

REPORT FOR CONSIDERATION AT PLANNING APPLICATION SUB-COMMITTEE

Reference No: HGY/2005/1084

Ward: Crouch End

Date received: 16/06/2005

Last amended date:

Drawing number of plans PP01B-02-03-04-05-06-07-10c-11a-12a13-14-15b 16-17-18-19-20-21-22 -23- 24-25-26 -27-28-29-30-31-32-33-34-35 Alan Baxter & Associates Highways and Transportation Report:Supplementary Parking Report:Tree Report Marishal Thomson & Co. planning application statement and conservation area statement.

Address: Cecile Mews, Rear Of 60-88 Cecile Park N8

Proposal: Demolition of existing garages and erection of 4 x part single, part two storey houses, together with six replacement garages 2) Duplicate application as above under reference HGY/2005/1086

Existing Use: Garages

Proposed Use: Housing

Applicant: Paul Simon Developments Ltd

Ownership: Private

PLANNING DESIGNATIONS

ROAD - BOROUGH
Conservation Area
Area of Special Character
Restricted Conversion Area

Officer Contact: Frixos Kyriacou

RECOMMENDATION

REFUSE

SITE AND SURROUNDINGS

The site, which is long and narrow, lies between the rear gardens of houses in Cecile Park and the rear gardens of houses in Landrock Road. The properties in Landrock Road are at a slightly lower level than the site and the properties in Cecile Park are at a slightly higher level. Access to the site, which is presently occupied by 38 lock-up garages, is via a narrow drive at the eastern end of the site from Gladwell Road (immediastely adjacent to no. 29). The site is within the Crouch End Conservation Area.

PLANNING HISTORY

Various applications between 1957 and 1971 for the erection of lock-up garages and a scout hut.

56332 Demolition of 38 garages and erection of 9 mews houses with garaging and parking. Withdrawn 19.5.99.

56338 Conservation area consent for demolition of 38 garages. Withdrawn 19.5.99.

56926 Demolition of 38 garages and erection of 7 houses with garaging and parking. Withdrawn 4.10.00.

56998 Conservation area consent for demolition of 38 garages. Withdrawn 4.10.00.

Planning application HGY/2002/0094 for the Demolition of existing garages. Replacement with 6 new garages and four 2storey dwellinghouses with garaging and car parking was refused 15th Feb 2004 for the following reason:

1. The site is a backland site within the Crouch End Conservation Area and is characterised by its open appearance, being occupied by low-rise garage structures which do not impinge on views across the site within the Conservation Area. The proposed houses by reason of their height, bulk, siting and close proximity to adjoining residential gardens would represent a significant visual intrusion into this open part of the Conservation Area and be visually dominant and overbearing, detrimental to the amenities of adjoining occupiers and the character of this part of the Crouch End Conservation Area. As such it would be contrary to Policies:

DES 2.2 'Preservation & Enhancement Of Conservation Areas'; DES 1.2 'Assessment Of Design Quality (1) Fitting New Buildings Into The Surrounding Area'; DES 1.9 'Privacy & Amenity Of Neighbours'; DES 1.10 'Overdevelopment' of the Haringey Unitary Development Plan, and Policies: UD 2 'General Principles'; UD 3 'Quality Design'; SPG 2 'Conservation & Archaeology'; SSPG 3b 'Privacy & Overlooking, Aspect/Outlook & Daylight/Sunlight and SPG 3c 'Backlands Development' of the Haringey Unitary Development Plan Revised Deposit Copy, September 2004.

Planning application HGY/2001/0189 for Conservation Area Consent for the demolition of existing garages:

The proposed demolition of these lock-up garages, in the Crouch End Conservation Area, in the absence of an approved scheme for the redevelopment of the site, would result in the creation of an unoccupied and potentially derelict site whose appearance would be detrimental to the character of the Conservation Area and to the amenity of surrounding residents. As such it would be contrary to Policy DES 2.4 para 2 (Demolition and Partial Demolition in Conservation Areas) of the Adopted Haringey Unitary Development Plan.

These applications are now subject to appeals to be heard by way of an informal hearing.

DETAILS OF PROPOSAL

The application proposes the demolition of the existing 38 garages and the erection of six lock up garages and four new detached dwellings with garaging.

