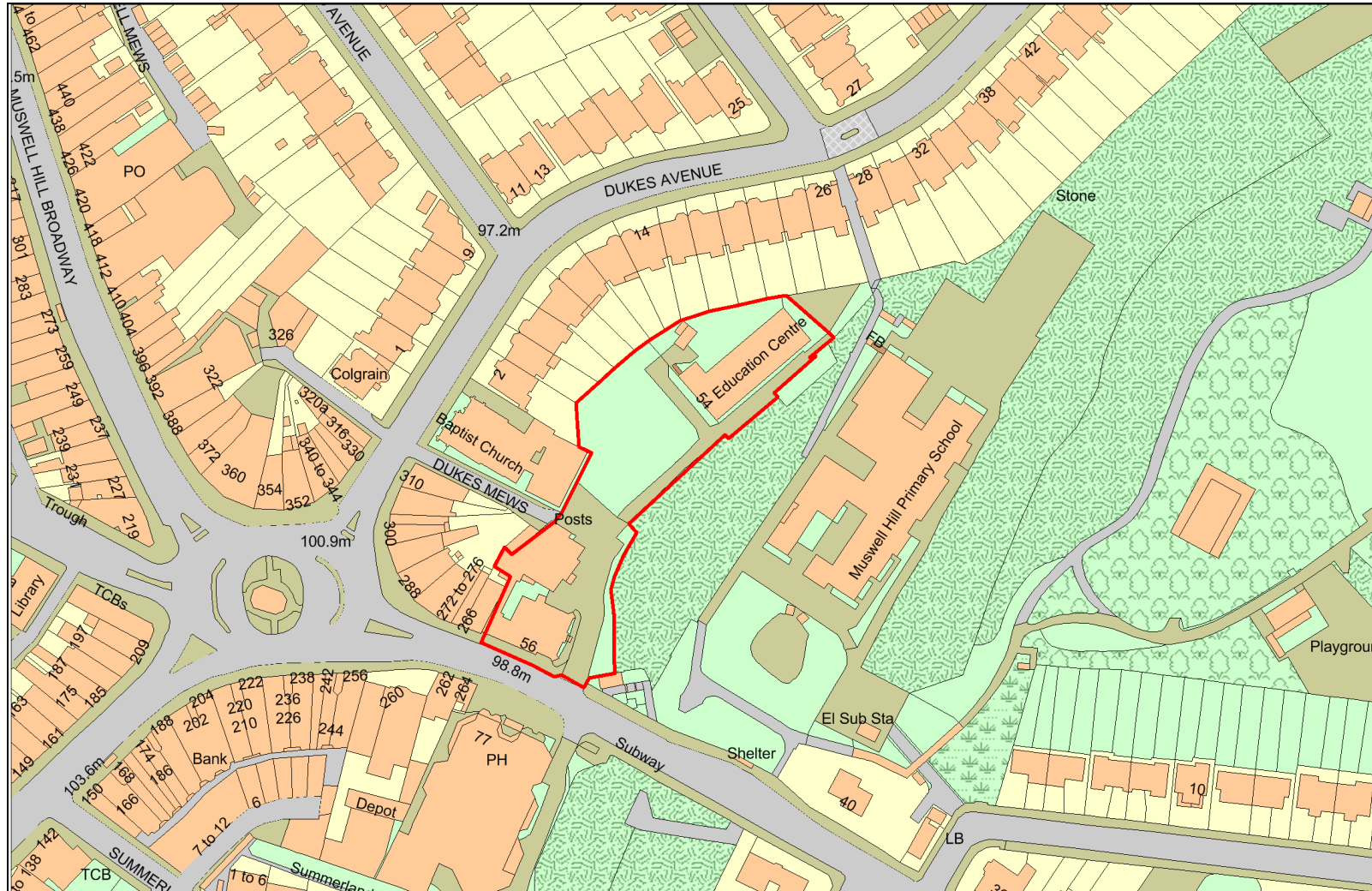


SUMMARY OF REPORT:

The proposed redevelopment at 56 Muswell Hill is acceptable as it would bring a vacant brownfield site at the former Green House Public House back into use. The proposed removal of the nightclub use would facilitate the creation of a larger and higher quality teaching environment for the existing specialist school (London Centre for Children with Cerebral Palsy). The loss of car parking would enable the creation of residential dwellings, in particular family-sized units to help deliver mixed sustainable and cohesive communities and contribute to increasing the Borough's much needed family sized housing and housing stock generally. The shortfall of affordable housing is considered acceptable in this instance given that a high quality specialist school would be provided for children with cerebal palsey, which has an impact on the viability of the scheme. However, the provision of an off-site affordable housing contribution has been secured in lieu of onsite affordable housing provision. In addition, the proposal will not cause any material loss of amenity on surrounding residents in terms of outlook, increased sense of enclosure, daylight/sunlight, overshadowing, overlooking/loss of privacy or noise disturbance.. The design of the proposed development would enhance and improve the character and architectural appearance of the site, the streetscene, the conservation area and the visual amenity of the locality generally. The proposed level of parking provision is considered acceptable as it does not exacerbate existing parking conditions. The proposal has been inclusively designed to meet the needs of the wider community. It is considered that the proposed development is acceptable subject to appropriate conditions and the signing of a Section 106 legal agreement. .

1.0 SITE PLAN



2.0 DRAWINGS & IMAGES

Muswell Hill view towards former Green Man Public House



Rear of former PH and existing nightclub



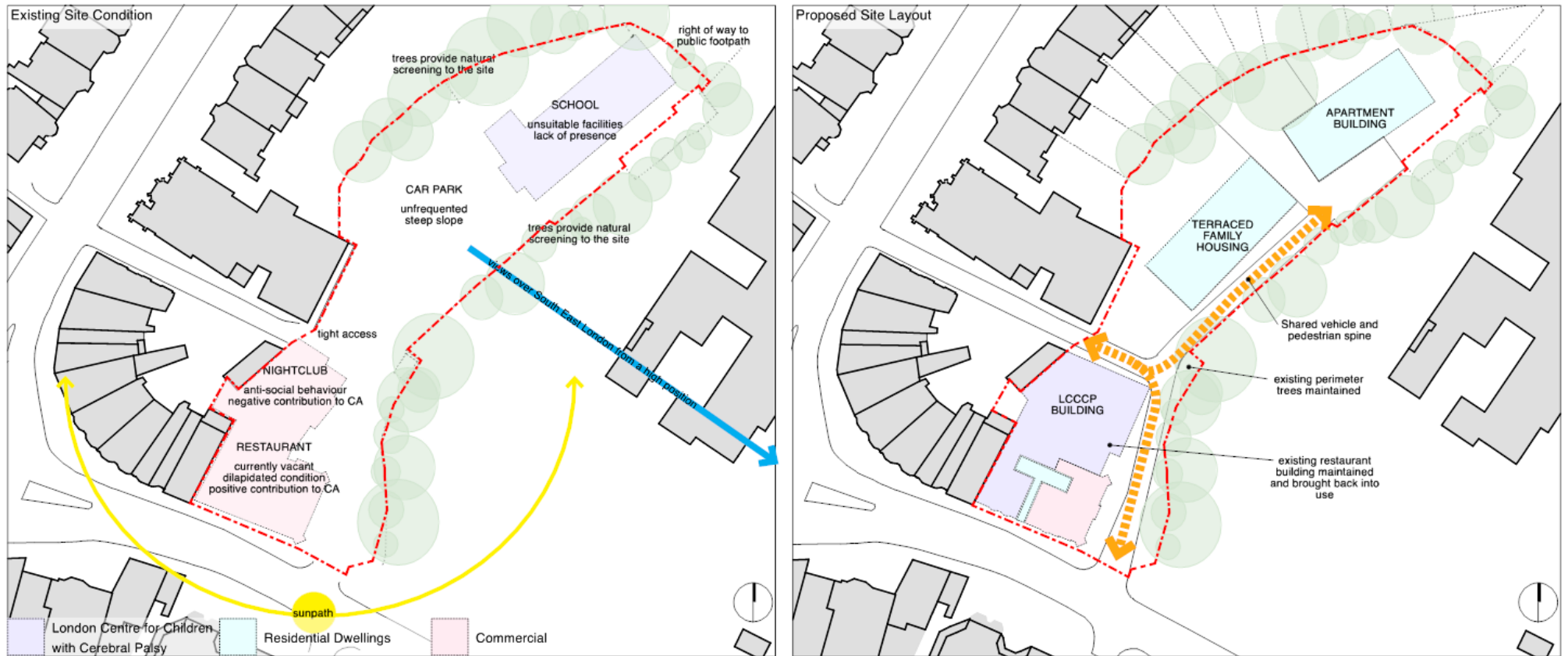
Car park view towards the nightclub



Car park view towards the specialist school



Proposed site layout



Proposed ground floor plan



Proposed basement floor plan



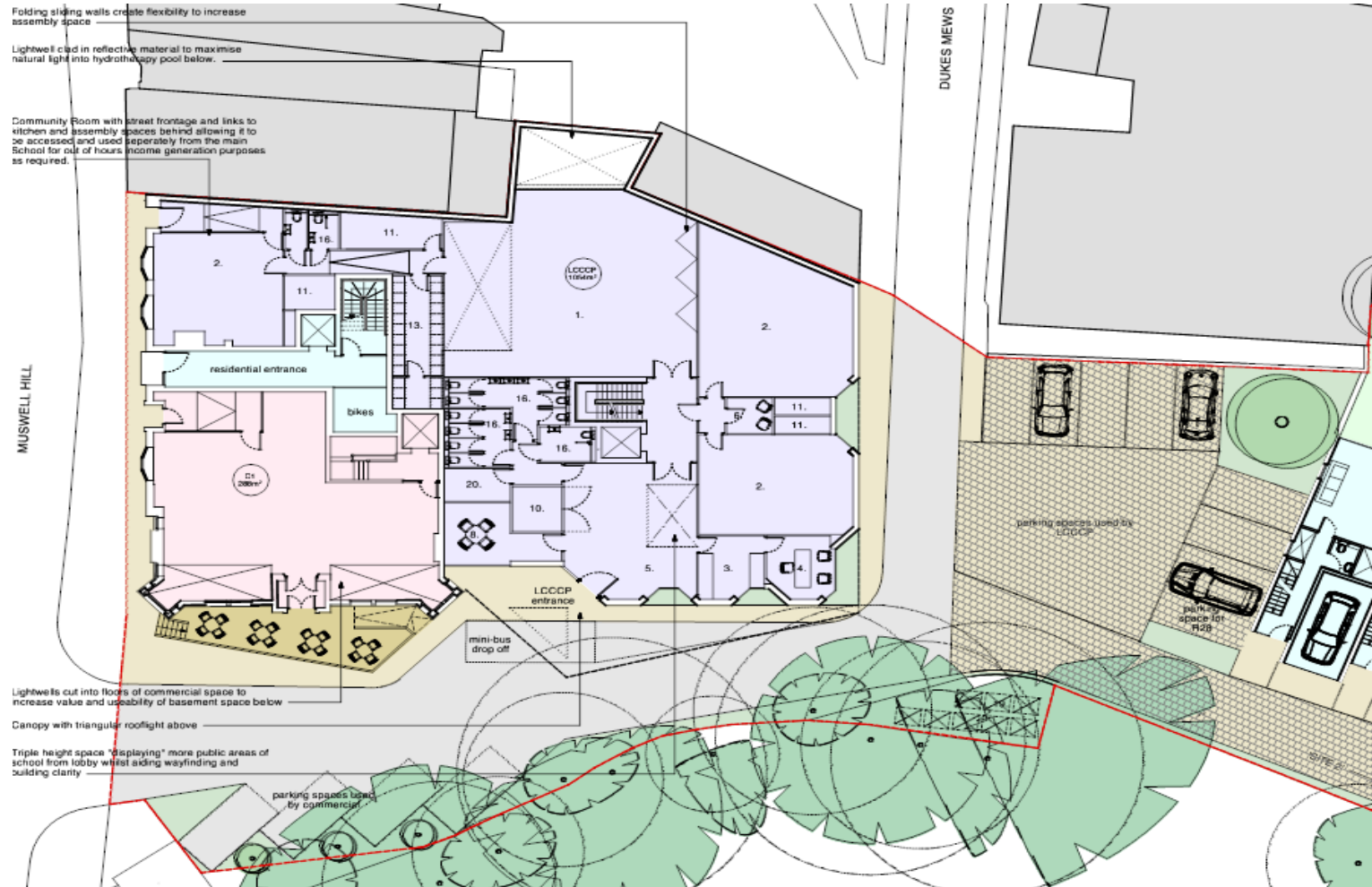
Proposed first floor plan



Proposed second floor plan



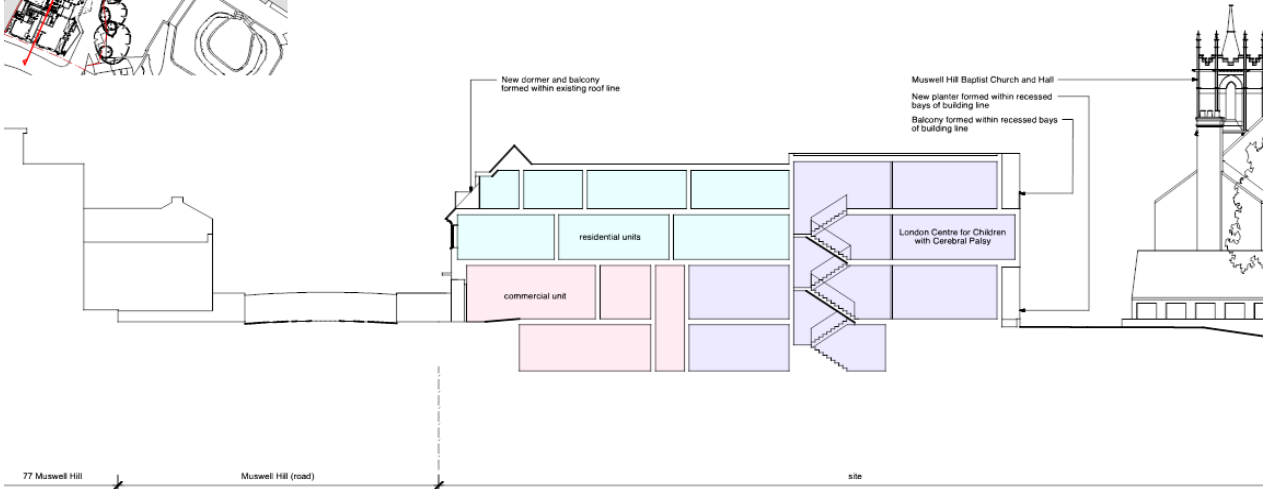
Site 1 - Proposed ground floor plan



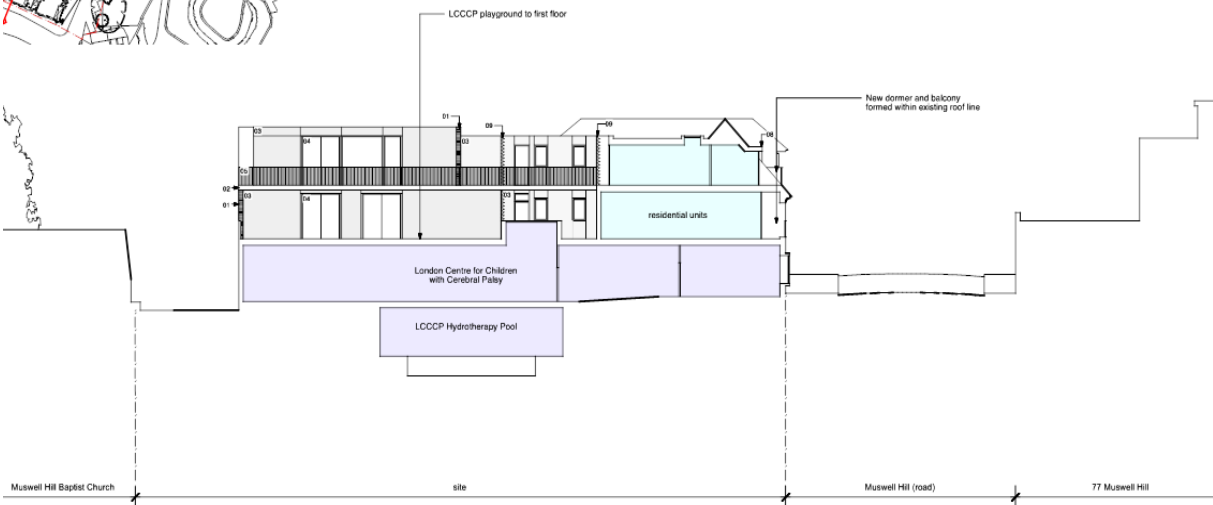
Site 2 - Proposed ground floor plan



Site 1 – Section AA

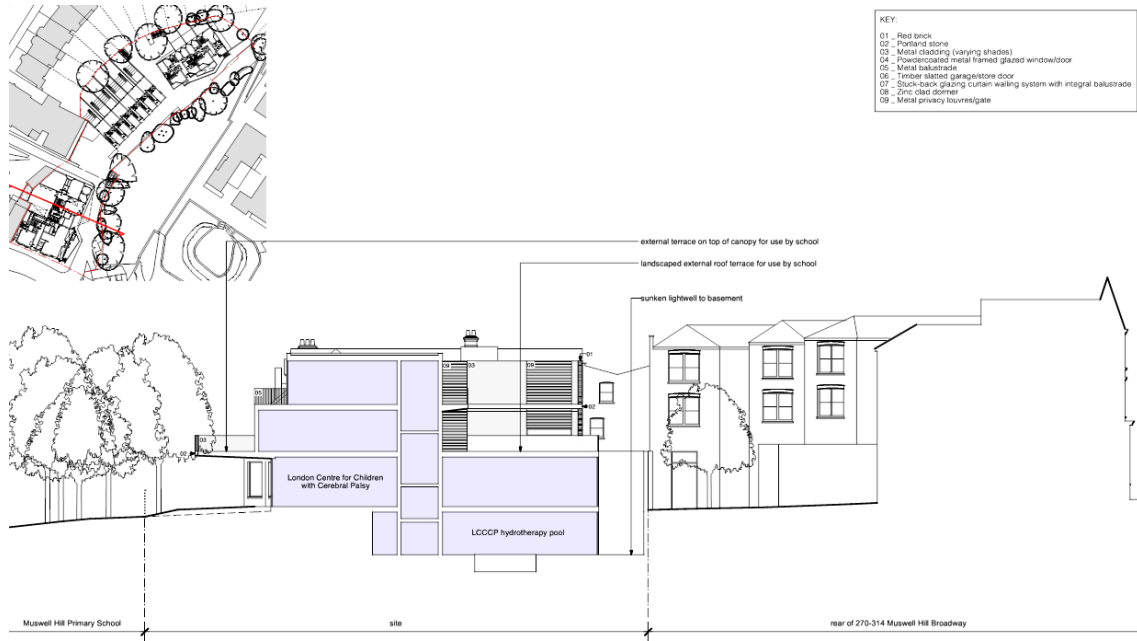


Site 1 – Section BB

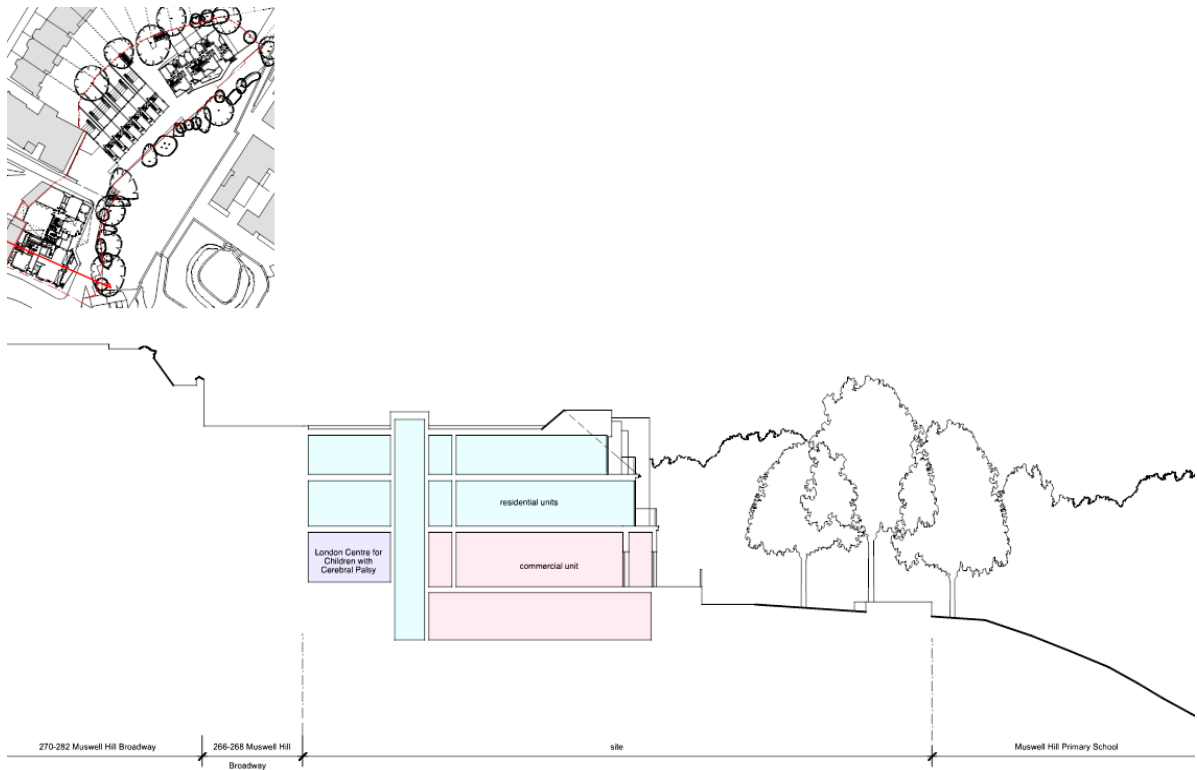


KEY:	
01	Red brick
02	Portland stone
03	Metal cladding (varying shades)
04	Powdercoated metal framed glazed window/door
05	Metal balustrade
06	Timber slatted garage/store door/fence
07	Stick-back glazing curtain walling system with integral balustrade
08	Zinc clad dormer
09	Metal privacy louvres/gate

