must be preserved and all areas restored to match the original. <p>Traffic and Safety</p> <ul style="list-style-type: none"> • The two way entrance to the car park from Fortis Green Road will be a danger for pedestrians and cars and will lead to greater congestion 	<p>Following amendments to the scheme the proposed rear extensions would be screened by the side extension and would not be visible in the streetscene. The additional floor is considered an acceptable design</p> <p>The design is considered sympathetic to the existing building and its significance and is therefore acceptable</p> <p>The existing upvc windows will be replaced by metal windows and the existing original windows will be refurbished.</p> <p>The tiles will be preserved and restored</p> <p>Independent modelling has shown that the two way entrance will not result in congestion and the amended scheme will improve pedestrian safety at the entrance to Fortis Green Road.</p>

No.	Stakeholder	Comments	Response
		<ul style="list-style-type: none"> • The car park needs better signage • The Fortis Green Road entrance will be a safety concern not just for residents but for shoppers, and many elderly people who go to the Church across the road and shop at the supermarket. • School children who regularly buy their lunches from the local shops would also be in danger with an increase in traffic. • The developer proposes the removal of an extremely useful slip road/parking area, which is far more use to local residents than the proposed public area, and will mean that less local shopping will take place as it is far more convenient to park for a few minutes in the slip road. • There is no safe drop off/pick up point • Extra flats will cause parking issues <p>Impact on the amenity of 105 Muswell Hill Road</p> <ul style="list-style-type: none"> • Noise from the plant room louvers located near to openable 	<p>A management plan for the car park is to be provided through the S106 agreement and will include improved signage.</p> <p>The amended scheme will now improve pedestrian safety at the entrance to Fortis Green Road.</p> <p>As above</p> <p>The loss of this convenient parking is noted but the impact on local shops is considered to be outweighed by the enhancements to the public realm due to the hard landscaping to the front of the buildings.</p> <p>The car park to the rear of the site will be available as a pickup and drop off point</p> <p>The amended scheme now includes designated parking space for the flats.</p> <p>A condition has been attached to control the noise</p>

No.	Stakeholder	Comments	Response
		<p>bedroom windows at the rear of this property, a 'noise survey' should be undertaken as part of this application and any noise from the acoustic plant louvers will not exceed the 'lowest existing noise levels' near the windows of this property - affecting 3 bedrooms, 1 kitchen dining room and outside terrace and balcony areas.</p> <ul style="list-style-type: none"> • Concerns about smells from the increased cooking and food preparation. • There are obscured glass windows shown to the side of the building if these are openable or changed to clear glass 105 muswell hill road will be overlooked. • Overlooking from the terrace garden. <p>Concerns from existing residents of the flats</p> <ul style="list-style-type: none"> • No references made to the existing residents and any contingency plans as a result of this planned development. • If efforts made to rehouse the residents temporarily, this would 	<p>emissions from the plant equipment.</p> <p>A condition has been attached requiring details of extraction equipment to be provided.</p> <p>The previous windows in this elevation have now been omitted and there would only be windows in the flank elevation of the retail unit which will be obscure glazed and non-opening.</p> <p>The external terraced area will be screened and will not result in a significant loss of privacy to 105 Muswell Hill</p> <p>It is acknowledged that the proposed works would require the existing tenants to leave the flats while construction works take place, however this would be temporary impact and is not considered to substantiate a reason for refusal. The individual tenancies of the existing flats are a private</p>

No.	Stakeholder	Comments	Response
		<p>mean a major upheaval for all concerned.</p> <ul style="list-style-type: none"> • Noise pollution and building works would certainly mean family residents and children in the neighbouring area would have to suffer long periods of frustration and unrest. Ultimately, as residents we will be either forced to leave our homes or put up with long periods of building work going on. • In all my time at the premises I have never experienced any safety concerns the flats are well maintained and of a high standard. We have regular safety checks, and any vandalism is likely caused by schoolkids up to mischief. • The site has a real community feel the redevelopment would also be breaking up a community which exemplifies all the positive things that makes Muswell Hill such a well respected and friendly neighbourhood in which to live. • This application would completely change the aspect and frontage to 139, Muswell Hill 	<p>matter and not a material planning consideration.</p> <p>As above</p> <p>Safety concerns were no given significant weight in the consideration of this application.</p> <p>Noted.</p> <p>The windows in the rear elevation of 139 Muswell Hill would</p>