The lock up garages would be sited on the eastern part of the site , there would be six garages. Four houses are also proposed, the houses would be part single storey and part two storeys and would be spaced at fairly regular intervals east to west throughout the site. The houses would be part single storeys (height 3.3m) and part two storeys (height 5.5m) The roofs would be flat. The upper floors are shown to have green facades. All the houses would have gardens and garaging.

The proposed houses on the upper floors would all have three bedrooms, the master bedroom would have an en-suite with the other two bedrooms served by an additional bathroom. On the ground floor the houses would have garaging study, utility room and open plan dining, kitchen and lounge.

The materials are shown as, London stock brick work with green facades to the upper levels.

The applicants indicate that the levels on the site are not to be substantially altered.

CONSULTATION

24/06/2005

54A, 54B, The Bungalow, 56-90 (evens), 51-79 (odds) Cecile Park

1-12 Derwent Court, Cecile Park

1-14 Sandringham Gardens

16-36 Gladwell Road

17-48 Ravensdale Mansions, Haringey Park

27-51 Landrock Road

Various other addresses in N8 and elsewhere as a consequence of letters which have been received

Transportation

Arboricultural Officer

Conservation Officer

CAAC

Crime and Prevention

Building Control

Local Councillors

The applicants held a public exhibition of the scheme on the evening of the 19th September 2005 at Union Church Weston Park. All local residents were invited to the exhibition.

RESPONSES

71 individual letters have been received from local residents objecting along the same lines as the Gladwell Landrock Cecile Park Residents Association outlined below.

The Tree Trust for Haringey objects for the following reasons:

House No. 4 too close to protected Oak :Removal of part of tree will not remove any potential problems:

Changes in soil depth are likely to affect health of the trees:

Nuisance factors from trees likely to lead to calls for their removal.

Horsechestnut at entrance at threat from vehicle entry.

Site should be given over to planting not building.

Two garage users occupying 3 garages object to the loss of garages.

Summary of Objections from the Gladwell Landrock Cecile Park Residents Action Group. (the group have also provided comments on officers comments on this application, these are attached as Appendix 1)

1. Proposed Backland Development Would Undermine the Character of the Conservation Area and the amenity of Terrace Housing:

Essential character of this part of the Crouch End Conservation Area derives from terraces with a public street side and a private rear side abutting neighbouring gardens or other restricted access uses.

The proposals would undermine the essential character by introducing what is in effect a residential street into the private side of the terraces.

New houses would have permitted development rights withdrawn, unlike the existing evolving houses. The new houses would in effect be condemned by planning law to remain alien intrusions of static frontage into the dynamic character and appearance of the rear of terrace world.

In line with English Heritage guidance, the Council's current (policy DES 1.1) notes the existing pattern and grain of development... should be protected and enhanced and that this " policy will apply to all applications for planning permission of whatever size and scale".

Appeal decision in 2001 [on a different site - proposal in Fairfield Road] (APP/Y5420/A/01/1068728) the Inspector concluded that " the backland location would not be compatible with the strong terrace form of building plots and that the proposal would fail to enhance and preserve the character and appearance of the conservation area".

Bearing in mind recent losses of backland development UDP Policy DES 5.1 states the " Council will assess the cumulative effects of redevelopment to ensure that it does not detract from the character and pattern of established residential areas." Loss of Haringey Park and Aubrey Road highlight this point.

2.Unacceptably Intrusive by Virtue of their excessive height, massing and proximity to surrounding Homes

Visually Intrusive exacerbated by the levels in relation to Llandrock Road and the close proximity to residential gardens of Cecile Park.

Elongated site will affect over 100 households abutting the site.

Green façade difficult to condition and enforce.

Overshadowing

Noise

Light pollution

3.Existing Buildings contribute to the character and appearance of the Conservation Area and should not be demolished to make way for a frontage design alien to this backland location.

Unpretentious, unobtrusive, utilitarian structure in backland sites is very much an integral aspect of the historic character and of the appearance of the Crouch End Conservation Area.

4. Deliberate dereliction in contempt of the planning process.

Run down the garages by evicting tenants and by refusing to let vacant ones:
Failing to maintain fencing and planting
Fly-tipping
Insatiable demand for lock-up garages

5. Loss of 32 lock-up garages in an area where on street parking is increasingly blighting the Crouch End Conservation Area is unacceptable.

Excessive level of night time parking is not merely a transport matter but highly damaging to the character and appearance of the conservation area.

Loss of 50 lock up garages at Aubrey Road and Haringey Park was not taken into account by past surveys.