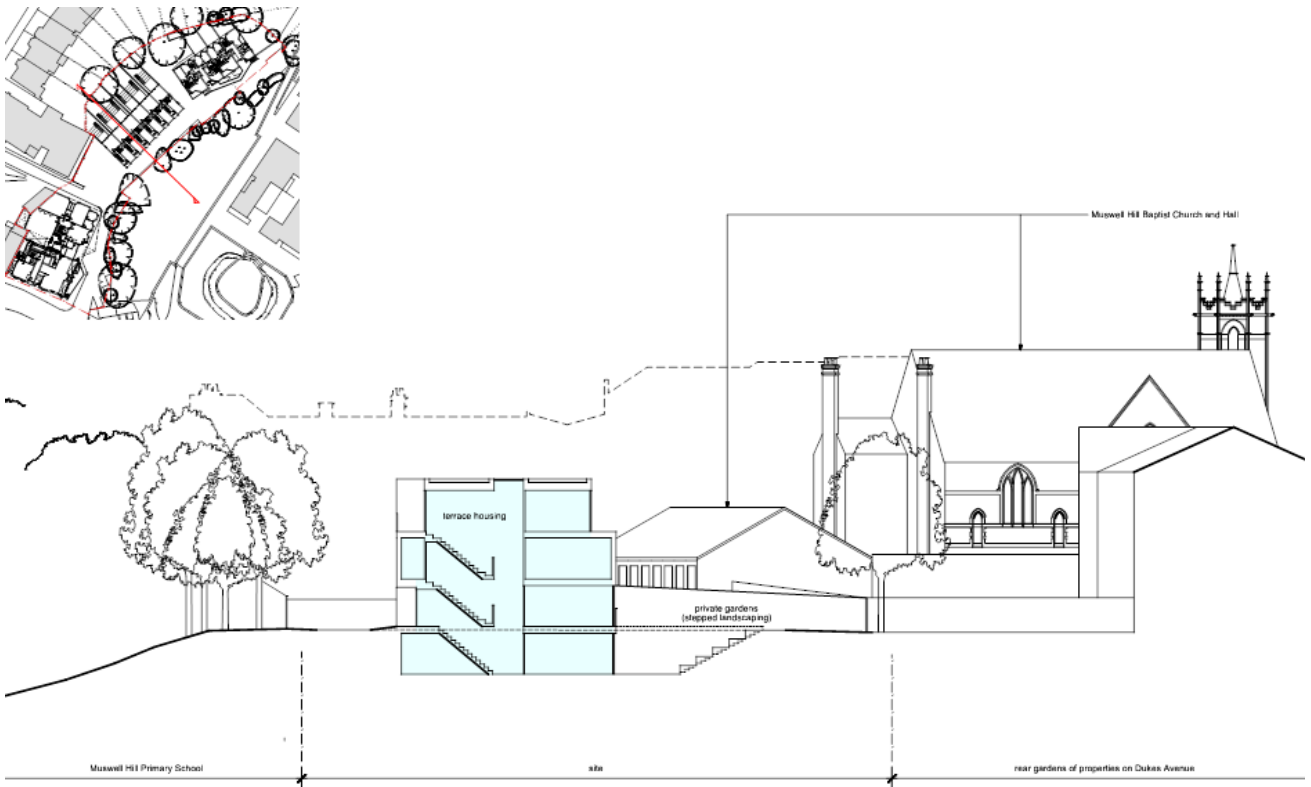
Site 1 – Section CC



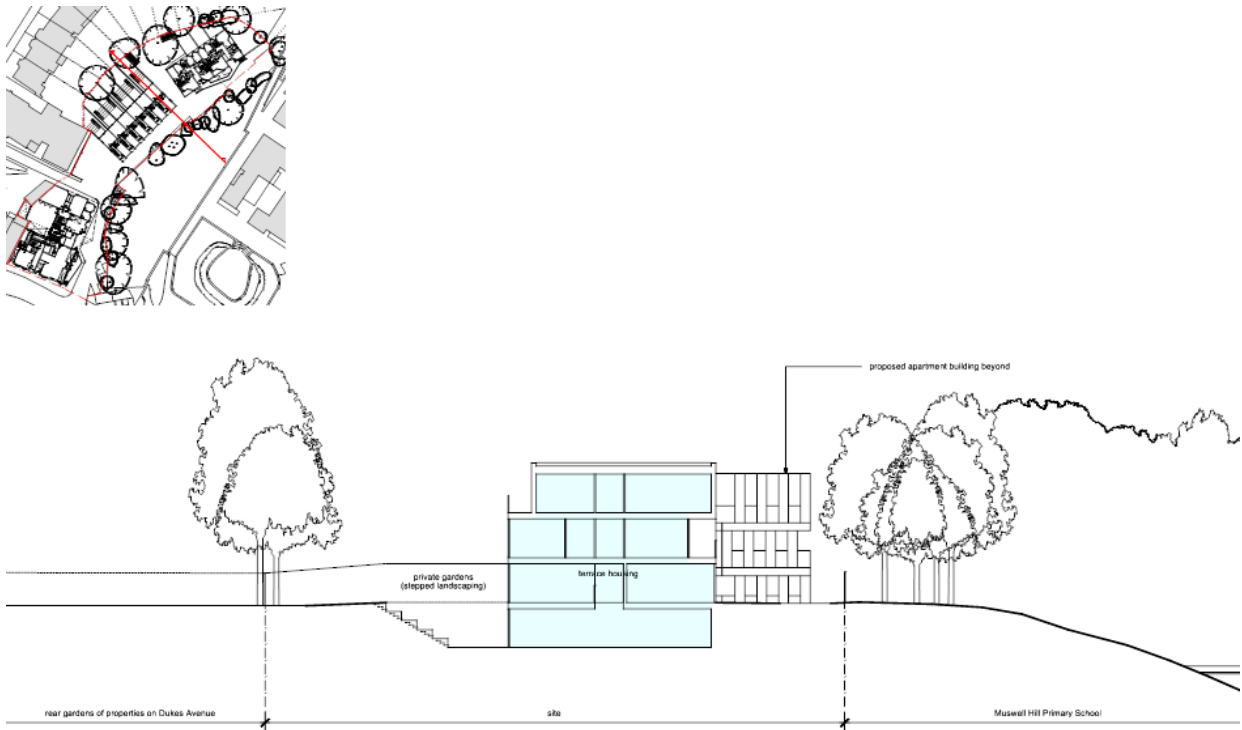
Site 1 – Section DD



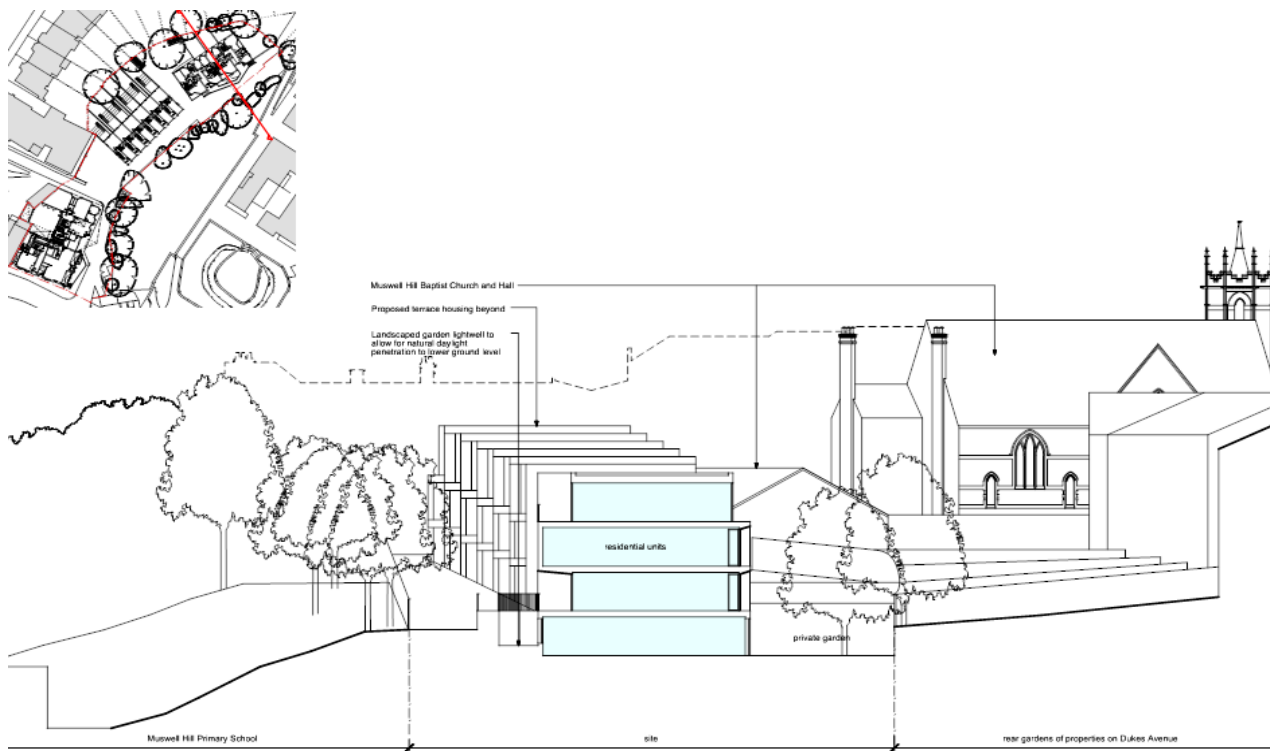
Site 2 – Section EE



Site 2 – Section FF



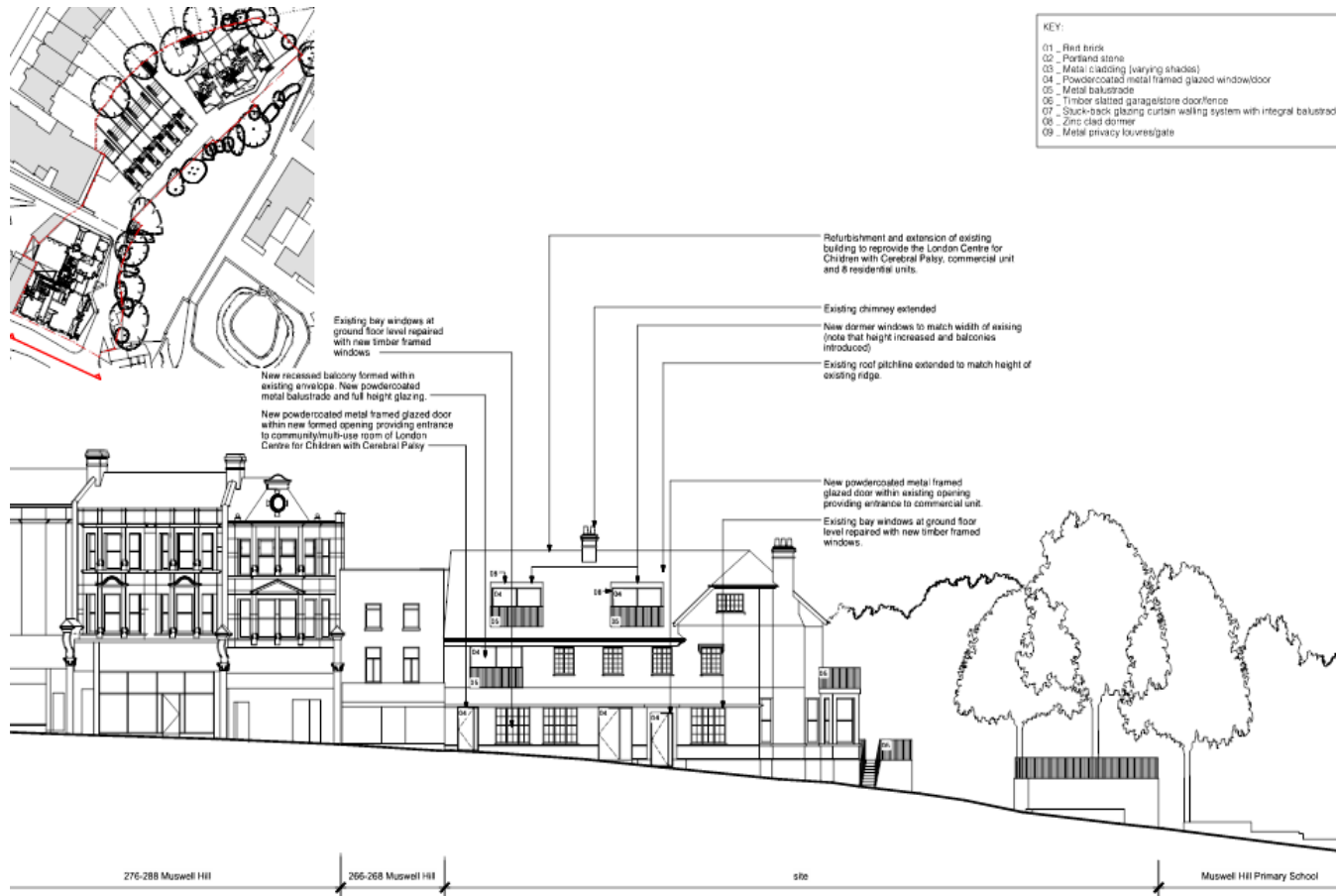
Site 2 – Section GG



Site 2 – Section HH



Site 1 – Proposed Muswell Hill elevation

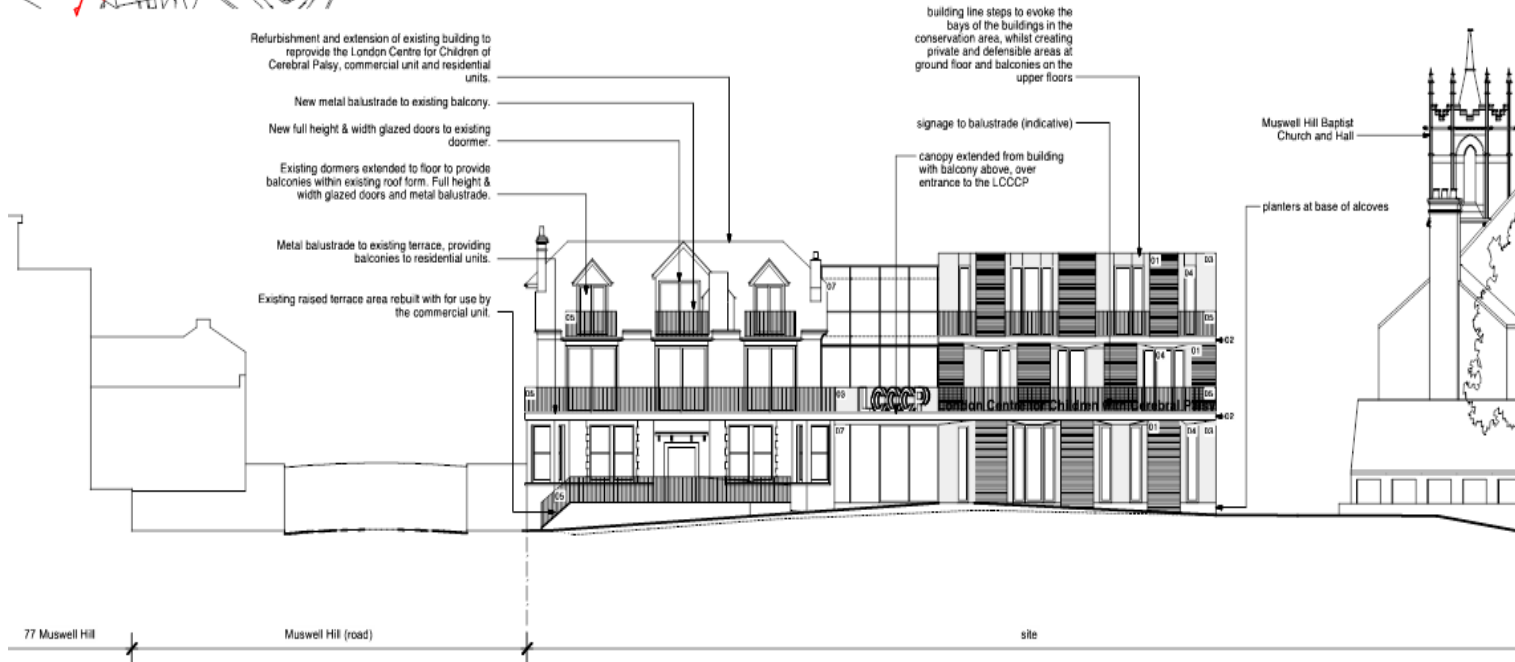


Site 1 – Proposed south east elevation



KEY:

- 01 _ Red brick
- 02 _ Portland stone
- 03 _ Metal cladding (varying shades)
- 04 _ Powdercoated metal framed glazed window/door
- 05 _ Metal balustrade
- 06 _ Timber slatted garage/store door/fence
- 07 _ Stuck-back glazing curtain walling system with integral balustrade
- 08 _ Zinc clad dormer
- 09 _ Metal privacy louvres/gate