No.	Stakeholder	Comments	Response
		<p>road and would remove the balcony/walkway and result in loss of the view and the light into the front of the flat</p> <ul style="list-style-type: none"> • There disruption to the living arrangements of 139, the front door would be moved to what is currently the bathroom. <p>Other concerns</p> <ul style="list-style-type: none"> • Effect on local amenities - Hard landscaping of existing site frontage • A large pedestrianised public area is unnecessary. • There are many cafés with outside seating close to this proposed area. • There are several green areas with benches close by. • Who will have responsibility for the upkeep of the new public area? • The area could become a magnet for noisy and unruly behaviour, which could disturb the residents in the block and surrounding area. • Is this proposed public area part of the planning deal with the 	<p>lose their open aspect however these are not habitable rooms and an acceptable level of amenity would be maintained. The open walkway to the rear of 139 Muswell Hill would be removed and replaced by an internal corridor but the open aspect to the rear of this property would not be lost. The walkway is a communal area and not specifically for the use No. 139 therefore the additional amenity space provided at 1st floor level is considered to compensate for its removal.</p> <p>The hard landscaping is considered to enhance the amenity of the area.</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>As the majority of the hard landscaping would be on highways land the Council would have responsibility for maintaining the highways surfaces. The proposal has been considered by the Police Crime Prevention Officer who has not raised concerns in this regard.</p>

No.	Stakeholder	Comments	Response
		developers?	The applicant has chosen to enhance the pedestrian area to improve the retail environment within the Town Centre. The public areas are intrinsic to the applicant's proposal rather than an obligation.
11.	<u>Additional objections from residents following amendments</u>	<ul style="list-style-type: none"> • Concerns that the proposal will result in congestion and will put pressure on parking on nearby roads • Concerned about noise and light pollution • Antisocial opening hours and people hanging around in the evening • Invasion of privacy to neighbouring properties/gardens • Increased pressure on local schools hospitals • Devaluation of properties 	<p>The Council's Transportation and Highways Group and satisfied that the proposal will not have a negative impact on the highways network or result in increased parking pressure</p> <p>Conditions have been attached to ensure that the proposal will not result in noise impacts to neighbouring properties, no significant additional lighting is proposed</p> <p>Any late opening hours for the proposed retail units will be controlled through licensing.</p> <p>There would be no significant loss of privacy to the neighbouring properties</p> <p>Additional housing is supported in principle by Local Plan Policy SP2 and a financial contribution will be provided towards education.</p> <p>This is a private matter and not a material planning consideration.</p>
12.	<u>Letters of support</u>	<ul style="list-style-type: none"> • A brilliant development on a highly visible and well used area • The site desperately needs refurbishment. • Muswell Hill Broadway is in decline and this is one way to stop the decline. • The building is in urgent need of renovation and repair. The temporary side entrance cage is 	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

No.	Stakeholder	Comments	Response
		<p>an eyesore the flats are run down, the rear of the building is a mess.</p> <ul style="list-style-type: none"> • Pedestriansing the slip road is an inspired idea that will provide a generous open space for people, cafes and urban realm safely away from traffic congestion and associated pollution. • The single entrance and exit to the car park will improve traffic flow which is often confused and will simplify and improve the current situation. • Improving the retail space in this area is needed to help improve the retail offers in Muswell hill and stimulate growth. • The additional flats are probably required to help fund this development which will be a major improvement to this listed corner of Muswell Hill and a boost to the high street. • Planet Organic has worked hard over the last 5 years to establish its store in Muswell Hill and have a very loyal customer base with 6500 customer visits per week. • The site shows all the signs of deterioration with the rear car 	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