Contrary to UDP Policy TSP 7.4

Draft of New UDP reaffirms that " There will be no loss of garages especially in residential areas and where on street parking demand is intensive " (SPG 15 para 3.1)

Times of previous surveys inappropriate 10.00am-6.00om should be 10.00pm-6.00am.

All other garages in the locality are in full use

Attempts by residents have been made to use/rent the garages.

Local parking need should only be assessed using widely accepted reliable and incorruptible criteria cited in Policy TSP 7.4, like the level of on-street parking, the level of car -ownership and the availability of off-street parking.

Area under new UDP is now a Restricted Conversion Area

6. Loss of Trees.

Applicants consultants report states 2 of the 39 trees would be felled.

Future of the Horse Chestnut at the throat of the site will be threatened. Report by applicants tree consultants confirms it will be necessary to remove all branches under a height of 4.5m as well as the other TPO.

Elaborate measures to protect the horse chestnut could not be necessarily be enforced quotes from tree officer in 2001.

Levels survey in sufficient to determine exact impact on trees.

7. Damage to Local Ecology and to the Character of the Crouch End Conservation Area.

The loss of the 2metre wide strip, over 200m2 wild zone would destroy the ecological diversity of the site and locality.

The new UDP (OS 10) states " all applications and development should.. ensure that the biodiversity is not diminished any form, and that every opportunity is not diminished in any form, and that every opportunity is taken to enhance it."

8. Overdevelopment is not an acceptable way of meeting housing construction targets.

This part of Crouch End Conservation Area depends on the non- residential use of the backlands site to keep residential density down to acceptable levels.

In the Linzee Road -Priory Avenue Appeal the inspector stated 25 units per hectare was below the London Plan minimum, however due to the elongated nature of the site and the high density of the locality, the lower density was considered appropriate. This scheme involves 32 units per hectare as such on the same lines it would be less appropriate to allow this development.

The density of 200hrph is in excess of 145 hrph the maximum for backland sites.

Ken Livingstone has stated " we are not saying you can produce the solution to housing problems by building on back gardens all over Hornsey and in other areas"

Planning Service has confirmed " Haringey Council is an exception and will not be required by the GLA to include the London Plan housing target in the plan".

Infrastructure shortages schools and health inlight of substantial housing additions.

Paragraph 31 of PPG3 sets out specific criteria for assessing sites suitable for housing such as infrastructure, public transport and schools.

Lack of sunlight to southerly facing habitable rooms and kitchens.

9. Further loss of Neighbourhood diversity and social mix.

The luxury housing does not help create mixed and balance communities one of the strategic objectives of the draft UDP on current Government guidance

Policy G9 of the new UDP states on the main objectives of the UDP for the western part of the borough " Promoting social and economic diversity and creating more balanced communities".

The proposals would undermine the development of adjoining land and permitted development of adjoining houses.

10.Overlooking and loss of Privacy.

The relevant 20m is not satisfied in relation to 7 Sandringham Gardens
Overlooking occurs within the development itself between the proposed houses.
Overlooking of adjoining gardens from upper windows.

Lack of privacy of new development from the surrounding properties, this issue confirmed as material in appeal decision at Fairfield Road.

11. Unsatisfactory access for vehicles and pedestrians creates a substandard low quality environment, particularly for children and people with disabilities.

Sight lines onto Gladwell Road are very poor.

Inadequate provision has been made for large vehicles.
Problems for refuse collection, no turning facility within the site. Insufficient access space for vehicles and pedestrians.
Core Policy UD2 General principle requires access to and around the site and that the mobility needs of pedestrians and people in wheelchairs to be taken into account.

Core Policy UD8- requires development to be accessible to all potential users.

Lack of a safe access should be sufficient to withhold planning permission

In commenting on the highways and transportation report prepared by the applicants consultant the Council's Team Leader, Transport Planning, noted " that safe means of access must remain fundamental if the proposed residential development were to take place. In an emergency situation there is no escape route should the access road for some reason get blocked. The proposed development is not looked upon favourably from a highway point of view "

12. A borough wide issue affecting our legacy to future generations

13.Sustainable Residential Quality- New approaches to Urban Living

This was project undertaken by Consultants Liewelyn_Davies for the London Planning Advisory Committee-GOL- and DETR.

It provides a section on dealing with backland sites in existing residential areas. The study suggests new residential development can be integrated into backland areas where the backland is of sufficient depth,The results on backland plots with less than 80m can be less than satisfactory. Areas with less than 80m can result in the quality of environment being compromised.