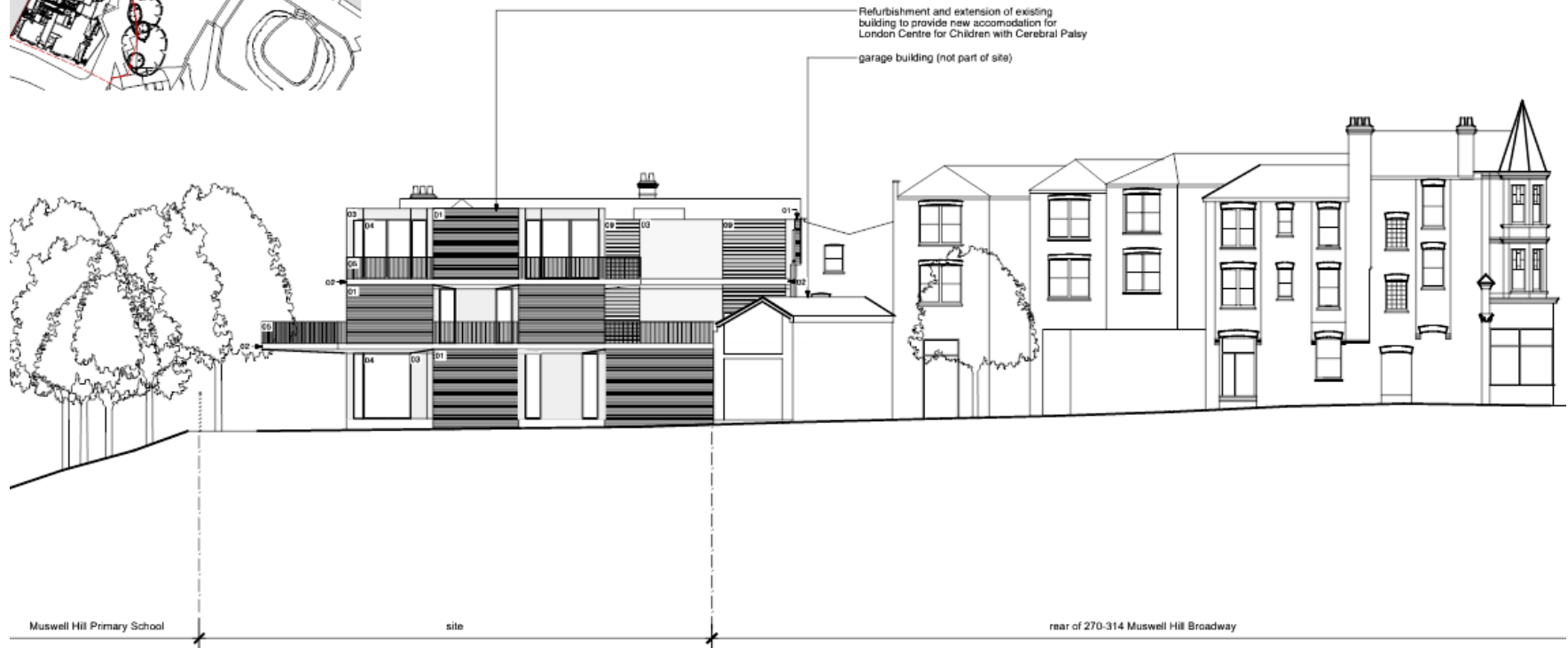


Site 1 – Proposed rear (north east) elevation



KEY:

01	Red brick
02	Portland stone
03	Metal cladding (varying shades)
04	Powdercoated metal framed glazed window/door
05	Metal balustrade
06	Timber slatted garage/store door/fence
07	Stack-back glazing curtain walling system with integral balustrade
08	Zinc clad dormer
09	Metal privacy louvres/gate



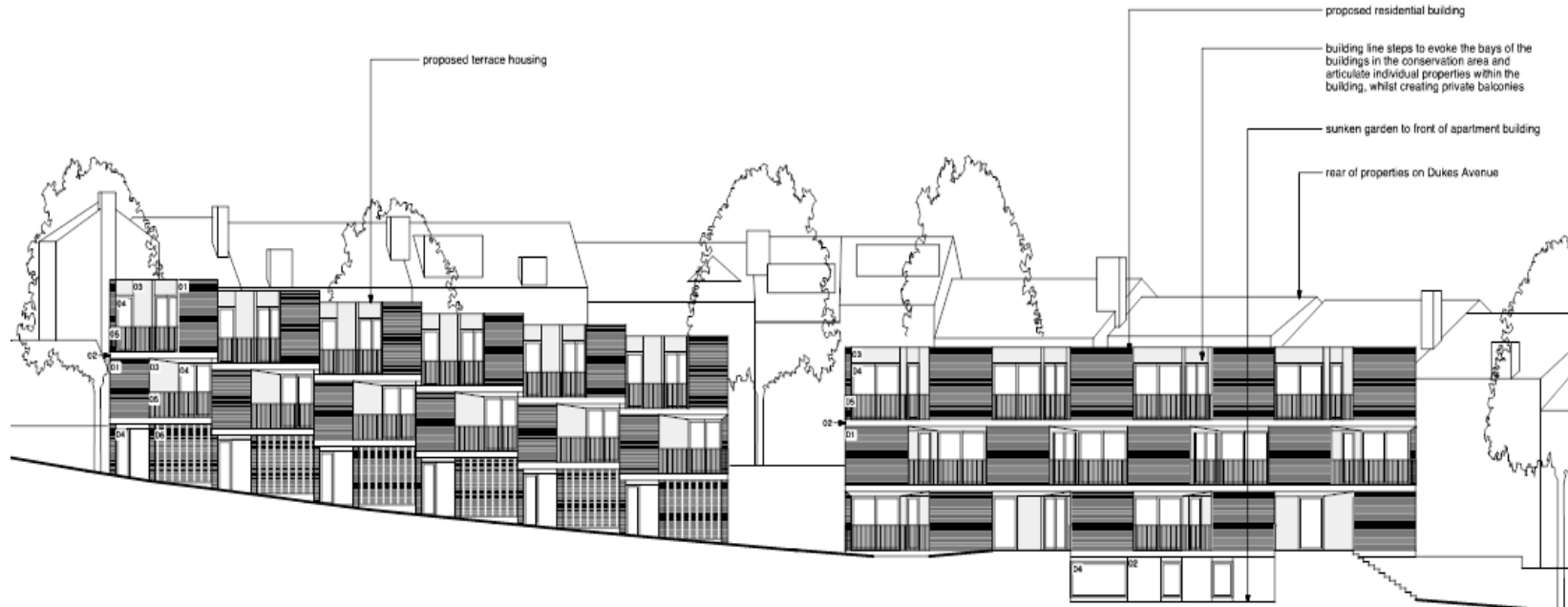
Site 2 – Proposed front (south east) elevation



KEY:

01	_ Red brick to match existing building
02	_ Portland stone
03	_ Metal cladding (varying shades)
04	_ Powder coated metal framed glazed window/door
05	_ Metal balustrade
06	_ Timber slatted garage/store door/fence
07	_ Stuck-back glazing curtain walling system with integral balustrade
08	_ Zinc clad dormer
09	_ Metal privacy louvres/gate

NB. heights of Dukes Avenue properties indicative (to survey information)

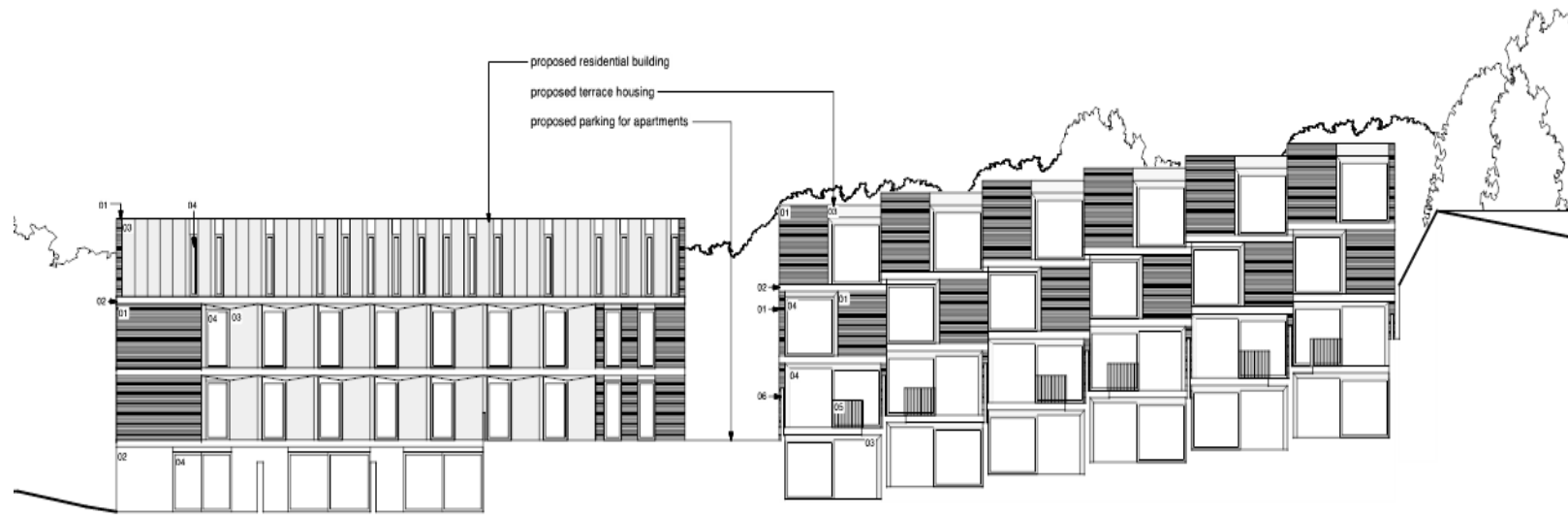


Site 2 – Proposed rear (north west) elevation

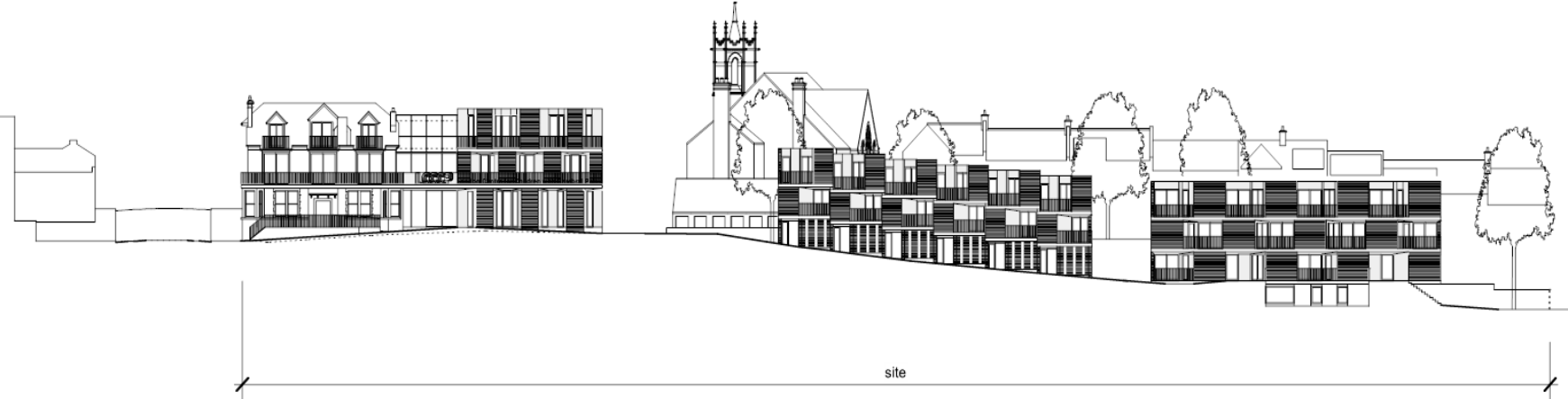


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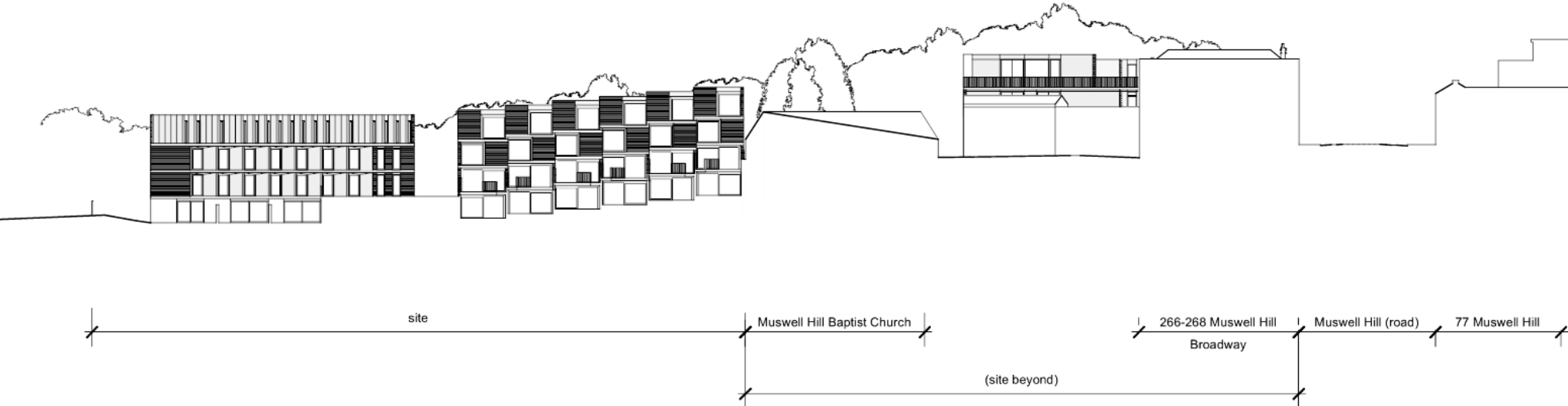
01	_ Red brick
02	_ Portland stone
03	_ Metal cladding (varying shades)
04	_ Powdercoated metal framed glazed window/door
05	_ Metal balustrade
06	_ Timber slatted garage/store door/fence
07	_ Sluck-back glazing curtain walling system with integral balustrade
08	_ Zinc clad dormer
09	_ Metal privacy louvres/gate



Proposed south east long elevation



Proposed north west long elevation



Site 1 - Proposed south east elevation rendered



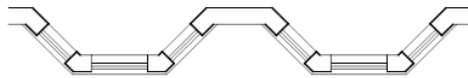
Site 2 - Proposed south east elevation rendered



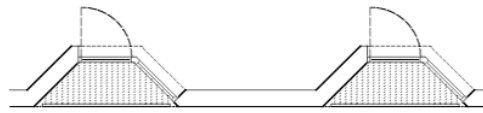
Site 2 - Proposed north west elevation rendered



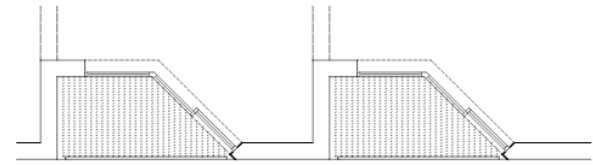
Typical building facades plan



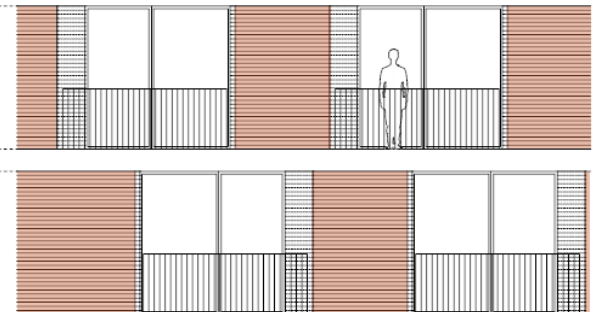
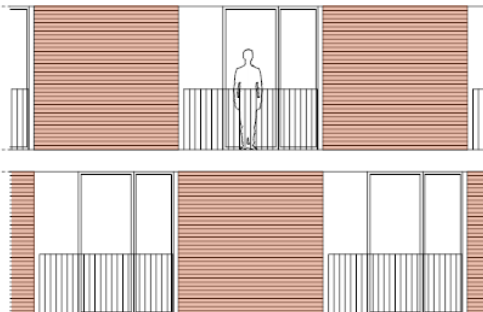
Typical Muswell Hill Conservation Area facade plan



Typical proposed new LCCCP building facade plan



Typical proposed new residential building facade plan



Typical building facades plan (cont)



Close-up view of 3D facade study - LCCCP



Close-up view of 3D facade study - townhouses



Close-up view of 3D facade study - apartment building

Proposed CGI 1



Proposed CGI 2



Overview looking south-west



View from outside apartment building looking south-west



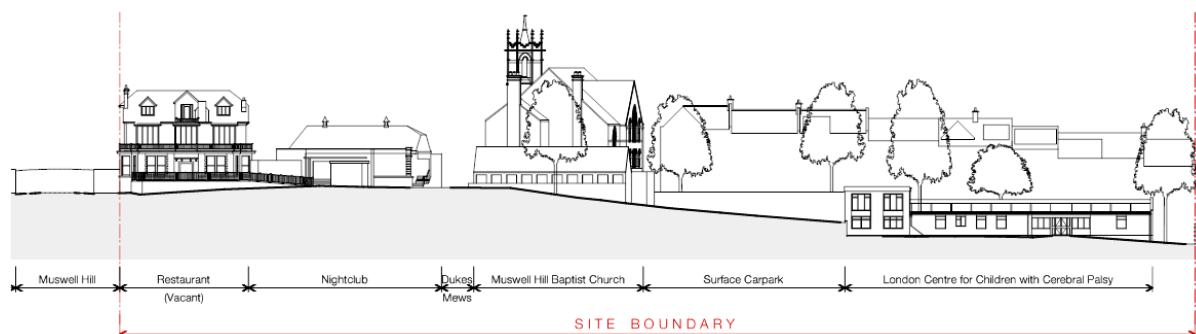
View from within the site looking towards proposed townhouses and apartment building



View of the rear of the proposed apartment building and townhouses

3.0 SITE AND SURROUNDINGS

3.1 The application site is located on the northern side of Muswell Hill, to the rear gardens of the terraced properties on Dukes Avenue and to the west of Muswell Hill Primary School. The site currently comprises several buildings: the three-storey, former Green Man Public House which fronts onto Muswell Hill with a nightclub to the rear; a part single-storey, part double-storey London Centre for Children with Cerebral Palsy (LCCCP) building to the north; an open public car park (48 spaces) between the nightclub and LCCCP. Muswell Hill Baptist Church, a Grade II Listed Building adjoins the site to the west and along Duke's Mews. The site slopes across and down from the Muswell Hill Baptist Church.



- 3.2 The former Green Man Public House appears as two distinct units of different architectural styles, both of which are of two storeys with an additional attic storey with dormers in a tiled roof. The taller red brick building at the east end retains much of its original appearance, having a flank elevation onto a small car park linking to Dukes Mews that is the more prominent when viewed from the east along Muswell Hill. It has three large pointed gabled dormers in the red tiled roof above three large square bays with casement windows and a forward projecting pub front with balcony and railings. The street elevation has a half-hipped roof and a projecting red brick chimney breast topped by a stack and terracotta pots at its eastern end, but has lost its original large square bay window. The lower building to the west appears to retain the original roof profile and front elevation but is now rendered with wide flat topped dormers, and smaller casements, and has a modern 'pub' front.
- 3.3 Pedestrian access into the site can be obtained from Muswell Hill and Dukes Avenue via Dukes Mews and a separate pedestrian alleyway which it shares with Muswell Hill Primary School. Vehicular access is obtained on Muswell Hill and Dukes Mews.
- 3.4 The surrounding area consists of 77 Muswell Hill opposite the public house, which is a late 20th Century light brown/red brick three-storey office building immediately to the south-east of 264 Muswell Hill Broadway. The two-storey properties at 2 to 24 Duke Avenue have the same architectural details as the houses on the north side, with the addition of substantial porches with hipped tiled roofs.
- 3.5 Muswell Hill Primary School lies to the south-east and down a bank from the site. The application site and Muswell Hill Primary School is further separated by trees along the shared common boundary.