No.	Stakeholder	Comments	Response
		<p>park being a dumping area for rubbish and focal point for vandals and theft, poor maintenance and inherent problems with water leakage.</p> <ul style="list-style-type: none"> • The proposed development will contribute so much to Muswell Hill as a residential and commercial centre. • The current exposed stairwells and areas dominated by fly tipping will be removed. • The rubbish bins that are continually vandalised will be secured within the building demise. • Planet Organic directly employs approximately 40 people from the local community and by modestly increasing the store footprint as well as significantly improving the customer environment and expect to employ another 10. • The current environment means that as a business Planet Organic can make no further progress and without the development we would have to seriously question our long term commitment to the location. 	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

No.	Stakeholder	Comments	Response
		<ul style="list-style-type: none"> • Without development residents will have more unoccupied shops and a declining environment that will have a negative effect on residential house prices and the desirability of the area. • The proposed scheme is significantly funded by the landlord and not by council or other funds. • The scheme significantly benefits residents as well as creating an environment that merits further investment by businesses and is a significant opportunity at a time when economic recession and retail vacancies are generating specific problems for councils and local communities across London. 	<p>Noted</p> <p>Noted</p> <p>Noted</p>
13.	Chair of the Muswell Hill Traders Group (14 Woodside Avenue).	<ul style="list-style-type: none"> • The Muswell Hill Traders Group lends their full and unremitting support for this planning application. We represent over 80% of the retailers in the Muswell Hill Town Centre. Our members cover the broad range of thriving local independent businesses to the numerous medium sized concerns as well 	<p>Noted</p> <p>Noted</p>

No.	Stakeholder	Comments	Response
		<p>as our major national chains and banks.</p> <ul style="list-style-type: none"> • We have met on many occasions over the past fourteen months with the developers of this block who represent the owners. Throughout this period they have engaged with us in a most positive and constructive manner with a determined effort to produce final plans which have the backing of the MHTG. • They have listened attentively to our members' concerns, comments and observations. Following each meeting they have come back to us with the appropriate alterations to their original proposals in order to answer all the points we have raised. • The MHTG further explained that although the Muswell Hill business community is instrumental to the continuing wealth and prosperity of our Town Centre we fully accept we alone cannot claim to speak for everyone. We requested the developers to broaden their consultation exercise to include 	<p>Noted</p> <p>Noted</p>

No.	Stakeholder	Comments	Response
		<p>other relevant social partners in addition to the tenants, residents and businesses most directly concerned. I am pleased to report to you that the developers not only agreed to this request but that they have also kept the MHTG fully up to date with any concerns that such other social partners raised with them. In this manner they have carried out a widespread consultation exercise over an extended period in an open and transparent process.</p> <ul style="list-style-type: none"> • The significant inward investment into this area, when investment is extremely hard to find and secure • The creation of over 60 new jobs, when job creation is the only way forward in these tough economic conditions • The development of a fantastic new area of public realm when funding for this was rejected by every other public body • The rejuvenation and refurbishment of the building which is currently a reflection of everybody's disinterest but 	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

No.	Stakeholder	Comments	Response
		<p>which will become a focal point in the village</p> <ul style="list-style-type: none"> • The unanimous support of our members which covers all traders from small privates to major multi-nationals • Accordingly we strongly recommend approval of these applications, and the sooner the better. 	<p>Noted</p> <p>Noted</p>
14.	Additional letter of support following amendments	<ul style="list-style-type: none"> • The independent traders of Muswell Hill are concerned by the growth of charity shops, pound shops, cheap mobile phone card outlets and the continued curse of more and more empty retail outlets. • I see nothing wrong at all with the suggested traffic flow plans as an integral part of the wider investment proposals. 	<p>Noted</p> <p>Noted</p>