14.Reference is made to the recent appeal decision at land rear of Alford House a backland site in the Highgate Conservation Area. (APP/Y5420/A/04/1161239)

Residents refer to certain elements of the appeal:

1. Quote from the Inspector " the existing single storey garage block has little impact on residents' outlook because of its siting and low height. Therefore the (proposed two storey) development would be a retrograde step and would not improve the residential environment for those living nearby "
2. Quote from Inspector " for many years the land has been regarded as a development site by the Appellant as landowner. This goes someway to explaining the unkempt and unmanaged state of the land and garages and therefore I attach little weigh to the appearance of the site
3. Inspector concluded the loss of garages used by 2 residents could not be justified
4. Inspector accepted there could be some damage to local ecology.
5. Quote from Inspector " there does not have to be public access or views of open space to be of a public value"
6. The Inspector, in dismissing the appeal, emphasised the importance of distinguishing between the two distinct parts of the site, one previously developed with lock-up garages and the other open land not previously developed."

Report on Highways and Traffic Issues on behalf of residents.

Parking Pressure in the Area:

1. Survey carried out at 06.00am showed very few spaces available, double-parking observed in Cecile Park and Haringey Park. Surveys reflect the requirement for on-street parking.

Applicant's argument that the garages are not used for that purpose is not evidence of a lack of demand, as there is also evidence of residents trying to let these garages.

1. Sufficient evidence of parking problems to show the garages could make a contribution to the Council's UDP policy and to ease the problems.
2. Access too narrow.
3. Lack of footpath on an access road of 45m
4. Insufficient access for Emergency and other services
5. Public Transport Accessibility Level of 2, which is low, therefore a higher density would not be acceptable in this type of location.

Residents have also submitted a further parking survey, which is discussed within the planning considerations section.

Hornsey CAAC

Welcomes the new approach and ingenious use of the limited space. The existing tree cover will help mitigate the problem of overlooking between the new and the neighbouring houses. Protection of the trees must be rigorously enforced and hand digging only is required near tree roots.

In view of the importance of the existing trees to this scheme we recommend that all good and sound specimens intended for preservation should be given TPO's and the tree roots carefully checked to ensure ground levels are not changed to the detriment of the health of the trees.

Building Control, no objection subject to the road being developed to take 12.5 tonne vehicles.

Refuse Collection, no objection to collection point along access point.

Highways Officer:

Although our initial concerns were inadequate carriageway/footway visibility's and the potential problems associated with the restricted width of the vehicular access, especially with the previous siting of hardstanding for refuse bins, the applicant has since amended the scheme to include the following:

- (1) relocating the refuse bins hence removing the need for the siting of hardstanding at the site access.
- (2) provision of two visibility mirrors and a speed hump at the site access.
- (3) agreeing to a S.106 agreement for the provision of traffic calming measures before the site access on Gladwell Road.
- (4) creation of turning head within the site for cars/refuse vehicles/fire

appliances.

(5) the retention of six garages in addition to the four integral garages plus one visitor car parking space, equating to eleven car parking spaces, provided.

In addition, the applicant's consultants have carried out a parking accumulation survey on 08/09/05 along the adjoining highway network. We have accepted the analysis of this survey, which demonstrates that around 0600hours, when all residents' vehicles are expected to be parked, Landrock Road, Cecile Park and Gladwell Road, an area very close to this site, despite its parking pressure, has a spare capacity that can accommodate some 16 vehicles. It is worth noting that we also found that these residual spaces increase significantly during the inter-peak traffic hours.

Notwithstanding that the eastern segment of the site access has limited width of 3.5metres, this section is only 35metres long and, the limited number of houses would not generate any significant traffic that would make this vehicular access unworthy of share between pedestrians/cyclists and vehicles, taken into account also measures already proposed by the applicant. It is also to be noted that servicing by refuse vehicles would only occur once a week and that emergency vehicles would seldom require access. Nevertheless, there is the need to further ensure that vehicular conflicts are minimised along this site access and that pedestrian safety is not compromised.

Consequently, the highways authority would not object to this application subject to the following conditions:

(1) A S.106 agreement for the provision of traffic calming measures along Gladwell Road in the vicinity of the site access.

(2) Implementation of traffic calming measures which combines speed humps with suitable paving materials, typical of a shared surface, along the site access.

(3) Provision of visibility mirrors at the site access.