3.6 The western end of the site, which includes the former public house and nightclub falls, within the secondary shopping frontage of Muswell Hill District Centre according to the Local Plan Proposals Map. The site also lies in Muswell Hill Conservation Area, Muswell Hill Restricted Conversion Area and Muswell Hill Control Parking Zone (CPZ).

4.0 PROPOSAL

4.1 The proposal is for demolition of the existing specialist school (Class D1) and night club (sui generis use) and partial demolition of existing restaurant building (Class A3), and erection of new buildings of three storeys to provide:

- i. 1,054 sq.m. of floorspace as replacement specialist school including community use accessed from Muswell Hill (Class D1), partly accommodated within the existing vacant building at 56 Muswell Hill to be leased to LCCP on a 999 year lease, rent-free;;
- ii. 28 residential units (Class C3 use); and
- iii. a 288 sq.m. ground floor retail unit at 56 Muswell Hill (Class A1/A2/A3).

4.2 The proposed 28 residential units would comprise: 6 x 4 bed houses; 2 x 3 bed flats, 17 x 2 bed flats; and 3 x 1 bed flats. Three units would be wheelchair accessible. No affordable housing is proposed on-site. However, an 'in lieu' financial contribution towards off site affordable housing provision has been secured and would be secured by a section 106 legal agreement.

4.3 The application makes provision for 32 car parking spaces (19 residential, 9 school and 4 commercial), 1 minibus parking space for the school and 16 cycle spaces for residential use.

4.4 The proposed new extension to 56 Muswell Hill (to be occupied by the D1 specialist educational use – LCCCP) will be constructed out of red bricks with contrasting horizontal stone bands and the alcove will be lined with bright gold coloured metal.

4.5 The proposed residential buildings will be constructed out of red bricks with contrasting horizontal stone bands and the alcove will be lined with timber.

4.6 The Muswell Hill elevation will be constructed out of red bricks with contrasting horizontal plasterwork bands.

4.7 Conditions are recommended on any grant of planning permission limiting the operating hours of the flexible A1 / A2 / A3 units and the D1 use proposed on the site in order to safeguard the amenity of surrounding residents.

5.0 PLANNING HISTORY

5.1 Planning Application History

HGY/2008/2180 - Erection of single storey cold room within the courtyard and alteration to club layout. – approved 23/12/2008

HGY/2008/0969 - Reinstatement of entrance door to main road, and installation of green-coloured palisade fencing to perimeter of decked area to rear. Erection of new canopy to rear. Erection of new pergola with handrail to rear. – approved 26/06/2008

HGY/2007/1806 - Partition of the entrance to create a lobby, installation of new green coloured palisade fencing / pergola with planting around the perimeter of decked area and garden space. – refused 12/12/2007

HGY/2004/2183 - Erection of a single storey building to house a 24 hour minicab office in car park of public house. – withdrawn 25/11/2004

HGY/2004/1789 - Alterations to front and side entrance of property and to club at rear including new glass roof and foyer and decking area. Alterations to fenestration. – approved 07/10/2004

HGY/2003/1373 - Replacement pub signs consisting of one hanging sign; two fascia signs and three display signs internally illuminated with floodlighting to building. – refused 23/09/2003

HGY/2000/1360 - Erection of new roof at rear to create new link between the front and rear buildings creating new service yard including the erection of new fence and gate. Alterations to the windows in the side and rear elevations. Erection of new fire escape and stair case. – approved 05/12/2000

HGY/1996/0997 - Display of externally illuminated fascia sign to public house. – approved 01/10/1996

HGY/1996/0880 - Erection of timber veranda to side elevation of public house – approved 03/09/1996

HGY/1991/0627 - Retention of 1.5m satellite dish on rear elevation. – approved 24/09/1991

OLD/1965/0169 - Proposed Centre for handicapped children. – approved 16/03/1965

5.2 Planning Enforcement History

5.3 None

6. RELEVANT PLANNING POLICY

6.1 National Planning Policy Framework, March 2012

Chapter 1	Building a strong, competitive economy;
Chapter 2	Ensuring the vitality of town centres;
Chapter 4	Promoting sustainable transport;
Chapter 6	Delivering a wide choice of high quality homes;
Chapter 7	Requiring good design;
Chapter 8	Promoting healthy communities;

Chapter 10 Meeting the challenge of climate change, flooding and coastal change; and

Chapter 12 Conserving and enhancing the historic environment

6.2 London Plan, July 2011

- Policy 2.15 Town centres;
- Policy 3.1 Ensuring equal life chances for all;
- Policy 3.3 Increasing housing supply;
- Policy 3.4 Optimising housing potential;
- Policy 3.5 Quality and design of housing developments;
- Policy 3.6 Children and young people's play and informal recreation facilities;
- Policy 3.8 Housing choice;
- 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 3.16 Protection and enhancement of social infrastructure;
- Policy 4.1 Developing London's economy;
- Policy 4.7 Retail and town centre development;
- Policy 4.8 Supporting a successful and diverse retail sector;
- Policy 5.1 Climate change mitigation;
- Policy 5.2 Minimising carbon dioxide emissions;
- Policy 5.3 Sustainable design and construction;
- Policy 5.7 Renewable energy;
- Policy 5.8 Innovative energy technologies;
- Policy 5.9 Overheating and cooling;
- Policy 5.10 Urban greening;
- Policy 5.12 Flood risk management;
- Policy 5.13 Sustainable drainage;
- Policy 5.14 Water quality and wastewater infrastructure;
- Policy 5.15 Water use and supplies;
- Policy 5.16 Waste self-sufficiency;
- Policy 5.17 Waste capacity;
- Policy 6.3 Assessing effects of development on transport capacity;
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure;
- Policy 6.9 Cycling;
- Policy 6.10 Walking;
- Policy 6.11 Smoothing traffic flow and tackling congestion;
- Policy 6.12 Road network capacity;
- 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 7.14 Improving air quality;
- Policy 7.15 Reducing noise and enhancing soundscapes;
- Policy 7.21 Trees and woodlands;
- Policy 8.2 Planning obligations; and

Policy 8.3 Community infrastructure levy

6.3 Local Plan, March 2013

Policy SP0 Presumption in favour of sustainable development;
Policy SP1 Managing growth;
Policy SP2 Housing;
Policy SP4 Working towards a low carbon Haringey;
Policy SP6 Waste and recycling;
Policy SP7 Transport;
Policy SP8 Employment;
Policy SP9 Improving skills and training to support access to jobs and community cohesion and inclusion
Policy SP10 Town Centres;
Policy SP11 Design;
Policy SP12 Conservation;
Policy SP14 Health and well-being;
Policy SP16 Community Facilities; and
Policy SP17 Delivering and Monitoring the Local Plan: Strategic Policies

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

Policy UD1 Planning statements;
Policy UD3 General principles;
Policy UD7 Waste storage;
Policy ENV6 Noise pollution;
Policy EN7 Air, water and light pollution;
Policy ENV11 Contaminated land;
Policy M10 Parking for development;
Policy TCR3 Protection of shops in the town centres;
Policy TCR5 A3 restaurants and cafes, A4 drinking establishments and A5 hot food takeaways;
Policy OS17 Tree protection, tree masses and spines;
Policy CSV5 Alterations and extensions in conservation areas; and
Policy CSV7 Demolition in conservation area

6.5 Supplementary Planning Guidance / Documents

SPG1a Design Guidance (adopted 2006);
SPG2 Conservation & Archaeology (draft 2006);
SPG4 Access for all – mobility standards (draft 2006);
SPG5 Safety by design (draft 2006);
SPG6a Shopfronts, Signage & Security (draft 2006);
SPG6c Restaurants, Hot Food Premises (Use Class A3): Ventilation and Extraction (draft 2006);
SPG7a Pedestrian & vehicular movement (draft 2006);
SPG7b Travel Plans (draft 2006);
SPG10a The Negotiation, Management and Monitoring of Planning Obligations (adopted 2003);
SPG10c Educational needs generated by new housing (draft 2006);
SPG11b Buildings Suitable for Community Use (draft 2006);

SPD Sustainable Design & Construction; and
 SPD Housing (adopted 2008)

Planning Obligation Code of Practice No 1: Employment and Training (adopted 2006)

6.6 Other

London Borough of Haringey – Community Infrastructure Study;
 Mayor of London ‘London Housing Design Guide’;
 Mayor’s SPD ‘Providing for Children and Young People’s Play and Informal Recreation’; and
 Conservation Area No. 3 Muswell Hill – Conservation Area Character Appraisal, 2008

7.0 CONSULTATION

Internal	External
Ward Councillors	<u>Local Residents</u> 546 adjoining properties
Conservation & Design Team	<u>Stakeholders</u>
Building Control	Muswell Hill & Fortis Green Residents Association
Transportation	Muswell Hill Broadway Residents Association
Arboriculture	Friends Of The Parkland Walk
Waste Management	Thames Water
Environmental Health	Transport for London (TfL)
Housing Design & Major Projects	London Transport
Economic Regeneration	London Fire Brigade
Education	Crime Prevention Officer
Housing Renewal	

8.0 RESPONSES

8.1 Haringey Transportation:

No objection subject to a Section 106 Agreement, Section 278 Agreement and conditions.

“We have assessed the trips that are likely to be generated by the proposed development using similar sites from the TRAVL trip forecast database. Based on the analysis using the following sites (Coopers Court W3 8PN, and Green Dragon House WC2) the residential development aspect of this proposal would generate some 10 trips during the peak AM periods. Although the D1 school aspect of the development will increase by some 24 students, these students have special needs and currently travel by minibus to and from the site. Their future mode of travel is not expected to change and students will still travel by minibus. The future travel demand is expected to require the use of 1 additional mini-bus as such the parking for the D1 aspect of the development is not expected to result in creating any substantial increase in generated trips, or parking demand.”

The proposal will involve building on the existing car park, as the car is a pay and display car park which is currently available to the public the applicant has completed car parking utilisation surveys in order to assess the demand and utilisation of the existing car park. The results of the surveys suggest that the car park is largely underutilised. The peak demand for parking occurs during the afternoon between the hours of 15:00 to 16:00 with some 17 to 21 of the 48 car parking spaces occupied. Weekend peak occupancy level surveyed concluded that only some 11 of the 48 car parking spaces were occupied. It is our opinion that the peak weekday parking demand which occurs between 15:00 and 16:00 hours can be attributed to parents collecting their children from the nearby school Muswell Hill Primary. We have therefore concluded that the loss of the existing car park will not result in any permanent increase in parking demand on the local highways network.

As part of the development proposal the applicant is proposing to provide a total of 32 car parking spaces- 19 car parking spaces for the use of residents, 9 car parking spaces and 1 school bus parking space for the use of the school and 4 car parking spaces for the commercial use proposed. It is also to be noted that 8 of the proposed residential units will not have access to off street car parking spaces. The applicant will therefore be required to provide a travel plan with measures to encourage travel by sustainable modes of transport including the provision of free car club membership for all residential units of this development for a period of two years and an additional fifty pounds in credit for the 8 residential units without car parking the first two years post occupation.

The applicant has proposed providing cycle parking in line with saved UDP policy M10 however the layout is not considered acceptable, as cycle parking should be located as close as possible to the entrance of the building, to maximise their use, the cycle parking is also not considered to be very secure considering that there is a public right of way running across the site; we will therefore require a revised cycle parking layout. We have however considered that the parking proposed is largely in line with the Councils parking standards; M10 outlined in Appendix 1 of the Saved UDP policies for a development of this size. Refuse, the applicant has propose providing a central refuse store towards the front of the site, as per Drawing 2 (11)-01/, a vehicle swept path analysis has been submitted, as per drawing TSP/SWEPT PATHS/01 which demonstrates that a large refuse vehicle can enter and leave the site in forward gear.

As site visit conducted on the 29/10/2013 observed that existing bell mouth access to the site will need to be reconstructed, the applicant will therefore be required to enter into a S.278 agreement for the reconstruction of the vehicular access to and from the site. In addition the applicant will be required to contribute by way of a S.106 agreement £20,000 towards cycling and walking improvement in the area surrounding the site, including improvements to the existing public rights of way as it exist at the site boundary on Dukes Avenue. Consequently the transportation and highways authority would not object to this application subject to the following S.106 and S.278 obligations and conditions:

1) A residential and school travel plan must be secured by the S.106 agreement. As part of the travel plans, the following measures must be included in order maximise the use of public transport:

- a) *The developer must appointment a travel plan co-ordinator for the residential and school aspect of the development and must work in collaboration with the Facility Management Team to monitor the travel plan initiatives annually.*
- b) *Provision of welcome residential induction packs containing public transport and cycling/walking information for example available bus/rail/tube services, map and time-tables to all new residents, travel pack to be approved by the Council's transportation planning team.*
- c) *Establish or operate a car club scheme, the developer must offer free membership to all residents of the development for at least the first 2 years, and £50 (fifty pounds) in credit to the 8 residential units without parking for a period of 2 years, evidence of which must be submitted the Transportation planning team.*
- d) *The developer is required to pay a sum of, £3,000 (three thousand pounds) per travel plan for monitoring purposes. This would be secured by a S.106 legal agreement.*
- e) *A revised residential cycle parking layout must be submitted for approval which seeks to provide cycle parking in each block in order to maximise usage.*

Reason: To minimise the traffic impact generated by this development on the adjoining roads, and to promote travel by sustainable modes of transport.

- 2) *The applicant will be required to contribute by way of a S.278 agreement £7,200 (Seven thousand two hundred pounds) for local safety improvements, as per Drawing ()*

Reason: To provide safer walking and cycling facilities in order to promote travel by sustainable modes of transport to and safety to and from the site.

- 3) *The applicant/ Developer will be required to contribute by way of a S.106 agreement as sum of £20,000 (twenty thousand pounds) towards walking and cycle improvements in the area surrounding the site.*

Reason: To facilitate travel by sustainable modes to and from the site.

Pre-commencement Conditions

- 1) *The applicant/ Developer is required to submit a construction management plan (CMP) and construction logistics plan (CLP) for the local authority's approval three months prior to construction work commencing on site. The plans should provide details on how construction work (inc. demolition) would be undertaken in a manner that disruption to traffic and pedestrians on the Dukes Mews and Muswell Hill and the road surrounding the site is minimised. It is also requested that construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods, and arrival and departure from the school, the plans must also include measures to safeguard and maintain the operation of the School.*

Reason: To reduce congestion and mitigate any obstruction to the flow of traffic.

- 2) *The applicant is also required to submit a servicing and delivery plan (DSP)*

Reason: To reduce congestion and mitigate any obstruction to the flow of traffic.

3) *The applicant will also be required to ensure that the development proposal provides electric charging points in accordance with the 2011 London Plan with 20% active and a further 20% passive provision.*"

8.2 Haringey Environmental Health:

No objection subject to the inclusion of control of construction dust, energy plant and contaminated land conditions on the decision notice.

8.3 Haringey Building Control:

No comments to date.

8.4 Haringey Waste Management:

No comments to date.

8.5 Haringey Conservation Officer:

No objection subject to conditions:

"There are no objections to the proposed demolition of the existing Centre or the nightclub as these do not contribute to the conservation area and their replacement with higher quality buildings would enhance the appearance of the conservation area.

Alterations to 56 Muswell Hill: *The scheme proposes to convert the original Green Man PH to eight residential units on the upper floors with a restaurant and community facility (to be let by the school) on the ground floor. The building would be extended substantially to the north east to create the new Centre for Children with Cerebral Palsy.*

The proposed facade alteration to the building includes enlargement of dormers with balconies and a recessed balcony to the first floor on the elevation fronting Muswell Hill. The conversion to residential units would also require an increase in the roof height of the building to match the ridge height of the half hip gable at the corner.

From a conservation point of view, the proposed alterations are considered extensive and would materially alter the appearance of the building, to the detriment of its architectural integrity. However, given the wider public benefits of the scheme, the possible harm to the visual appearance of the building would be outweighed. The proposal would enable the building's reuse and adaption thus retaining a community and heritage asset that would continue to positively contribute to the conservation area. Therefore the proposed alterations to the building would be acceptable in this instance.

The proposed extension to create the new Centre would be separated from the main building by a glass link set back from the immediate frontage. The architectural language of the extension reflects the rhythm of the High Street frontage as well as the detailing on the existing building. This would be considered

a contemporary addition to the building, which is its overall appearance, would contribute to the character of the conservation area. It is, therefore, acceptable.

New development: The scheme also proposes a terrace of 6 x 4 bed units and an apartment block containing 1, 2 and 3 bedroom units (14 in total). Whilst three storeys in height, the topography of the site is such that both the blocks would be hidden behind the residential units along Duke's Avenue and would not be visible from the street frontage. The massing of the blocks is such that their impact on the residential units would be minimal and would not have any impact on the conservation area.

The architectural language, whilst contemporary, reflects the rhythm of the facades established within the town centre. The proposed materials further unify the architectural quality of the new development with the high density development in the town centre. As such the development would be considered a positive contemporary addition to the conservation area and would enhance its appearance. It is, therefore, acceptable.

The southernmost unit of the proposed terrace is in very close proximity to the listed building. However, this part of the listed building is modern and does not have significance in terms of architectural and historic quality. The proposed terrace would, therefore, not have any impact on the setting of the listed building and would be acceptable from a listed building point of view”.

8.6 Thames Water:

No objection subject to a piling condition and informatives.

8.7 Transport for London

No objection subject to conditions:

“Having reviewed the application, TfL has no problems in principle with the proposed development, however has a number of comments, namely:-

1) While it is accepted that the garages to the 6 houses will enable cycles to be stored, for the apartments, there will need to be 24 cycle parking spaces to be in line with the London Plan standards.

2) The submission of the travel plan is welcomed. Unfortunately it failed the ATTrBuTE toolkit assessment. It will need to be amended to include baseline mode share, targets and how it will be secured. However, once updated TfL is content for the plan to be secured through the condition/s106 agreement.

3) TfL would have expected a framework construction logistics plan to have been submitted but TfL is content for this to be secured by condition

If these comments are included in the planning approval, TfL would have no objection to this application”.

8.8 Crime Prevention Officer

No objection:

“So far I have had no contact with developers or architects.

I would ask this application,

- adopt the principles and practices of 'Secure by Design'-Schools and New Homes 2010*
- Complies with the physical security requirements within the current SBD New Homes and Multi Storey Dwellings-Code for Sustainable Homes - Section 1. The Development -'Layout and Design' and Section 2. Physical Security (Building Control Code for Sustainable Homes Issues) is complied with.”*

8.9 London Fire Brigade

Response received raising No objections.

8.10 Design Panel

8.10.1 The proposal was presented to Haringey’s Design Panel on 13th July 2013. The panel made the following observations:

- 1. “The panel commended the applicants’ approach & masterplan including the strong brief, and the fact that landscaping consultants had been appointed.*
- 2. Panel members had some concerns regarding the School; that it could appear cramped and lacking in internal and especially external spaciousness, the lack of good quality outdoor space, which would preferably be at ground floor level, and access to / connections with / overlooking of its own outdoor space from within the school building.*
- 3. However panel members’ main design concern was that the new “extension” to the existing pub / proposed school building competes too much with and is not distinguished sufficiently from the existing former pub building; they suggested it needs a more distinct separating link; perhaps the glazed link in the applicant’s proposal should be set back more and / or reduced in height.*
- 4. The last point is connected to the equal concern at the lack of visibility of the entrance to the school; panel members recommended making it more obvious, evident, visible and at the same time making it work better at busy times. Increasing separation at the glazed link with a deeper slot could allow a stronger signage location. Might it also be preferable to remove the raised deck from the (existing) pub/restaurant to give a wider pavement and a clearer sight & route to the school entrance?*
- 5. The architectural approach to the housing blocks was considered to work well (especially on the townhouses), with the panel commending the material palette of brick, anodised metal panels in different colours and timber garage doors. But panel members felt it did not necessarily work so well in the school; they suggested the architects take the same approach, thought and thoroughness as used in the housing, but to come up with a very different, more appropriate architectural approach to the school (elevations particularly). It was remarked*

that the extension to the school visually lacks a roof.