(4) A priority signage indicating that 'priority is given to vehicles in the opposite direction', in the form of roundel Ref.No 615, as contained in the 'Traffic Signs and General Directions 2002', which would give priority to vehicles accessing the site from Gladwell Road, is erected at the start of the narrow section of the site access, eastbound. This should be complemented with the erection of two '10 mph' speed limit roundels, facing drivers in both directions.

Informative

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

Tree Officer:

The following comments and observations relate to the effects of the proposed development on the trees on site and in neighbouring gardens. Drawing numbers PP-10 were used for identification purposes. An Arboricultural report by Marshall Thompson & Co was also used for reference.

Tree coverage

The trees on site consist of mature and semi-mature trees with some amenity boundary planting and numerous semi-mature self-seeded ash and sycamore trees.

When assessed individually the trees are of variable quality, however the trees are generally in a fair condition with long remaining life expectancies.

The trees form a screen to the boundary of the site and as such have an amenity value, the majority of these trees are to be retained within the proposed development.

There are two significant trees on site, the Oak tree T2 and the Horse chestnut T15. They are mature trees that have a high amenity value. Both are covered by Tree Preservation Orders.

Oak tree (T2)

House 4 has been positioned only 3m away from the stem of T2. Although it is stated in the Arboricultural report that the foundation design of the houses are to be constructed on small diameter piled foundations supported by ground beams, this would still result in digging within the main rooting area, and possible damage to the crown by piling rigs.

The canopy of T2 overhangs the development site by 6m, which would result in part of House 4 being underneath the canopy. Consideration has not been given to the future relationship between the Oak tree House 4. Issues such as blocking of daylight, and the nuisance caused by leaf-fall and debris. There is also the personal anxiety caused by living close to large trees, which need to be addressed.

The tree is also a mature specimen, which are less likely to withstand construction activities in close proximity.

Horse Chestnut Tree (T15)

The Arboriculturist has designated an area of 12m from the trunk of T15, as the Tree Protection Zone (TPZ). (See Tree Protection Drawing No.1).

It was proposed to remove 1 branch (approx. diameter 20cm) from the horse chestnut tree (T15). This is to allow clearance over the roadway. The branch shows signs of previous vehicular damage and should be removed.

The tree is covered by a Tree Preservation Order, so an application must be made to the LPA for permission for tree works.

Tree Protection.

To protect the retained trees, fencing must be installed as per the recommendations in the Arboricultural report, using robust wooden boards to 2.4m high. The fencing must be inspected by the LPA Arboriculturist prior to any works commencing on site.

The Tree Protection drawing with the specification for retaining the concrete hard-standing and construction of the Driveway needs to be conditioned into planning approval

Tree Surgery

All tree works should be undertaken by a reputable Tree Surgery Contractor and in line with good arboricultural practice to comply with BS 3998: 1998 "Recommendations for Tree Work".

Only secondary branches must be removed when undertaking crown lifting to improve clearance.

A method statement will be required for proposed tree works.

Conclusion

The layout of House 4 requires adjustment to move further from T2 to reduce any likely detrimental effects.

The protective measures specified for T15 are adequate to ensure safe retention of the tree.

Conservation Officer:

PPG15 ; Development in the Historic Environment - confirms that 'there is no requirement in the legislation that conservation areas should be protected from all development which does not enhance or positively preserve. Whilst the character and appearance of conservation areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character and appearance, or by development which leaves character and appearance unharmed.' (para 4.20)

English Heritage's ; Guidance on the Management of Conservation Areas dated August 2005.

New buildings in conservation areas ;

'New development in conservation areas should aspire to a quality of design and execution, related to its context, which may be valued in future. This neither implies nor precludes working in a traditional or new ways, but will normally involve respecting values established through assessment of the significance of the area.

One of the most common problems in conservation areas is the lack of understanding by many developers and/or their designers of the urban context, resulting in crude or debased imitations of adjoining buildings, or token gestures towards the local architectural style. Where the character of the area derives from its diversity, the imposition of imitative or 'in keeping with existing' styles run counter to the way in which the area has traditionally evolved.

When considering proposals for new development, the local planning authority's principal concern should be the appropriateness of the overall mass or volume, its scale (the expression of size indicated by the windows, doors, floor/ ceiling heights, and other identifiable units, and its relationship to its context – whether it sits comfortably on its site. A new neighbour should be in harmony with, or complementary to, its neighbours'

CABE / English Heritage's 'Building in Context ;

New development in historic areas' provides a checklist against which the application proposal can be assessed. The following is my considered view as to how the proposals address this checklist ;

- *How does the proposed building relate to its specific site ? Is there a positive and imaginative response to any problems and constraints ? Have the physical aspects of the site been considered, such as changes in level within or beyond it ?*

This is a development of 4 courtyard dwellings, designed in a 'modern' idiom, and laid out in a linear form allowing for access road on the north side and parking on the east side of the site. The houses have open plan ground floors, flat roofs, and private patio gardens. Their accommodation is mainly at ground floor level, the smaller first floor above have side elevation windows only. The yellow stock brickwork elevations are covered in climbing plants to reduce their visual effect and blend in with the boundary planting and trees at the rear of the adjacent gardens. Overall I consider this is a positive and imaginative design which has been carefully considered for this specific context. The physical aspects of the site, including boundary treatment, proximity to boundaries, and changes in level, have been duly considered by the design. In terms of detailed site planning I consider the amount of accommodation proposed has been fitted on the site in an elegant way.

- *How does the proposal relate to its wider setting ? Are the street pattern and grain of the surroundings respected ? Are they changes in height between the existing and the new development and if so how are they managed ? Will the result enhance or damage the quality of the townscape ?*

The site has established boundaries and garaging use with its own access from Gladwell Road. These proposals are a brownfield site and use the same established access. The scale of the proposal is kept intentionally low, with only 4 first floor flat roofed projections visible over the boundary fence, and these are spaced with 12m gaps apart to minimise their effect on the open character of rear gardens between the existing buildings. As the proposed development is substantially low level it is subordinate to the height, bulk, mass and scale of the existing late Victorian / Edwardian houses along the perimeter. The development is to be covered in climbing plants it is intended to be unobtrusive and blend into its immediate setting with planting and trees. There should be no adverse effect to the quality of the townscape.

- *How does the density of the proposal relate to that of existing and neighbouring uses ?*

The proposed density, with only 4 no 3 bedroom houses over the whole of the site is relatively low, and consistent with its subordinate scale compared to that of the surrounding existing houses. The proposed residential use is the same as existing surrounding houses and raises no conflict.

- *Has the impact of the building in close views been assessed ? Is it weak or overpowering ? Does it respect the scale and rhythm of its neighbours ?*

The proposals have been designed to minimize the effect of views from the existing houses and gardens. Only the first floor of the 4 courtyard houses will be visible over the boundary fence. When the overall proposed development is viewed these appear as relative low forms which are well spaced apart. Accordingly I consider the design does respect the scale and rhythm of their neighbours.

- *What materials are used? How do they relate to those of the surrounding buildings ?*

The primary facing material is London yellow stock facing brickwork which is covered in climbing plants to reduce their visual effect. Most of the rear of the surrounding houses is in London yellow stock facing brickwork, therefore the proposed facing materials would harmonise with the existing.

- *Is the architecture of the building suitable for the uses it contains ?is it trying to be too grand or pretending to be more modest than it really is ?*

The proposal is well designed in a modern idiom, and does not try to imitate or slavishly follow the style of the existing houses. As a development of our own time it has relatively clean lines, plain surfaces and flat roofs. It is clearly, and appropriately in my view, designed as subordinate to the existing houses in terms of overall density, height, bulk and mass.

- *Does it form a harmonious group or composition with buildings or features in the landscape ? Does it make a positive or a negative impact ?*

Overall I consider the design proposal does form a harmonious group with the existing buildings and the existing landscape, and that it leaves the character and appearance unharmed.

Conclusion

I consider that the proposals are a major improvement on the refused scheme, that they are in accordance with relevant UDP policy and guidance. I acknowledge that the proposal will affect the area's character but consider that the effect will not be detrimental and will leave it unharmed. Accordingly there is no conservation objection, and I recommend Permission subject to conditions.

Councillor Joanne McCartney of the London Assembly who visited and met with local residents continues to support local residents and reiterates the objections made last October 2004

' The action group feels that the proposal, to build luxury houses on land currently used as lock up garages, undermines the character of this part of the Crouch End Conservation Area, damages local ecology through the destruction of several trees, overlooks existing properties and is therefore a breach of privacy and is intrusive, means a loss of 32 lock up garages, with the resulting strain on parking, already difficult in this area, would lead to a further loss of diversity and social mix to the neighbourhood, is not in keeping of the existing building's character and appearance, and the design is contrived and low quality'

Even with this newly submitted application in place I feel that my original objections are still valid and support to continued opposition of the GLC- RAG.