6. *Whilst the townhouses work well, there were some concerns that the flats are less successful; the deck access was clearly creating overlooking concerns from neighbouring residents; but panel members felt it would be a shame to lose double aspect to the flats if they have to screen the decks. It might be preferable to have 2 cores of 2 walk-up flats per floor; more convivial and established by precedents in Muswell Hill. It would also negate need for the entrance ramp, which problematically harms privacy to bedrooms to flats.*
7. *Also the panel suggested that as the proposals were well within the limits on loss of privacy and daylight to neighbouring dwellings, the housing (both townhouses and flats) could work better half a floor higher, so the basement floors would be only dug half a floor into ground. As well as improving daylight and outlook to those floors, it could create a more active street frontage with overlooking from living rooms, but this would require the garages removed or ramped into the semi-basement, which may not be possible.*
8. *In conclusion, notwithstanding the other planning matters, the design of the proposals is highly promising and capable of becoming a significant positive contribution to the area. Bringing the historic former Green Man Pub, in its landmark site, back into use and providing better facilities for the school in it would be welcomed, the routes and landscaping were well considered and promising and the proposed housing behind would complement the Muswell Hill context. There are however a number of moderate design concerns, itemised above, but it was felt these could be overcome”.*

8.11 Development Management Forum

8.11.1 The application was presented at Development Management Forum on 12 November 2013.

8.11.2 The main concerns raised by local residents were design, noise and disturbance, parking, loss of residential amenity and impact on adjacent primary school.

8.11.3 Minutes of the meeting are attached in Appendix 1.

8.12 Local Representations

8.12.1 Two representations who neither support nor object to the proposal have been received from the following properties: 1 Dukes Avenue and 77 Muswell Hill

8.12.2 Six letters of support have been received from the following properties: 22 Barrenger Road, 288 Muswell Hill Broadway, 108 Blake Road and 3 unknown addresses. A petition containing 143 signatories in support of the development has also been received.

8.12.3 10 letters of objection including Dukes Avenue Residents Association and a representation from Councillor Erskine on behalf of a local resident have been received, and these are from the following properties: 8 Risborough Court, 308 Muswell Hill Broadway, 10, 12, 14, 22 and 32 Dukes Avenue, Muswell Hill Primary School and 1 unknown address. The objectors have raised the following points:

- Parking and traffic;
- Noise and disturbance;
- Design and impact on conservation area;
- Loss of daylight/sunlight, outlook and privacy;
- Overlooking into Muswell Hill Primary School
- Waste;
- Emergency access;
- Drainage;
- Tree damage;
- Flood risk;
- Light pollution;
- Security;
- Increase pressure on school places;
- Illegible path to Muswell Hill Primary School;
- No S106 financial contribution;
- Vermin

Officer comments

- i. Thames Water, subject to informatives, has not objected to the proposal in terms of its impact upon the existing surface water drainage and water infrastructure capacity.
- ii. The London Fire Brigade has not objected to the proposed development
- iii. The Applicant has now confirmed that they have been in touch with the Council's 'Secure by Design Officer' and has confirmed their commitment to taking on board the design 'Secure by Design' codes. An informative is recommended on any grant of planning decision.
- iv. Vermin is addressed by Environmental Health.
- v. All the other issues raised by local residents including parking, refuse, noise, loss of amenity, design and S106 financial contributions are material planning considerations and are considered in the following report.

9.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

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

- principle of mixed use development;
- density;
- quality of development;
- design and impact on the streetscene;
- impact on residential amenity;
- transport and parking;
- accessibility;
- sustainability;

9.2 Principle of mixed use development

9.2.1 Local Plan Policy SP0 supports the broad vision of the NPPF, and states that the Council will take a positive approach to reflect the presumption in favour of sustainable development. Permission will be granted by the Council unless any

benefits are significantly outweighed by demonstrable harm caused by the proposal.

9.2.2 The application site is currently occupied by the former Green House Public House now restaurant, a nightclub, a specialist educational provider (the LCCCP) and a 'pay and display' car park. The proposal is for the demolition of the restaurant and nightclub buildings, the existing specialist educational building at the rear of the site and the creation of an enlarged specialist educational facility with community use, a ground floor (flexible) A1 / A2 / A3) unit and 28 residential units on the existing carpark. The assessment against each of these individual issues is considered below.

Loss of restaurant/nightclub use

9.2.3 Since the closure of the former Green House Public House, the building has been converted into a restaurant with a nightclub to the rear. It is recognised that these uses provided employment opportunities. Saved UDP Policy EMP4 does state the redevelopment of sites in an employment generating use would be granted planning permission subject it meets the following criteria,

- a) *"the land or building is no longer suitable for business or industry use on environmental, amenity and transport grounds in the short, medium and long term; and*
- b) *There is well documented evidence of an unsuccessful marketing/advertisement campaign, including price sought over a period of normally 18 months in areas outside the DEAs, or 3 years within a DEA; or*
- c) *the redevelopment or re-use of all employment generating land and premises would retain or increase the number of jobs permanently provided on the site, and result in wider regeneration benefits".*

9.2.4 Both of the restaurant and nightclub have been vacant for a significant period of time which essentially suggests that these buildings are no longer viable in the short and medium term. The loss of these employment generating uses would be replenished by the proposed flexible A1, A2 and A3 unit, which is considered acceptable.

9.2.5 The nightclub yields a floorspace of approximately 323 sqm. The loss of the nightclub is considered acceptable as the nightclub has no policy safeguarding within the Council's Local Plan Furthermore the nightclub facility had a history of noise and anti-social behaviour complaints from local residents when it was operating.. Overall, the restaurant/nightclub will be replaced by a unit with flexible consent for retail and restaurant uses and given the location of the site in the town centre this is considered acceptable.

9.2.6 The proposed new specialist educational facility would also replace the loss of the existing facility on site used by the LCCCP. The LCCCP would occupy the new and improved specialist educational facility and therefore safeguard the existing employment that the use supports.

Loss of car park

- 9.2.7 The site has a public transport accessibility level PTAL rating of 4 with good access to local public transport services within the Muswell Hill area. The area has been identified by the Council as suffering from high parking pressures. However, most of the application site does not fall within this area (known as the restricted conversion area which forms part the high parking pressure zones).
- 9.2.8 Currently, a private pay and display car park for 48 vehicles operates from this part of the site. The proposal seeks to redevelop the site including the removal of the existing carpark. Surveys carried out and submitted by the applicant illustrate that the carpark is under used (less than 50% full during peak hours and less than 25% full during weekends), and the majority of the parked cars belong to staff of the LCCCP specialist school. The re-provision of parking for the LCCCP specialist School is proposed as part of the scheme. It is therefore considered in light of these findings and the proposed re-provision of parking that the loss of the current car park would not significantly add to the pressure for parking within the surrounding streets and as such is acceptable.

Re-provision of education specialist facility

- 9.2.9 London Plan Policy 3.18 supports the principle of expanding existing educational facilities which enhance education and skills provision.
- 9.2.10 The main objective of this application is to provide additional teaching accommodation to meet the needs of the existing specialist educational provider - London Centre for Children with Cerebral Palsy (LCCCP). The proposal will enable LCCCP to increase the number of pupils it provides for full-time as well as expand its wider services in the community. LCCCP will be provided with the new facility on a 999 year lease rent-free.
- 9.2.11 The LCCCP is an independent, non maintained and approved special school and is not a private school. The centre was established under planning permission ref. OLD/1965/0169, and has therefore been in-situ for some 50 years. The centre essentially provides a service to children and their families affected by cerebral palsy and associated neurological conditions. The LCCCP achieved its Department for Education and Employment Approved School status in 1999 and it is understood that it is the only organisation of its kind in London. The services offered have expanded over time and it presently provides a full-time nursery, specialist teaching for children up to 7 years old and a full time school for children up to 11 years old.
- 9.2.12 The cerebral palsy service employs 18 full time and seven part time specialist carers and teachers, and has the capacity to accommodate 13 children in full time education, with an additional 40 children attending weekly individual and group sessions. The LCCCP offers its services for children and families in and outside the borough. Three children attending the centre live in Haringey and eight members of staff reside in the borough..
- 9.2.13 The applicant has stated that the existing premises are no longer fit for purpose and it does not provide accommodation large enough to meet the needs of the services currently offered by LCCCP. It also lacks specific facilities required for its

services such as sensory rooms which play an important and educational role for children attending the school.

9.2.14 The new specialist education facilities will be relocated within the former public house (which would be completely refurbished and modernised to cater for the needs of the LCCCP use, which forms part of this planning application) and will increase the gross internal floorspace of the existing centre from 630 sq.m. to 1054 sq.m. The new centre will include: state-of-the-art classrooms, an assembly hall, sensory rooms, and a basement level hydrotherapy pool. It will also enable the centre to extend the services currently offered to the community such as stroke rehabilitation, and for people with Parkinson's Disease. The new centre would therefore meet the current and future needs of LCCCP so that the centre is able to continue to deliver its services to the local and wider area. It is also understood that the centre intends to expand its services in the local community further.

9.2.15 Part e) of London Plan Policy 3.18 states, "*Development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged*". This aligns with Local Plan Policy SP16 which, "*Promote the efficient use of community facilities and the provision of multi-purpose community facilities*". As part of the proposal, a dedicated community room will be available for hire for social events/meetings to local residents when the centre is closed and as such, the proposed development would provide a multi education/community use in line with London Plan Policy 3.18 and Local Plan Policy SP16. In light of the above policy evaluation, this part of the proposal for re-providing, improving and expanding this educational facility is considered acceptable and is wholly supported.

New flexible A1 / A2 / A3 unit

9.2.16 Part of the southern end of the site which includes the former public house and nightclub falls within the secondary shopping frontage of Muswell Hill District Centre.

9.2.17 Town centre policies are covered under the National Planning Policy Framework (NPPF), Policy SP10 of the Local Plan, Policies 2.15, 4.7 and 4.8 of the London Plan and saved Policy TCR3 of the UDP, which all seek to enhance the vitality and viability of town centres. The need to maintain and enhance the quality of town centres is critical in order to foster sustainable and cohesive communities that work, and to create successful places where people choose to live, work and stay. The need to maintain the diversity and successful functioning of the borough's local centres are therefore vital in meeting the above vision.

9.2.18 The proposed new flexible A1/A2/A3 use at lower ground and ground floor unit within the former public house will yield a net operating floor area of 288 sq.m. The proposed commercial unit is considered acceptable in land use terms as it would bring a vacant unit back into use to continue the active retail frontage along this section of Muswell Hill, and will also compliment the other existing uses that can be found within Muswell Hill District Centre.

Residential use

9.2.19 Residential development proposals are generally welcomed in the borough as the Council has an identified housing shortage especially for family-sized dwellings (3 bed or more). London Plan Policy 3.3 and Policy SP2 of the Local Plan promote quality residential accommodation and the need to increase the amount of housing stock in the borough and London in general.

9.2.20 The proposal offers 28 residential units. The provision of housing would in principle be supported as it would increase the borough's much needed housing stock in accordance with Local Plan Policies SP1 and SP2, and London Plan Policy 3.3, and would align with one of the Council's strategic priorities to foster mixed sustainable and cohesive communities. However a change of use to housing would only be accepted by according with saved Policy HSG2 of the UDP if the site:

- “a) does not fall within a defined employment area unless specified for housing in Table 4.1 and Schedule 1 or where a proposal satisfies the criteria in policy EMP4; or
b) it does not involve the loss of protected open space; or
c) it is not in a primary or secondary shopping frontage or
d) the building can provide satisfactory living conditions”.*

9.2.21 The site does not fall within a defined employment area (part a) or involve the loss of protected open space (part b) but it does fall in the secondary frontage of Muswell Hill District Centre (part c). Nonetheless, the proposal would provide a ground floor flexible A1/A2/A3 unit on Muswell Hill which would not result in the loss of an existing unit and therefore would not detract from the retail function of the town centre. In terms of part d), the proposal would provide a good quality of accommodation as detailed under section 9.4 of this report.

9.3 Density

9.3.1 Local Plan Policy states that new development should meet the density levels in the Density Matrix of the London Plan. The density proposed of 65.12 (28 units / 0.43 Ha) units per hectare or 237 (102 / 0.43) habitable rooms per hectare accords with table 3.2 within London Plan Policy 3.4, which sets a guideline density of up to 185 u/ha and 700 hr/ha at this urban location (PTAL 4), subject to all other material planning considerations being met.

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
Suburban	150-200 hr/ha	150-250 hr/ha	200-350 hr/ha
3.8-4.6 hr/unit	35-55 u/ha	35-65 u/ha	45-90 u/ha
3.1-3.7 hr/unit	40-65 u/ha	40-80 u/ha	55-115 u/ha
2.7-3.0 hr/unit	50-75 u/ha	50-95 u/ha	70-130 u/ha
Urban	150-250 hr/ha	200-450 hr/ha	200-700 hr/ha
3.8-4.6 hr/unit	35-65 u/ha	45-120 u/ha	45-185 u/ha
3.1-3.7 hr/unit	40-80 u/ha	55-145 u/ha	55-225 u/ha
2.7-3.0 hr/unit	50-95 u/ha	70-170 u/ha	70-260 u/ha
Central	150-300 hr/ha	300-650 hr/ha	650-1100 hr/ha
3.8-4.6 hr/unit	35-80 u/ha	65-170 u/ha	140-290 u/ha
3.1-3.7 hr/unit	40-100 u/ha	80-210 u/ha	175-355 u/ha
2.7-3.0 hr/unit	50-110 u/hr	100-240 u/ha	215-405 u/ha

9.4 Quality of accommodation

Housing mix

9.4.1 Haringey's 'Housing' SPD sets out the private and affordable housing dwelling mix for all residential development proposals in the borough. Each individual scheme should be considered in its local context, availability of subsidy and viability.

9.4.2 The proposal is for 28 residential units. 6 x 2 bed and 2 x 1 bed units will be provided within the upper floors of the former public house. The rest of the units will be provided elsewhere within the site in the form of a flatted development comprising 2 x 3 bed, 11 x 2 bed and 1 x 1 bed units and 6 x 4 bed terrace houses. The general housing mix is as follows:

No. of bedrooms	No. of units	% of units
1 bed units	3	11
2 bed units	17	61
3 bed units	2	7
4 bed units	6	21
TOTAL	28	100

9.4.3 The recommended dwelling mix for this private housing development set out within the Council's SPD 'Housing' is:

Dwelling Mix for Private Market Housing	
1 bed	37
2 bed	30
3 bed	22
4+ bed	11

9.4.4 Although the proposed housing mix does not completely accord with the requirements set out in the SPD 'Housing' with a larger number of 2 bed units, this is offset by the quantum of family housing offered (28%) and mix of residential accommodation overall. Furthermore, the Council has identified a shortage of family sized housing in the west of the borough and this development therefore addresses this by providing a number of larger family units at the site. Therefore, on balance, the proposed mix of housing units is considered acceptable.

Unit and individual room sizes

9.4.5 London Plan Policy 3.5, and accompanying London Housing Design Guide, set out the minimum unit and individual room sizes for new residential development. All of the units meet these standards.

9.4.6 Individual room sizes are also prescribed within The London Housing Design Guide. The plans as submitted demonstrate that all the individual rooms exceed the minimum requirements. The proposed development therefore has been reasonably laid out and provides generous and spacious 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.

9.4.7 In terms of amenity provision, all the self-contained flats have access to private amenity space in the form of balconies, and generous private rear gardens have been provided for the individual terrace houses and ground floor flats.

9.4.8 The orientation of the terrace houses and self-contained units within the northern block are dual aspect with a north-west/south-east orientation. This arrangement affords an acceptable level of natural ventilation and daylight within the individual rooms. Of the six flats created over the first and second floor of the former public house building, 4 of the units are single-aspect but not north-facing. The single-aspect flats are deemed acceptable given the physical constraints of the existing building. In summary, the layout and orientation of the new accommodation is therefore acceptable.

Children's play space

9.4.9 Policy 3.6 of the London Plan requires development proposals to provide children's play space, and be in accordance with the Mayor's SPD '*Providing for Children and Young People's Play and Informal Recreation*', which requires 10 square metres of amenity space per child. The proposal will generate a child yield of 9 children between the 0 and 15 age range. A minimum of 26 square metres of door step play space is therefore required. Informal opportunities for door-step play are provided and given the proximity of Alexandra Park and the fact that the majority of children on the site will live in the new houses with deep rear gardens this is considered acceptable.

Affordable housing

9.4.10 London Plan Policy 3.12 states that Boroughs should seek "the maximum reasonable amount of affordable housing...when negotiating on individual private residential and mixed-use schemes", having regard to their affordable housing targets; the need to encourage rather than restrain residential development; the need to promote mixed and balanced communities; the size and type of affordable housing needed in particular locations; and the individual circumstances including development viability". Local Plan Policy SP2 requires developments of more than 10 units to provide a proportion of affordable housing to meet an overall borough target of 50%. Paragraph 173 of the NPPF (2011) seeks to ensure viability, so that the cost of any requirements for affordable housing when taking account of the normal cost of development and mitigation provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

9.4.11 Whilst in most cases Affordable Housing, as part of a S106 Agreement, is located on the application site, there is provision in the Housing SPD (2008) to allow for a commuted sum to be paid in lieu of the non provision of affordable units on site. This financial contribution can be used by the Council to assist in providing affordable housing at another site.

9.4.12 The applicant has submitted an economic viability assessment, which officers commissioned an independent assessment of the viability report. This has concluded that given the re-provision of the LCCC education facility on site, which represents a cost to the applicant of approximately £3 million there is no surplus available for section 106 contributions as a whole.

- 9.4.13 As set out below £325,000 is needed to meet the Council's policies for education, employment and training and transport contributions. Following receipt of the independent assessment of the viability and agreement on the build costs, sales values, profit levels and bank charges the applicant has agreed to reduce its profit levels and has offered a £600,000 section 106 payment. As such an off-site affordable housing contribution of £275,000 is proposed. The level of contribution is considered acceptable given the viability of the scheme, the re-provision of the LCCC school and the regeneration benefits of the proposal.
- 9.4.14 Given the level of contribution proposed it is accepted that it would not be practical for affordable housing to be located on site given that the level of interest of social landlords in one or two units is likely to be limited. As such in these circumstances a commuted sum is considered acceptable.

9.5 Design

Loss of existing buildings

- 9.5.1 The application site at 56 Muswell Hill falls within Muswell Hill Conservation Area. The proposal would involve the loss of the existing LCCCP specialist school building located to the north end of the site and the nightclub to the rear of the former Green Man Public House.
- 9.5.2 Saved Policy CSV7 of the UDP seeks to protect buildings within conservation areas, by refusing applications for their demolition or substantial demolition if it would have an adverse impact on the character and appearance of the Conservation Area. The existing education and nightclub structures do not positively contribute to the historical character of the conservation area therefore the demolition of these structures is supported by Officers and would not be contrary to saved Policy CSV7 of the UDP.