Lynne Featherstone MP

Haringey continues to be beleaguered by applications, which cram expensive housing onto inappropriate backland sites. If refused the developer persists and persists with minimal changes to the original application. Therefore the reasons the Council previously refused the applications to develop this site are still valid.

I support local resident's objections on conservation grounds, massing, height and size, overlooking and privacy, dangerous access and damage to ecology and loss of trees.

This type of site and development is not what the Mayor's Plan is directing local authorities to approve in order to reach its housing targets. The Mayor also made it clear that design and character are paramount in ensuring that development in London is appropriate.

I trust Haringey will not allow this development to succeed.

David Winskill

Considers such development would adversely affect the Crouch End Conservation Area and the amenities of adjoining residents.

The recent appeal decision (ref APP/Y5420/A/04/1161239) dated 6 October 2005 on a proposal to put housing on a backland site in the Highgate Conservation Area, directly adjacent to the Crouch End Conservation Area) suggests, I believe, that such grounds could be upheld at any subsequent appeal (see attached summary).

My particular area of concern is the deleterious effects this application, if allowed, would have on the Crouch End Conservation Area.

Two local residents/architects, Bob Maltz and John Murray, in their letter of 24 August 2005 to Sue Cooke, put the objections very well. They explain clearly, supported by key post-PPG 3 design guidance produced by Llewelyn-Davies for the DETR, the Government Office for London and the London Planning Advisory Committee, how the proposed insertion of detached housing into this very long and narrow backland site would undermine the essential character of this part of the Crouch End Conservation Area, and the amenity of surrounding residents, by confusing backs and fronts and effectively turning backlands into frontlands!

Not only would the proposed development impact negatively on over a hundred and fifty homes (containing perhaps over six hundred residents) abutting the application site but it would also be to the detriment of the Crouch End Conservation Area and the wider Crouch End environment and community, of which such backlands as this form an integral, but increasingly threatened, element.

I do not wish to detract from the importance of the major faults of the proposed scheme (overlooking and invasion of privacy; intrusion by virtue of excessive height, massing and proximity to surrounding homes; and undermining the character of the Conservation Area and the amenity of terrace housing), I would particularly like to re-emphasize a number of key issues of concern to me as a ward Councillor:

1. Notwithstanding the "conclusions" of a very flawed parking survey carried out by consultants in the employ of the applicant, it is obvious that **the area surrounding the site is being increasingly blighted**

by excessive on street parking, including the dangerous practices of double-parking and parking across corners, and that this pressure could be relieved by the resource which the existing use, in the form of 38 lock-up garages, will continue to represent in the absence of permission for a change of use to housing. I am concerned that your transportation officer, in his most recent comments, has failed to address this issue.

2. While **there is a real need for more affordable, especially key worker, housing in Crouch End, the proposal to put four luxury houses on this site does not address this need.** UDP policy HSG 1.3 makes clear that a change of use to residential will normally only be permitted if “the change would result in the provision of units suitable to help satisfy local housing needs.” Furthermore, the emerging UDP lays great stress on the need for development proposals to “help create mixed and balanced communities,” yet the proposed luxury housing would help create a *less* balanced community. Approval of luxury housing on this site would unnecessarily make a Council-endorsed contribution to the further gentrification of Crouch End and to the erosion of the diverse social mix which is a fundamental aspect of the historic character of the Crouch End Conservation Area and which is already threatened by the dramatic increase in the price of housing which has taken place during recent years.
3. I am very concerned that approval of the applications, in the context of **the deliberate dereliction of the site by the applicants** in an effort unduly to influence the consideration of their applications by suggesting that a new development would constitute an improvement of the existing environment, would constitute a blank cheque to developers to intentionally make derelict any land they get their hands on where a huge profit awaits them as their reward for making it derelict. In the present Crouch End context, this is a very real concern. I believe you are already aware that in the above appeal decision, the Inspector, in dismissing the appeal, noted that “for many years the land has been regarded as a development site by the Appellant as landowner. This goes some way to explaining the unkempt and unmanaged state of the land and garages and therefore I attach little weight to the appearance of the site.”
4. **The existing tree cover on and adjacent to the site is a priceless asset** both to the surrounding residents and to the area as a whole. While the threat, clearly identified by your arboricultural officer, posed to the continued existence of the imposing TPO'd oak tree near the west end of the site by the proposed development *in itself provides sufficient grounds for rejecting the above applications*, I believe that had credible and accurate proposed site levels been supplied by the applicant (as they ought to have been), it would be shown that several other mature trees would be at risk from the regrading necessary to