New development

- 9.5.3 Policies 7.4, 7.5 and 7.6 of the London Plan, Local Plan Policy SP11 and saved UDP Policy UD3 promote high quality and attractive places, buildings and landscaping within their context, where the borough's heritage assets such as conservation areas are protected under London Plan Policy SP12. This stance aligns to the NPPF and alongside with London Plan Policy 7.8, which identifies heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 9.5.4 The southern end of the site containing the former public house has a public vantage point from Muswell Hill with glimpses into the site from Dukes Avenue via Dukes Mews. The site is also overlooked by Muswell Hill Baptist Church, Muswell Hill Primary School and the rear windows and gardens of the terraced residential properties within Dukes Avenue.
- 9.5.5 The scheme as proposed has been presented to Haringey's Design Review Panel and the applicant has held discussions over the design with the Council. As such, the current design is a response to the points raised by the panel and the Council.

9.5.6 The Council recognises the former Green Man Public House contributes positively to the conservation area. The principle to retain the building is therefore supported by Officers as the character and visual amenity along this part of Muswell Hill and Muswell Hill Conservation Area would be preserved. The building will be materially altered, which includes the enlargement of dormers with balconies and a recessed balcony to the first floor on the elevation fronting Muswell Hill. The roof height of the building will also be increased to match the ridge height of the half hip gable at the corner. Despite these alterations being considered significant, any harm (if any) to the conservation area will be outweighed by the comprehensive redevelopment of the site and bringing back into gainful use a vacant and neglected building.

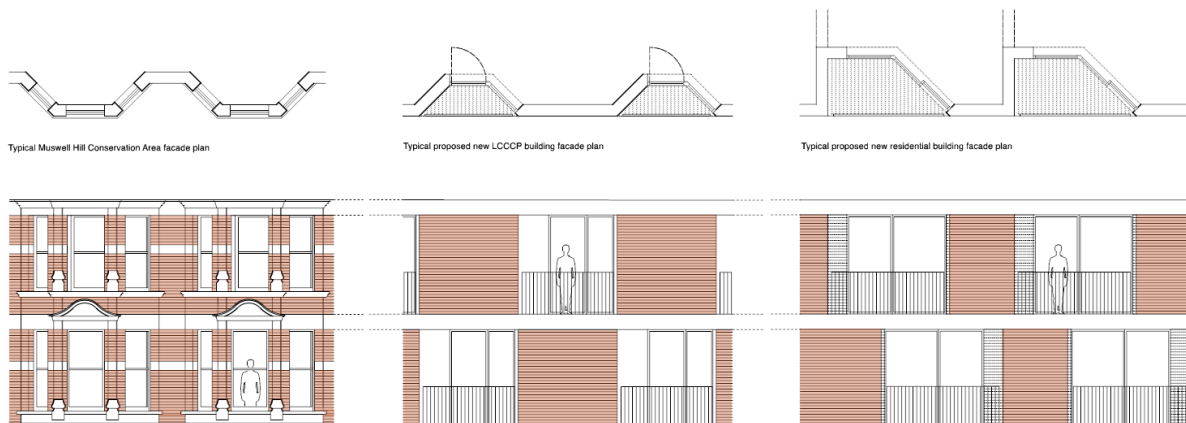


9.5.7 In terms of alterations proposed to the rear of the public house, the existing nightclub will be demolished and will be replaced by a new three-storey extension which would be connected via a glass link to the rear of the existing public house building. The entrance to the specialist school is well defined and legible for visitors. This contemporary extension is deemed acceptable as it marries up with the architectural language, rhythm and detailing of the existing building, and is a significant improvement to the existing nightclub structure.

9.5.8 Further into the site, beyond and to the rear of the public house, the existing part single-storey, part two-storey school will be demolished. Instead, a row of three-storey, stepped down terraced properties with basement due to the natural slope across the site and a three-storey flatted development with basement is proposed.



9.5.9 The storey-height is acceptable as it would be no higher than, and would be consistent with the prevailing height of, the terraced buildings within Dukes Avenue. The new development is judged to be a positive contemporary addition to the conservation area which would enhance its appearance as the architectural design will follow the design cues of the traditional buildings within Muswell Hill, such as red bricks with strong horizontal bandings and vertical bays with vertically proportioned window openings.



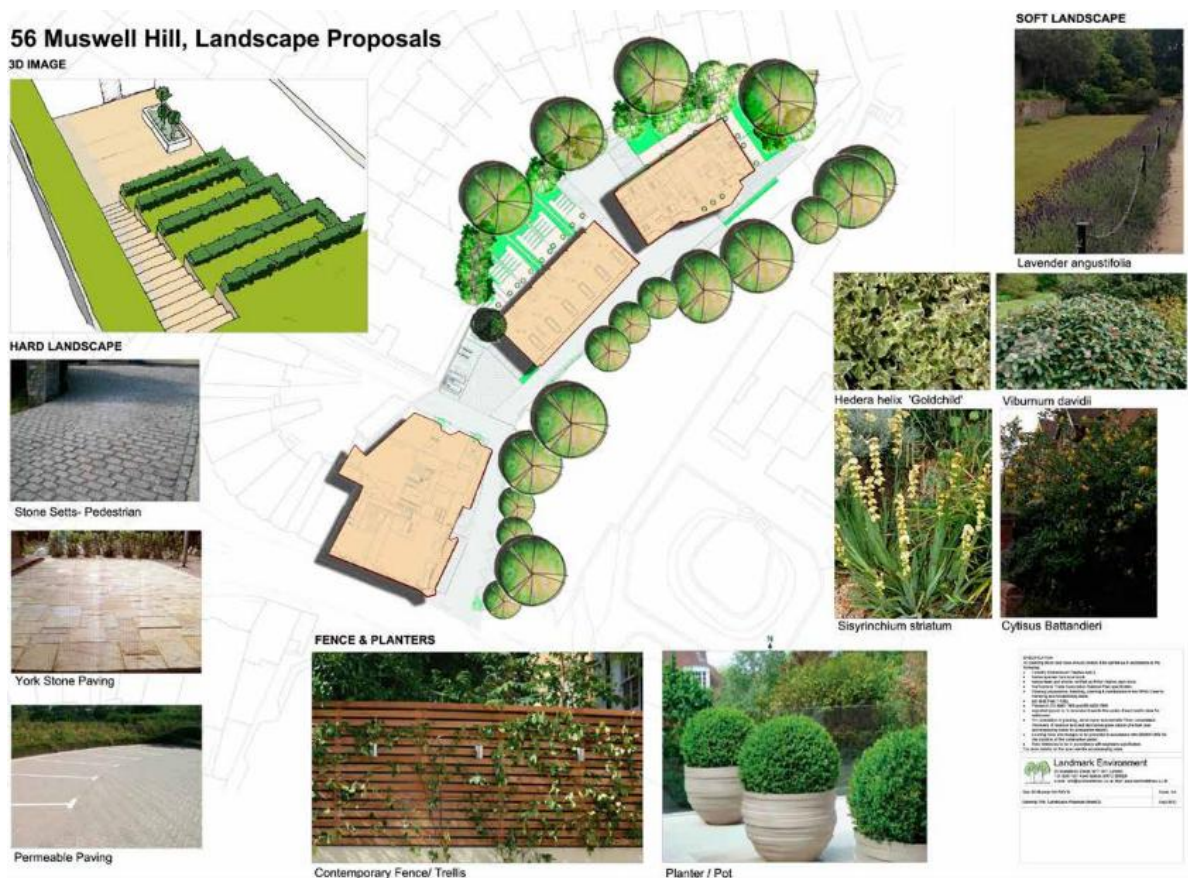
9.5.10 The southernmost unit of the proposed terrace is in very close proximity to the listed building. However, this part of the listed building is modern and does not have significance in terms of architectural and historic quality. The proposed terrace would, therefore, not have any impact on the setting of the listed building and would be acceptable from a listed building point of view. The proposal is considered to comply with the design intent and objectives of the NPPF and to London Plan Policies 7.4, 7.5, 7.6 and 7.8, Local Plan Policies SP11 and SP12 and saved UDP Policy UD3.

Landscaping and trees

9.5.11 London Plan Policy 7.21 requires, “Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of ‘right place, right tree’”. An Arboricultural Implications Assessment Report was provided to support the proposal. The site contains 42 trees of which 7 will be removed. However, none of the trees have any designated Tree Preservation Orders (TPO) and the removal of the existing trees is acceptable as they offer little significance to the conservation area.



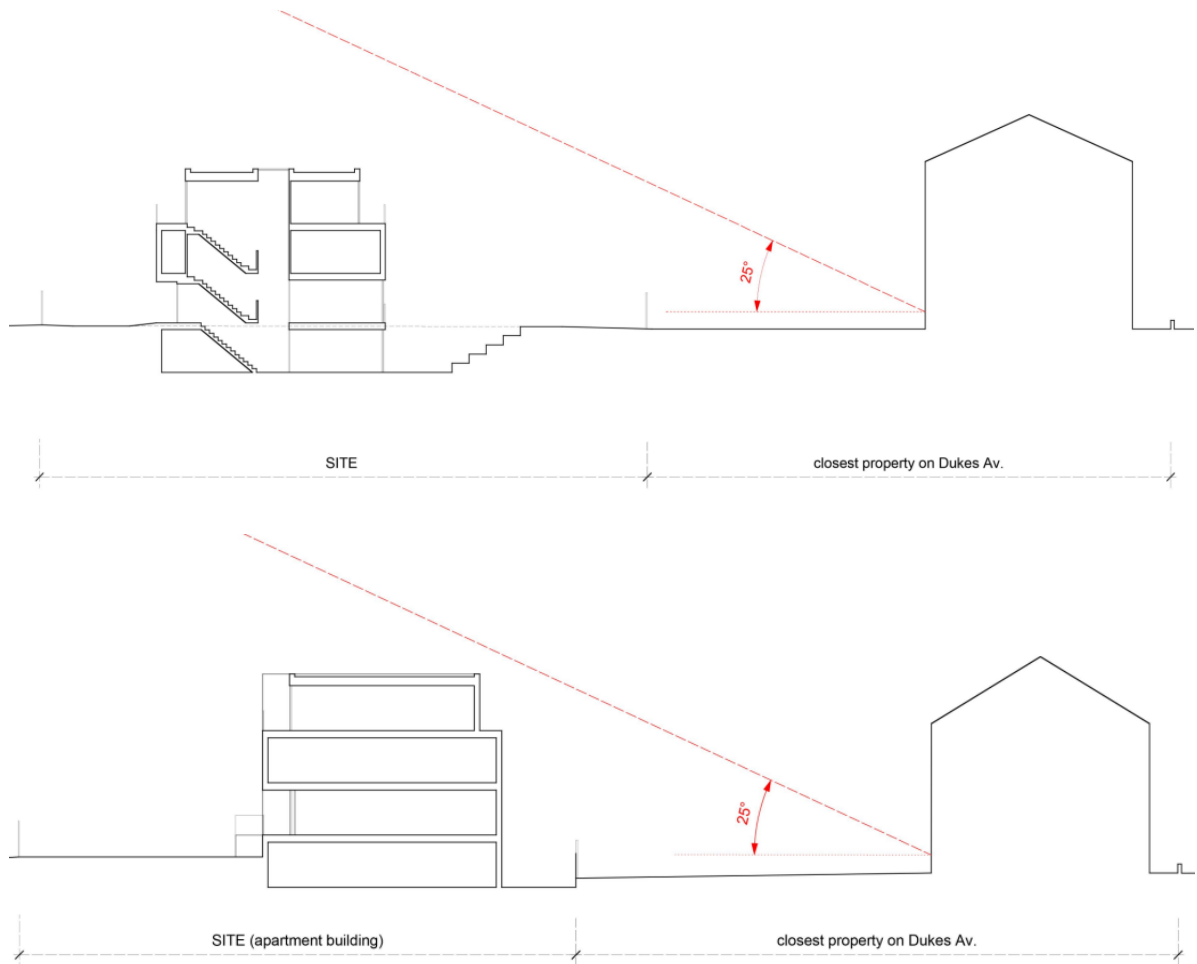
9.5.12 The proposed scheme seeks to introduce additional trees and landscaping in line with London Plan Policy 7.21 which necessitates, “the planting of additional trees should be included in new developments, particularly large-canopied species”. A landscape proposal has been submitted which proposes a comprehensive landscaping plan, including new plants and species which the Council considers would enhance to the visual amenity of the conservation area.



9.6 Impact on residential amenity

Daylight/sunlight

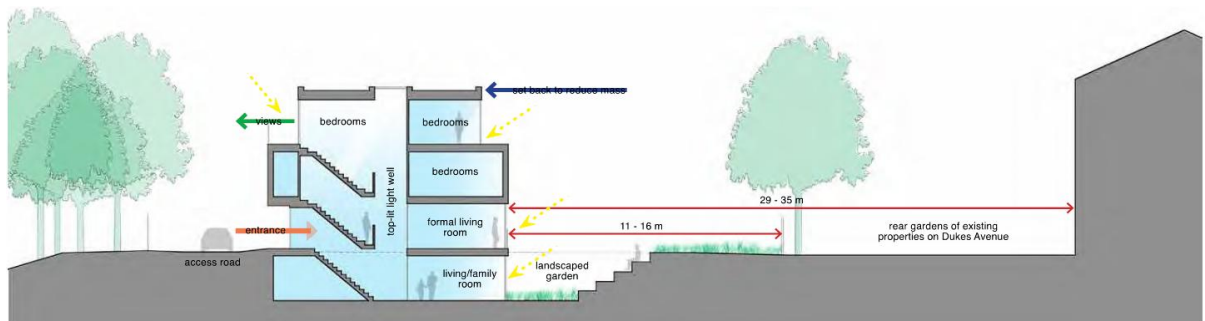
- 9.6.1 Saved UDP Policy UD3 states that development proposals are required to demonstrate that there is no significant adverse impacts on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy or overlooking. Similarly London Plan Policy 7.6 requires that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy.
- 9.6.1 The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' is applied where the window is opposite the development or extension. It states that, *"If an obstructing building creates an angle of greater than 25 degrees from the horizontal, measured from the centre of the lowest window, then a more detailed check is required"*.
- 9.6.2 In this case, the applicant has submitted a daylight, sunlight and overshadowing analysis to demonstrate that the properties within Dukes Avenue will not be affected by the new development as it will be within the 25 degree BRE recommendation.



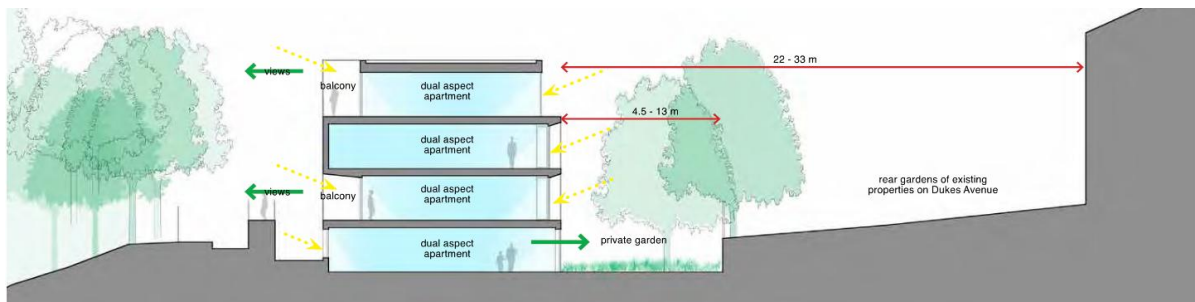
9.6.3 The proposal involves the creation of sunken basement levels of the terraced dwelling houses and flatted development. However a basement impact assessment is not required under the Council’s ‘Basement Development Guidance Note’, as the excavation will be half a storey and not boundary to boundary.

9.6.4 With regard to overlooking and privacy, Haringey’s SPD ‘Housing’ states that, “*All rear facing habitable rooms directly opposite one another should be a minimum of 20 metres apart for two storey developments.....and, an additional 10 metres is required for each additional storey.*”

9.6.5 The rear building line of the new terraced dwelling houses will be set back between 11 and 16 metres away from the rear property boundary of the terraced properties on Dukes Avenue. The first floor rear-facing habitable windows will be between 29 and 35 metres from the opposite bedroom windows of Duke Avenue terrace. The second floor habitable rooms are set further back from the principal rear wall to accord with SPD ‘Housing’ requirements.



9.6.6 Likewise, the flatted development will meet the minimum 20 metre separation distance between opposite habitable room windows. Some of the units proposed would be below the 30 metre standard at second floor level. To overcome loss of amenity, the rear-facing windows are at an oblique angle and thus avoid direct overlooking effects between the site and the properties within Dukes Avenue.



9.6.7 Muswell Hill Primary School has objected to the proposal as it considers the front windows of the development have the potential to overlook into its site. Officers do not consider this to be the case. Firstly the development proposal will be sited approximately 26 metres (flatted development) and 41 metres (terraced family housing) from the western wall of Muswell Hill Primary School which is not considered to cause any significant overlooking. Secondly, the school is located down the bank and at a lower level, and lastly the common boundary is lined with trees and shrubs which would act as a screen. The Council is satisfied the development will not incur any loss of privacy or be overlooked.

Noise and disturbance

9.6.8 In terms of the noise and disturbance, saved UDP Policies UD3 and ENV6 require development proposals to demonstrate that there is no significant adverse impact on residential amenity including noise, pollution and of fumes and smell nuisance. In addition saved UDP Policy ENV7 necessitates developments to include mitigating measures against the emissions of pollutants and separate polluting activities from sensitive areas including homes. These policies align with London Plan Policies 7.14 and 7.15 and the NPPF which protects residential properties from the transmission of airborne pollutants arising from new developments.

9.6.9 Local residents have noted that the site is a natural amphitheatre and thus the development would lead to noise and disturbance impacts. The site has a low ambient level of background noise due to the low number of pedestrians and vehicles during the day, except for the drop off and pick up times at the adjacent Muswell Hill Primary School. It is evident that the proposal would result in additional comings and goings of people and visitors. However, there is no compelling evidence to support the residents' assertions that the new

development would amplify noise at the site. In addition, and of particular importance the nightclub (before it was closed) would have created a greater degree of noise and disturbance impact in the evening including anti-social behaviour. Therefore, it is considered that this development would have no material adverse impacts regarding noise disturbance and given the existing uses on the site would actually improve the living amenity of residents as the nightclub could be brought back into use at any time. Finally, conditions relating to hours of operation for the D1 use and flexible A1/A2 and A3 uses are recommended on any grant of planning permission in order to safeguard the amenity of surrounding residents.

Safety and Security

9.6.10 Local residents have raised concerns that the proposal would lead to security issues. It is considered that the introduction of residential units on the site would provide natural surveillance in particular over the public right of way to improve the safety and security of occupants/visitors of the new development and pedestrians using the adjacent passageway.

Lighting

9.6.11 Residents have expressed concerns that the new development would increase light pollution. Officers consider the development, by reason of its satisfactory distance (at least 22 metres) away from the properties within Dukes Avenue, does not incur any lighting impact upon these residential units.

9.6.12 As a summary, the proposed development would not give rise to any significant degree of residential amenity loss in terms of daylight/sunlight, overshadowing, lighting and noise and disturbance, and therefore be compliant to the NPPF, saved UDP Policies UD3, ENV6 and ENV7 and London Plan Policies 7.6, 7.14 and 7.15.

9.7 Transport and parking

9.7.1 The site has a Public Transport Accessibility Level PTAL rating of 4 meaning it has good access to local public transport services within the Muswell Hill area. The area has been identified by the Council as to suffering from high parking pressures, but most of the site does not fall within the restricted conversion area which forms part the high parking pressure zones.

9.7.2 A private pay and display car park for 48 vehicles currently occupy part of the site. The proposal proposes to redevelop the site including the removal of the existing parking. However, surveys carried out by the applicant suggest the car park is under used (less than 50% full during peak hours and less than 25% full during weekends), and a majority of the parked cars belong to staff of the specialist school. To this end, Officers take the view that the loss of the current car park would not add to parking stress within the surrounding streets.

9.7.3 Appendix 1 of the Haringey UDP sets a minimum number of car parking spaces for residential development in restricted conversion areas, and each case needs to be assessed on an individual basis.

Type	No. of Bedrooms				
	1	2	3	4 plus	Cycle Parking
Private	1 per unit	1.2 per unit	1.5 per unit	2 per unit	1 space per residential unit should be provided where possible.
Public	0.7 per unit	0.9 per unit	1.1 per unit	1.5 per unit	

9.7.4 The proposal will create 28 residential units and the re-provision of the existing specialist school with a greater capacity from 24 students to 48 students and a mixed A1/A2/A3 unit. A total number of 32 car parking spaces (19 residential bays, 9 school bays and 4 commercial bays) and 1 minibus parking space for the school is provided. 8 residential units would therefore have no access to a designated parking space. Notwithstanding this, the quantum of parking is considered acceptable and in accordance with the Council's parking standards, and the applicant would be required to provide a travel plan to encourage sustainable modes of transportation and include free car club membership for a period of 2 years and a credit of £50 for the 8 residential units without a car parking space. Although the number of children attending the site will be increased from 24 to 48, it should be noted that a majority of the children will arrive and leave by the school mini bus and thus reduce the number of car borne trips at the site.

Cycling

9.7.5 Local Plan Policy SP7 alongside London Plan Policy 6.9 and saved UDP Policy M10 promote healthy places by encouraging sustainable modes of travel over the private motor vehicles. Cycle parking for the individual units in line with Haringey's bicycle parking standards has been provided for, but the layout is not considered appropriate or convenient to users as the cycle parking needs to be located near the entrance of the building. The security of the proposed cycle layout is also questioned as a public right of way runs across it. A revised cycle layout sought by condition would therefore be attached for any planning decision.

Refuse

9.7.6 In terms of refuse, the designated area for waste storage will be situated in the middle of the site and at the end of Dukes Mews. The applicant has demonstrated within its swept path analysis that refuse vehicles as well as fire appliances and the school mini bus are able to enter (Dukes Mews) and leave (Muswell Hill) the site in forward gear. The waste arrangements proposed are therefore acceptable to ensure refuse can be contained wholly within the site and will be practical and accessible to waste collectors. Details of refuse storage will be secured by condition.

9.7.7 The reconstruction of the vehicular access at the site will be sought by a Section 278 agreement. A sum of £7,200 is also requested by way of a Section 278 agreement for local safety improvements. Furthermore, the applicant is required to enter into a Section 106 agreement with the Council to make: a financial contribution of £20,000 towards cycling and walking improvement in the area

surrounding and general improvements to the existing public rights of way; a residential and school travel plan; and a car club scheme.

9.8 Accessibility

- 9.8.1 The NPPF and London Plan Policies 3.8 and 7.2 and Local Plan Policies SP2 and SP11 require all development proposals to provide satisfactory access for disabled people. All development proposals should be built in accordance with Part M of Building Regulations to ensure any new development is suitable for disabled users.

Residential units

- 9.8.2 The applicant has shown its commitment towards creating an inclusive environment within its design and access statement to demonstrate the individual residential units will meet the requirements of the Lifetime Homes standards.
- 9.8.3 The individual and communal door entrances are wide and level (Criterion 3 and 4), to facilitate ease of entry for disabled users and those with mobility difficulties'. A 300 mm leading edge has been achieved to all doors and all doors/hallways will achieve the minimum effective clear widths within the individual units (Criterion 4 and 6). A level entry WC which has the potential for showering facilities has been provided for the dwelling houses (Criterion 10). The ground floor dining rooms of the dwelling houses can be adapted to accommodate a potential through-floor lift directly to the bedroom above (Criterion 12)., and the bedroom and bathroom of the dwelling houses have the potential for future fitting of hoists (Criterion 13). The bathrooms are located on the same storey as the main bedroom and have been designed for ease of access (Criterion 14). The full height living room windows also mean occupiers are able to have a reasonable outlook when seated. (Criterion 15).
- 9.8.4 A minimum of 3 wheelchair accessible units (11%) as required by London Plan policy have been provided: located within the ground and lower ground floors of the flatted development. The dedicated disabled parking spaces allocated to each of the wheelchair accessible units will be located adjacent to the building entrance for unimpeded and direct access. The wheelchair units have been laid out in accordance with the GLA's Best Practice Guide 'Wheelchair Accessible Housing'. The wheelchair accessible units have been designed to include a dedicated charging point/parking at the communal entrance and an accessible bathroom to facilitate a 1500 mm turning circle which is also adjacent to a bedroom for a future potential door.
- 9.8.5 The London Plan states that it is desirable for four or more storey residential development to make provision for at least one lift. Although the flatted development is part three-storeys, part four-storeys in height, a lift has been provided within each of the cores which would benefit both disabled and able-bodied occupants of the new development. A lift has also been provided within former public house for occupants of the upper floor flats.

School

- 9.8.6 The specialist school will have a wide and step free entrance to the rear of the former public house. The provision of a lift would allow disabled users to access all the facilities including the hydrotherapy pool, located in the basement of the school building. A disabled WC laid out in accordance with Part M of Building Regulations has been provided for wheelchair users and those with disabilities on every floor of the building. The training rooms should be equipped with induction loops but this requirement can be regulated at Building Control. The Council is satisfied the specialist school has been designed in such a manner which caters for the wider community.

Commercial unit

- 9.8.7 The flexible A1/A2/A3 unit enjoys an internal/external ramped entrance to the front and side of the building. A lift allows direct access to the basement level. As it is not shown, a minimum of one disabled toilet should be provided within the commercial unit. Fixed tables and chairs are not recommended as they can be difficult for certain users to be seating. The full height doors should have visual manifestations at two levels. These points raised can be dealt with at the Building Control stage to ensure full accessibility of the commercial unit. Overall, the applicant has adequately demonstrated that the new residential and non-residential development has been inclusively designed to meet the disabilities of future occupants/visitors in accordance to the NPPF and to London Plan Policies 3.8 and 7.2 and Local Plan Policies SP2 and SP11.

9.9 Sustainability

- 9.9.1 The NPPF and London Plan Policies 5.1, 5.2, 5.3, 5.7, 5.8 and 5.9, as well as Policy SP4 of Haringey's Core Strategy set out the sustainable objectives in order to tackle climate change. Information is sought regarding how far residential and non-residential development proposals meet the Code for Sustainable Homes Level 4 and BREEAM 'Very Good' criteria, and where sustainability measures such as the use of rainwater harvesting, renewable energy, energy efficiency, etc are included as part of the proposals.
- 9.9.2 The makeup of the Code for Sustainable Homes and BREEAM overall rating to which a development is assessed against consists of nine separate components (plus innovation): management, health & wellbeing, energy, transport, water, waste, pollution, land use & ecology and materials.
- 9.9.3 The applicant has submitted an energy assessment and sustainability statement. The pre-assessment reports indicate the non-residential development i.e. the specialist school (57.49%) will achieve the minimum Very Good rating (55%) with the possibility of attaining an Excellent rating (60%), where the residential development (between 69.3 and 69.46%) is expected to meet the minimum Code for Sustainable Homes Level 4 rating (44%). The proposal would therefore be compliant with the NPPF, Local Plan Policy SP4 and London Plan Policies 5.1, 5.2, 5.3, 5.7, 5.8 and 5.9.

2010 Building Regulations predicted annual baseline emissions	95,308 kgCO ₂
CO ₂ savings through energy efficiency measures	2,859 kgCO ₂ (3%)
CHP benefits (5.5 kWe system installed in the school)	7,045 kgCO ₂ (7.4%)
PV Panel savings (265 m ² roof mounted system)	13,923 kg CO ₂ 14.6%)
Total estimated annual CO ₂ emissions reduction	23,827 kgCO ₂ (25%)

9.9.4 In terms of renewable technologies, a number of options were considered by the applicant. A ground and air source heating solution was not considered effective to achieve the desired carbon saving. Biomass heating was also discounted due to being impractical, generating additional traffic impact from biomass deliveries and causing potential air pollution. As an alternative, photo voltaic (PV) panels were considered the most viable option, and when used in conjunction with a combined heat and power system installed in the school and other energy efficiency measures, the new development will achieve the 25% carbon dioxide savings target required by London Plan Policies 5.2 and 5.7

9.9.5 The Council will impose conditions for the submission of final certificates to ensure the new development will achieve the minimum BREEAM 'Very Good' rating and Code Level 4 for Sustainable Homes.

10. Legal Agreement – Heads of Terms

The following Section 106 Heads of Terms have been agreed by the applicant.

10.1 **Travel Plan** - The applicant shall commit to a residential and school travel plan and include the following measures:

- a) The developer must appointment a travel plan co-ordinator for the residential and school aspect of the development and must work in collaboration with the Facility Management Team to monitor the travel plan initiatives annually.
- b) Provision of welcome residential induction packs containing public transport and cycling/walking information like available bus/rail/tube services, map and time-tables to all new residents, travel pack to be approved by the Council's transportation planning team.
- c) Establish or operate a car club scheme, the developer must offer free membership to all residents of the development for at least the first 2 years, and £50 (fifty pounds) in credit to the 8 residential units without parking for a period of 2 years, evidence of which must be submitted the Transportation planning team.
- d) The developer is required to pay a sum of, **£3,000** per travel plan for monitoring ie **£6,000**
- e) A revised residential cycle parking layout must be submitted for approval which seeks to provide cycle parking in each block in order to maximise usage.

- 10.2 **Walking and Cycling Improvement Works** – The applicant shall make a financial contribution of £20,000 towards walking and cycle improvements in the area surrounding the site.
- 10.3 **Section 278 Agreement** - The applicant will be required to contribute by way of a S.278 agreement £7,200 for local safety improvements.
- 10.4 **Education** - The applicant will be required to contribute £157,377 (based on the GLA formula) towards educational facilities.
- 10.5 **Affordable housing**- The applicant will be required to contribute £275,000 towards off-site affordable housing.
- 10.6 **Construction training / local labour initiatives** – The applicant shall commit to participate in the Council’s Construction training and or local labour initiatives, and is required to provide £43,808 (Forty three thousand eight hundred and eight pounds - £3,750 for every £1 million worth of construction costs) towards Work Placement Co-ordinators (WPCs).
- 10.7 **Section 106 Monitoring:** The applicant shall make a financial contribution (to be confirmed) to be used by the Council to monitor the compliance with the S106 Agreement (equates to 5% of the total contributions).

11.0 CIL Applicable

- 11.1 The Mayoral CIL has been in effect since 1st April 2012 in accordance with Regulation 25 (a) of the Community Infrastructure Regulations 2010 (as amended). The collection of Mayoral CIL will help contribute towards the funding of Cross Rail. According to the Mayoral CIL charging schedule, the proposal would be liable to Mayor CIL at a rate of £35 per square metre.
- 11.2 Based on the proposed additional floorspace, the proposal is likely to attract a total Mayoral CIL of £69,650 (£35 x 1990sqm).

12.0 HUMAN RIGHTS

- 12.1 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.

13.0 EQUALITIES

- 13.1 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.

14.0 CONCLUSION

- 14.1 The proposed redevelopment at 56 Muswell Hill is welcomed as it would bring part of a vacant site at the former Green House Public House back into gainful use. The loss of the nightclub is acceptable and would facilitate the creation of a larger and higher quality teaching environment for the existing specialist school (London Centre for Children with Cerebral Palsy), which is supported.

The loss of car parking provision would enable the creation of residential dwellings, in particular family-sized units in the locality, to help deliver mixed sustainable and cohesive communities. The loss of parking would not place undue pressure for on street parking as the submitted reports illustrate that the car park is under used. The level of parking proposed for the development is acceptable and the requirement to submit a travel plan including measures for a car club etc would ensure that there are no material adverse impacts in relation to parking.

The short fall in affordable housing is balanced by the securing of a financial contribution towards off site affordable housing which is captured under the Section 106 legal agreement. Furthermore, this shortfall is also offset by providing a quality designed building that would provide for a vastly improved educational facility for the LCCCP.

In addition, the proposal will not cause any material loss of amenity to surrounding residents in terms of outlook, daylight/sunlight, overshadowing, increased sense of enclosure, overlooking, loss of privacy or noise disturbance.

The proposed design of the development would enhance and improve the character and architectural appearance of the streetscene, preserve the character and appearance of the conservation area and the visual amenity of the area generally.

.It is considered that the proposal is acceptable and it is recommended that planning permission is granted subject to the signing of a Section 106 and conditions to control the impacts of the development and address concerns raised by local residents.

15.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions and the signing of a section S106 Agreement

Applicant's drawing No.(s) 2 (01)00, 2 (02)00, 2 (03a)00, 2 (03a)-01, 2 (03a)01, 2 (03a)02, 2 (03a)03, 2 (03b)00, 2 (03b)01, 2 (03b)02, 2 (04)00, 2 (04)01, 2 (04)02, 2 (04)03, 2 (04)04, 2 (04)05, 2 (04)06, 2 (04)07, 2 (05a)00, 2 (05a)01, 2 (05a)02, 2 (05a)03, 2 (05b)00, 2 (05b)01, 2 (05b)02, 2 (05b)03, 2 (06)00, 2 (06)01, 2 (11)00, 2 (11)-01, 2 (11)01, 2 (11)02, (11)03, 2 (12a)00, 2 (12a)-01, 2 (12a)01, 2 (12a)02, 2 (12a)03, 2 (12b)00, 2 (12b)-01, 2 (13)00, 2 (13)01, 2 (13)02, 2 (13)03, 2 (13)04, 2 (13)05, 2 (13)06, 2 (13)07, 2 (13)07, 2 (14a)01, 2 (14a)02, 2 (14a)03, 2 (14b)00, 2 (14b)01, 2 (14b)02, 2 (14b)04, 2 14b)02, 2 14b)03, 2 15)00, 2 (15)01, 2 (14a)00, 2 (14b) 00 and 2 (16b) 01

Subject to the following conditions:

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

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

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

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

3. Notwithstanding the provisions of Part 1 Schedule 2 of the Town and Country Planning General Development Order 1995 (or any subsequent re-enactment), no development including all domestic extensions/alterations to the six dwelling houses forming part of the development hereby permitted shall be carried out without the prior written consent of the Local Planning Authority

Reasons: To safeguard residential amenity and the appearance of the new development

4. No development shall commence until a detailed report, including Risk Assessment, detailing management of demolition and construction dust has been submitted to, and approved in writing by the Local Planning Authority. This shall be with reference to the London Code of Construction Practice. In addition either the site or the Demolition Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out on the site.

Reason: To ensure that the construction does not prejudice the ability of neighbouring occupiers' reasonable enjoyment of their properties.

5. 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, in consultation with the planning committee. 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

6. Prior to commencement of works of the development hereby permitted, a plan showing the proposed landscaping scheme shall be submitted to and be approved in writing by the Local Planning Authority. The scheme shall include the following:
 - i. Full details of plants and trees (common and Latin names, size and pot height; density or number, tree girth and method of growth i.e. container or open ground);
 - ii. Maintenance schedule;

- iii. Full details of materials to be used on paved areas and other hard surfaces;
- iv. Suppliers or manufacturers;
- v. Guide to construction;
- vi. Paving/fencing/colours/finishes;
- vii. Location of lighting and details of lighting levels (wattage);
- viii. Any play equipment (specs, manufacturer, British or European Standard);
- ix. Any features or artworks; and
- x. All furniture

All planting, seeding or turfing shall be implemented in the first planting season following occupation of the buildings or the substantial completion of the development, whichever is the sooner.

Any plants or trees that die or are removed, damaged or diseased within a period of FIVE years from the substantial completion of the development shall be replaced to the satisfaction of the Local Planning Authority in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent for a variation.

The approved landscaping scheme shall be constructed/installed prior to the occupation of the development to the satisfaction of the Local Planning Authority and shall be permanently maintained thereafter to the satisfaction of the Local Planning Authority

Reason: To ensure a satisfactory standard of external appearance of the development.

7. a) No development shall commence until a desktop study and conceptual model shall be submitted to, and approved in writing by the Local Planning Authority. A desktop study shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. If the desktop study and conceptual model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and conceptual model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-

- A risk assessment to be undertaken;
- Refinement of the Conceptual Model; and
- The development of a method statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined conceptual model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

8. No development shall commence until a detailed report, including Risk Assessment, detailing management of demolition and construction dust has been submitted to, and approved in writing by the Local Planning Authority. This shall be with reference to the London Code of Construction Practice. In addition either the site or the Demolition Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out on the site.

Reason: To minimise loss of amenity to neighbouring residential premises during the construction of the development.

9. No impact piling shall take place until a piling method statement (detailing the depth and 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.

10. Prior to installation details of the boilers to be provided for space heating and domestic hot water should be forwarded to the Local Planning Authority. The boilers to be provided for space heating and domestic hot water shall have dry emissions not exceeding 40 mg/kWh (0%).

Reason: To ensure that the Code for Sustainable Homes assessment obtains all credits available for reducing pollution.

11. The residential development 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

12. The non-residential development hereby permitted shall not be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating 'Very Good' has been achieved for this development

Reason: To ensure that the development achieves a high level of sustainability

13. No development shall commence until a construction management plan (CMP) and construction logistics plan (CLP) have been submitted to and approved in writing by the Local Planning Authority 3 months (three months) prior to construction work commencing on site. The Plans should provide details on how construction work (inc. demolition) would be undertaken in a manner that disruption to traffic and pedestrians on the Dukes Mews and Muswell Hill and the road surrounding the site is minimised. It is also requested that construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods, and arrival and departure from the school, the plans must also include measures to safeguard and maintain the operation of the School.

Reason: To reduce congestion and mitigate any obstruction to the flow of traffic on the transportation and Highways network.

14. No development shall commence until a delivery and servicing plan (DSP) has been submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce congestion and mitigate any obstruction to the flow of traffic.

15. Prior to the occupation of the development hereby permitted, electric charging points shall be installed within the site in accordance with the 2011 London Plan with 20% active and a further 20% passive provision.

Reason: To encourage other sustainable modes of travel.

16. The D1 unit hereby permitted shall be used for specialist school (Class D1) and for no other purpose (including any other purpose in Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, without the prior approval, in writing, of the Planning Authority.

Reason: In order to restrict the use of the premises in the interest of the amenities of the area.

17. The A1/A2/A3 use hereby permitted shall not operate before 08:00 hours or after 23:30 hours Monday to Saturday and before 10:00 hours or after 22:00 hours on Sundays and Public Holidays.

Reason: To facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

The D1 use hereby permitted shall not operate before 07:00 hours or after 22:30 hours Monday to Friday and Saturdays and before 09:00 hours or after 22:00 hours on Sundays and Public Holidays.

Reason: To facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

18. At no time shall any amplified speech or music generated from the site be audible within the adjoining residential premises.

Reason: To prevent loss of amenity to neighbouring residential premises due to noise generated from the premises

19. The construction works of the development hereby granted shall not be carried out before 0800 hours or after 1800 hours Monday to Friday or before 0800 hours or after 1300 hours on Saturday and not at all on Sundays or Bank Holidays.

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

Informatives:

a) *Thames Water*

Waste - Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Piling - Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

Water - 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.

b) *Environmental Health*

Prior to demolition of existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.

c) *Secure by Design*

The applicant is advised that the new development should:

- adopt the principles and practices of 'Secure by Design'-Schools and New Homes 2010; and
- complies with the physical security requirements within the current SBD New Homes and Multi Storey Dwellings-Code for Sustainable Homes - Section 1. The Development -'Layout and Design' and Section 2. Physical Security (Building Control Code for Sustainable Homes Issues)

d) *Advertisement*

Planning permission has been granted without prejudice to the need to get advertisement consent under the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

e) *Community Infrastructure Levy*

The applicant is advised that the proposal will be liable for the Mayor of London's CIL. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £69,650 (£35 x 1990sqm)). 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.

f) *Street Naming and Numbering*

The new development will require naming/numbering. The applicant should contact the Transportation Group at least six weeks before the development is occupied (tel. 020 8489 1000 to arrange for the allocation of a suitable address.

g) *Working with the applicant*

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 – Development Management Minutes

Q1: The Green Man when the first built on the hill and even though said there is no heritage there, you can be disproved, stained glass window which is the original intact, this block here is 3 storeys and will infringe on us that live on the Broadway. We come out and see the trees; this is 3 storeys and the overlooking onto us. We also know the Raglan Hotel is closing down and there will be 20 flats. Cerebral Palsy is in decline, there is a school in Finchley, and you have a block across the road which was Taylor & Walker, grand Ave where there is another building going up there. I think you could retain it as it was originally and restore it to the original value and have it as a hotel. All the hotels are going or gone in this area. Muswell Hill will not have a nice hotel. Lots of my neighbours who are not here will oppose this proposal. I know the night club was a problem but if you want to give to the community and this is not really giving to the community.

Ans: Heritage/Conservation/Design issues – The Green Man is what the Council identifies as positive contribution to the conservation area. We see and understand that. As you come up the hill it is clearly prominent, the building has had an unfortunate past, unsuccessful operators, failed restaurant, no longer a pub, we do believe by putting the building back into use, you can actually restore and create great benefit to the Broadway and Muswell Hill through a regeneration of the scheme. We have taken great care to preserve the fundamental parts of that building. In terms of the three story element we believe that to be a responsive and acceptable form against the massing of the existing Green Man building. The billott hall is now the night club and we are proposing to complete demolition of that building. That would be for the Council to decide whether that is acceptable in acting as part of the conservation area or not. We have put in an argument we believe the building to be unsightly and detracting from the character of the conservation area and

The use has caused anti social behaviour. I take the view and it is for the Council to decide once they have looked at the application properly whether it is acceptable. We genuinely feel by creating active frontages retaining the restaurant here and community space here will reinstate life and vibrancy to this part of the Broadway. We feel is it appropriate to put residential above the building there.

Q2: I spoke to Martin who owns the coffee shop and he says it is a wonderful view of the Green Man and now this building will be gone and I do not know what it is you are contributing to the community. Cerebral Palsy children there are 14 and in the future it will be in the decline, the man is making money through the houses and the flats. English Heritage would be interested in this.

Ans: Emma Williamson said we have to look at the application as it is submitted. Can we give the school a chance to comment on the cerebral palsy children?

Mark Krane – Chief executive of London support for cerebral palsy, I do take issue with a couple of the points raised. cerebral palsy is not declining if anything there is more instances, medical science improves, children who would not have survived through traumas now survive and have greater need. It is not solely cerebral palsy school. May I ask Gabriela Sifrou head of the school is an expert in cerebral palsy and education to come in and comment? Gabriela said cerebral palsy is not on the decline; one child is affected out of 2,000 around the world and in UK is one in every 400 children. We see more children born by birth traumas. The school is different but not just a school but also a centre, we provide primary education for 3-11years old, we also provide early

intervention services for children under the age of 3, and adolescents who use to attend our centre and we provide Saturday classes for special needs setting and also provide therapy services based on adults with Parkinson's, MS and Stroke. This is not mainly a school setting; I reject the comment about lots of schools around in Haringey.

Q3: My concerns is that you will obliterate my view, at this time of the year the sun shines through the trees and into my kitchen and the three storey nature of that building will change that. I also have concerns about transport, and car parking, there is a lot of usage from the restaurants, and deliveries, how are you going to organise all of that?

Ans: In relation to sunlight and daylight , there are a range of views and opinions, what the Council has to do now is to assess the reports we have submitted and come to a view. We have striven to keep the height of the building below the current guidance allowed. Individuals will have a view about but we have designed this scheme below the current guidance and on this point will pass with flying colours. The Council will have to come to a view whether our information is good enough and robust. In terms of traffic what we are going to do is create a more managed approached with in/out rather than free for all, control the land that is not public highway, we have tried to provide parking for the scheme, but it is a difficult subject, we have to abide by what the mayor says and comply with what Haringey tells us is an acceptable level car parking. It may not be what local residents or the developer wants. The Councils officers will have a look at this and we have not had feedback as yet. The parking will not cause significant congestion, once the Council has assessed the information I'm sure they will tell us if we are right or wrong.

Q4: I welcome the improvements to the school, the extension does not look like it belongs to the conservation area and I think it is horrible, you said it is a prominent view coming up the hill, well I think it is ugly, What price will the houses/flats be sold at? Are they affordable/social housing? if not, why should London extend into the Green Belt, whilst being selfish and want to make lots of money.

Ans: In terms of the flats – I am not a state agent and cannot comment on the price. Flats/houses will be comparable to properties in Muswell Hill and achieve the going rate of the area. We haven't proposed any social housing on this site. We have submitted a viability appraisal to the Council, The owners of the land are giving the school the land and building the school and that a substantial investment cost and we have taken the view that believe this is an appropriate scheme for the land and the Council will be appointing an independent financial advisor to advise the Council whether that is viable financial position. The school will have a 99year lease and building the school. The school has no secure tenure and cannot function; it doesn't own the land and doesn't own the lease. The land, school building and 99year lease will be given to the school and effectively there will be no money left to add social housing to the site. The Council will be looking and getting advice whether this is a viable proposal. This is what we call a brownfield site and should be developed for housing, highly sustainable, good location and well connected areas.

Q5: Can you explain the traffic and parking, not sure if been round Dukes Ave after 8.30 on a weekday morning; it is chaos already, overcrowded. It is definitely not going to improve it.

Ans: We have submitted transport surveys and other data to the Council / TFL who will assess them and very carefully scrutinised. There are proposals for 28 flats here; we have

to model the number of trips to the houses, pedestrians or trips by number of vehicle in & out. We have demonstrated that number of trips in/out will not cause a demonstrative increase in traffic flow. We have to wait for the traffic engineers and experts to look at the data we have submitted to the Council to let us know whether they are happy or not. In terms of the parking spaces the apartments at the back there are 14 flats at the bottom, behind the site is a car parking area with 14 spaces, each flat has a car parking space. Each town houses has a space that is 6, operational car parking space for the school, at the front there are four spaces to serve eight flats. Flats closest to the Broadway will not have a parking space.

Q6: Dukes Ave resident. It says up there 27 units in total? Currently there is a public right of way, will that be maintained? The timescale of the consultation period closes? Can you clarify the access will be in Dukes Ave. How many mini bus trips in the morning? You said you communicated with local people and businesses but that is not the case with Muswell Hill School and I am very concerned about that and very sad you have not communicated with the school by now.

Ans: It is 28 units; yes the public right of way will be maintained. The Council will receive representation right up to Committee. The in bound is through Dukes Mews and the out bound is on the hill. There are three mini buses in the morning. In relation to communications I did speak to the school yesterday take on board your comments.

Q7: David can you elaborate who you spoke to at the school yesterday. I am one of the governors and here with the head master of the school, we fully support the school in principle, we think it is a fantastic scheme and do a fantastic job and we want you to know we fully support the work that you do. I have previously written to you and got a response yesterday addressing a number of our concerns thank you for that, however a few of our concerns still remains. From the drawings it would appear that the flats proposed at bottom of the site is going to directly overlook our school, even though you have trees there, we feel those flats will have direct view into the classrooms. Tree survey was done on existing site and we have a very steep slope will very tall trees towering over the playground where four year old play during the day. We want to make sure any works carried out will not have any adverse problems with the roots of those trees and we want the developers to satisfy us that there are not going to be any issues here as well. Waste and fowl water, we have a significant problem with drains and rain water and would like to understand what Thames Water has said regarding the water running the left hand side and with man hole cover in Duke Ave, cannot take any additional waste. Can the developers show us a schedule of works that would not have any dust or pollution during term time? The obvious concerns are that it will be very dusty, noisy and we won't be able to teach our children and they have the right to have an unpolluted atmosphere to work and play. In terms of contribution to the community is the facts as I see them the LCDP is a fantastic establishment, we do not think it is a Haringey community school, it is a school for the whole of London and it will be built, It is not an emotional decision but on of financial. This is a profit making scheme and not about the school, this is about developers buildings residential and commercial to make money. It is good the school is getting the site, but the school had to get the site because they have at least 15 more years left on their lease. LCCP is not a community school, I accept you can make a confidential application for key workers housing, we find it unbelievable that there is no key workers housing considering this is the west of the borough and we would anticipate some key worker housing. Haringey's own data shows there will be a funding of 78million pounds from now to 2016. Our school had 533 applications for 60 places which is a catchment of only few metres from this building. It is the most oversubscribed school in

the area. There has been no educational funding for schools in the area. We would like to understand from Haringey what is their plan school places in our school on top of that the added burden this will place from development of our school. It is very hard to accept the LCCP and small community space planned represents a significant enough contribution to the community it will offset the pressure the development is going to bring. We want to know why Haringey have not implemented their draft CIL, Can Haringey say whether CIL would be adopted by the time of the Planning Committee, it not in detail explain how the s106 would be calculated.

Ans: Emma Williamson said we recently sent the schedule for CIL to the secretary of State; the examination will be on 18 December and if all goes through implementation date will be 1st April 2014. It is likely this scheme will receive a decision before then. We would still need to discuss with the developer's mitigation measures through s106 for the impact of the development; we have not concluded a conversation on education contributions. I cannot say anymore but I am aware of the need. CIL replaces s106, it either one or the other and we have yet to have that debate.

CIL – Community Infrastructure Levy – It enables Councils planning dept to set a charging schedule, they can seek monies on a formula basis for different types of development. The CIL charges do not come into effect until those policies have been adopted. In the meantime there are still all the requirements under s106, planning benefits, financial contribution for school places, environmental improvements that any applicants have got to address, I have not had that conversation with the Council as yet. It's not a question of either or, at the moment we are in the s106 world. We are not saying the school and community centre wipes away those obligations, it doesn't and the Council will have to take a view. In terms of the trees I am happy to provide you with comfort should you need it. The tree survey looked at the tree protection zone for the trees on the bank. We are a considerable distance from the tree zone. I will be happy to stand before everyone here and say we are confident and happy that there will be no harm to those trees. We can ask our arborocultarist to provide an addendum and send to the Council of that issue and I take you point on that. Overlooking I take the point there is sensitivity in terms of windows and activity adjacent to school playground. We would say the screening of mixed trees and the typography of the site we are not building windows directly overlooking the playground. I will send to the Council further drawings showing relationships, site lines and distances in order to comfort you. In terms of constructions management, I take that point on board; we will be signing up to the considerate construction scheme, should we get planning permission we will need to fully engage with the school. The Council will require a detail construction management plan, not just for traffic and deliveries, but for noise, dust and pollution, hours, timing and we are very happy to have that conversation with the school. I will look as to why the school were not communicated with before this evening. In relation to drainage I regret I am not an expert but will try to answer your questions. Thames Water has been consulted by the Council and they have responded that they do not have any objections at the moment; they are satisfied with the flow and quantity of water. In terms of the school, you are right that the schools serve beyond the catchment area within Mussel Hill and Haringey. Out of 13 children – three are from Haringey. We are not saying that this is a school solely for Muswell Hill.

Gabriela said the meeting has been going on for over an hour and we have been referred as a school 37 times. I cannot emphasise enough this is a centre; school is a part of it. The reason why we are struggling with the spaces is not because the building is 50 years old, it is because we are growing, and we have early intervention. We talk about only 13

children but every week we have 55 children and their families coming to the centre, we run block sessions over the holidays, we are just starting services people in Haringey affected by Parkinson disease, stroke or MS, This is a centre offering services to a variety of people, We are running out of space because we are growing not because the building is old. We are in more demand with the elderly support that has the expertise.

Statement: We are shocked that no one approached us at the school before the application was submitted.

Ans: I will look as to why the school were not communicated with before this evening.

Statement: I have not seen an improvement to the school after 20 years; I have an issue with the centre. We have a huge school for autistic children attached to former Tetherdown school and don't understand why a small wing couldn't be added and facilities shared, it would have been more convenient for every body's children included more space. Instead of putting us through this, what we are going to suffer is another matter. The public transport cannot adapt, we cannot move on our pavement, traffic is already bad. It is overcrowded and the services cannot take any more. Power and sewage, we want clarity on that because, we are having black outs and we are promised more black outs. On a hot day 66 and the gyms turned on their air conditioning and we were presented with two huge generators because the power died on us. This scheme is ugly brutal architecture it will change the character of Muswell Hill and don't understand how in the conservation area that we can have such monstrosity plus the opposite building is going to be into 32 flats anytime soon. The lack of control for rent on shops and commercial businesses and we are losing local shops because the rents are too high. Several hundred people more, extra traffic and everything on the same road, pavements, water mains, power and sewage. Has any one thought of putting model this through the aerodynamics tube to see what to do with the winds, we are having winds, where will it go.

Ans: Emma Williamson said regarding the development opposite, under new guidance lines it is considered permitted development and we had nothing to do with this. However it does need to be considered in terms of accumulative impact and of this development, we will be thinking of that. In terms of rent and shops, that falls under a different part of the Council and cannot speak about what we have been doing about rents, but it has been raised elsewhere. Comments on architecture we will take on board. One thing we haven't spoken about is the electricity.

Ans: Any new developer would need to comply with guidance that their development meets the codes for sustainable homes that is deliberately designed to reduce power consumption, carbon omission and carbon foot print. We will be providing a raft of things like solar panels to ensure these are sustainable, energy efficient. I cannot comment on wider issues in Muswell Hill Should be get planning permission, the electricity company will come on site and see that there is sufficient electricity on site and if not they will have to pay for it. Until such time unless the electricity company is happy they will not connect it. It is not a planning issue as developers all we can do is make sure our residential units comply with government guidance and reducing carbon footprint and have the backing of the energy suppliers.

Q8: What is going to happen to the ground floor of the Green Man?

Ans: At the moment the use is a restaurant and we have applied to keep it a restaurant use.

Q9: I live on top of Muswell Hill and concerned about the noise for the children
The emergencies services and police and the noise is very disturbing and do not know how this will affect these children.

Ans: Any building has to be built to government guidance and a lot of the issues are outside planning. The development will have adequate insulation against noise for any children or visitors to the centre.

Q10: Is it a private school?

Ans: We are not a private school, we are an independent maintained school, not a Lea school, 70% of our funding comes from fundraising, we are a charity, we do not accept private children coming here, and It costs over £3,000 a day to run the school of which less than £2,000 comes from funding the rest we have to fundraise. We do not charge for the children or the families of the children.

Statement: I know a family with a child like yours and they are trying to raise the money to send their children to you, it is so expensive and they cannot afford it.

Ans: It isn't our school as we don't charge, we fundraise very hard for our school in order to provide for free. The purpose of this development is to expand and take on more children.

Q11: Resident of Dukes Ave, you say you changed the angle of the windows in the back and I didn't see how it might look from our houses on Dukes. Who will run the community space next to the restaurant?

Ans: The apartment building which sits at the bottom of the site and that is a typical upper floor plan rather than have two stairways we have one, it allowed us to removed external walkways, so people won't be walking on the deck outside the apartment anymore. The Zig Zag effect are the windows and one side is thicker than the other, the thin side is the window and is angles so not to have any direct overlooking face to face with windows in Dukes Ave. The freeholder is Scarset and they own the entire site. The application is made jointly with the owners of the site and the centre; the community space will be managed by the school and the restaurant by the developer.

Emma Williamson said if permission were granted then we would impose a condition that the school doesn't annexe the community that part of the building and remain for community use.

Q12: Who is going to maintain the grounds?

Ans: The grounds will need to be maintained and that will be at cost to the residents of the scheme, it is common to have a management company to look after that aspect.

Q13 When this is built and we have issues and concerns who do we talk to about this?

Ans: Emma Williamson said we would put a condition on management arrangement and this will form part of that, you would have relevant contact details to address any issues or concerns

Q14: Mobile phone mast – is it still functioning, will it stay? I thought you couldn't have those 100 yards to a school.

Ans: There is a Vodaphone mast there, we don't want it there but it is beyond my control. They are protected under the telecommunication act and if they want to stay then we can't do anything about it.

Q15: Head Master – as you are right on the boundary of our school what arrangements are made to safeguard children against construction, I am assuming the workers will be DBS checked, There has been no contact with the school.

Ans: I cannot answer that because this application hasn't reached that far, that process is yet to be discussed as safety of the children is paramount. It will take to place as part of the considerate contractors' scheme and during the management plan. I take the points on board.

Statement: It seems strange to me the applicants are here but haven't introduced themselves. I haven't been able to get information about who the developers are and here you are tonight hiding from us all.

Statement from the Applicant: I think there has been some misinformation here this evening, there has been for the last 7/8 months a big bill board up on the building with saying site bought by SS a parent company of Scarset Tel 0207 117 6660, if you ring that number it rings my mobile as out of hours, we are not hiding from anyone, please call if you want to talk, we are a Highgate business and live in East Finchley and before that in Muswell Hill. We held an original consultation before the end of term and it is our intention to be open and transparent. I am not a good speaker the experts are David and Andy but I am here if you want to talk. Why are we doing what we are doing? We have looked at this for 6 years and other developers looked at it but only wanted housing on the site to maximise the site. We met Mark and Andy several years ago and their lease ran out about 3 years ago and we wanted to work with them and we have no other intentions. Absolutely we are a profit making business otherwise I would not be here investing in this scheme, without that we cannot build the school or the housing and we will be stuck with a nightclub on the site that is grotty and dodgy car park. That is not what I want as a local resident.

Q16: If you get planning permission what are the timeframe for the works?

Ans: If we get Planning permission we would have to go to tender and get contractors that would take 5/6 months, I suspect we would start works at the start of the summer holidays. It would take 15/16 months to completion'

Q17: Is there not a restriction on telephone mast being so near to a school?

Ans: Emma Williamson – to be honest I cannot remember – is the concern that the school is moving closer to it? I will take away and look into it.

Q18: can you give a few examples of your work locally so we can view online?

Ans: We have completed a scheme in Hampstead website is 7 Arch right Road.com, currently doing scheme in Whetstone office block converting into flats not yet started, done a scheme in Spitsfileds, and 178 Iverson road, NW6 which we will be converting into flats.

Q19: Cllr Jenks – having listened to everything said tonight the point that gets me is the lack of communication with Muswell Hill Primary. I am surprised to see the low level of communication taken place so far, I urge you to pick up all the points raised by Muswell

Hill Primary school all of which are valid and have a discussion to get this communication moving in the right direction and I and my fellow councillors will be keeping a close eye on this.

Ans: Fair comments and I take them on board, I do apologise that there haven't been a lot of communication but we have had some, but we are holding our hands up and saying lets communicate better, Efforts have been made to engage with everyone but we will communicate better with the school.

Q20: People locally do know enough about what is going on and they are worried about parking

Ans: Our car park is standing empty at the moment please do us it.

Q21: The former St Lukes site is coming up soon with a 100 flats, what is going to happen to traffic?

Emma Williamson said we will be assessing the accumulative impact as part of the assessment of this application.

Q22: We want some undertaking that if permission is given then Thames Water does repair and provide extra capacity as it is already a problem.

Ans: I cannot commit to making Thames Water do anything; I can commit to have a discussion with the applicants and Thames Water.

Q23: Parking is a problem, with Odeon , Green man going local shops with suffer because no one will be able to park and visit their shops,

Ans: Emma Williamson said she will take that on board. The applicants said car parking is available at reduced price to the highs street parking meters so please do park there until we build. There is a pay and display.