insert four houses with large footprints into a narrow, two-way sloping site ringed by mature trees. I am also not convinced that the TPOd horse chestnut at the throat of the site entrance, a major local landmark, would not be seriously threatened by the increase in large scale service vehicle traffic that would have to drive past it, as well as contractor's vehicles during demolition and construction, notwithstanding any conditions which might be attached to a planning consent. Tim Pyall had concluded that "It is unlikely that the authority could ensure that the methods [intended to protect the magnificent horse chestnut tree at the neck of the site access] stated [in the consultant's report commissioned by the applicant] could be enforced," yet this comment has inexplicably been omitted from Alex Fraser's latest comments on the arboricultural implications of the current scheme.

5. At a time when inclusive design is no longer an optional extra, the long narrow site access, with no provision for the separation of pedestrians and vehicles, while perhaps adequate for the current use as lockup garages, is entirely unacceptable for residential use which must allow for access by disabled residents or visitors, not to mention old people, parents with young children, etc. The emerging UDP, under Core Policy UD2: General Principles, confirms that "The Council will require developments to demonstrate that there is access to and around the site and that the mobility needs of pedestrians...and people with difficulties (incl. wheelchair users and and carers with pushchairs) have been taken into account." Similarly, under Core Policy UD8: New Development Location and Accessibility, "The Council will require that the development location and design...are accessible and convenient so that all potential users, regardless of disability, age or gender can use them safely and easily."

I have thus come to the conclusion, after many visits to this site over a period of several years, that most of the problems inherent in the continued attempts to obtain planning permission for residential development on this site stem from the very nature of the site and its context, which, notwithstanding the acknowledged need for additional *affordable* housing in Crouch End as well as the increasing cleverness of the latest architect's efforts, make this backland site unsuitable for housing:

1. the site is a very long, narrow backland site surrounded by densely populated traditional terrace housing, in a conservation area,
2. the site has a long, constricted access unsatisfactory for residential development (which must be capable of accommodating disabled residents and visitors),
3. the site has marked slopes in two directions creating regrading problems, exacerbated by houses with very large footprints, that put at risk important mature trees on and adjacent to the site,
4. the site contains and is surrounded by many mature trees (including two with TPOs) and the back gardens of densely populated housing which provides homes to some 165 households, most of which directly overlook the site,

5. the site contains an ecological zone of some 200m² which has never been developed and provides habitat for many birds and of other small animals (like hedgehogs & foxes), all of which contribute to the amenity of the surrounding residents and to the bio-diversity of the local environment, and
6. the site is surrounded by streets which the Council's emerging UDP recognises as suffering from excessive on street parking pressure (while it contains 38 lock-up garages that represent a resource capable of relieving that pressure).

In light of the above, I ask you to recommend to the Members of the Planning Applications Sub-Committee that the above applications be rejected and that they reject them on fundamental grounds that make clear that this unique site is not suitable for housing development.

RELEVANT PLANNING POLICY

Haringey Unitary Development Plan (UDP) (adopted March 1998)

Relevant policies include:

HSG 1.3 Changes of Use to Residential. Sets out the considerations for considering changes of use to residential

HSG 2.1 Dwelling Mix for New Build Housing- normally expects new development to include a mix of family and non-family households.

HSG 2.2 Residential densities-sets out criteria for residential densities 210 hrph listed as maximum for family housing.

HSG 2.3 Backland Housing – Sets out criteria to be applied to backland site proposals. States that the maximum density should not normally exceed 145 HRH.

OP 1.2 Informal Open space-

OP 1.6 Tree Protection, Tree Masses and Spines – The Council will seek to protect the contribution of trees to the quality of the environment.

OP 4.2- Nature Conservation and New development- asks that new development takes account of nature conservation issues.

TSP 7.4 Loss Of Garages – Development will not normally be permitted where it involves the loss of garages, which meet a local need

DES 1.1 Good Design and How Design Will Be Assessed – The Council will require development to be of good design. Criteria are set out.

DES 1.2 Fitting New Buildings into the Surrounding Area

DES 1.3 Enclosure, Height and Scale

DES 1.4 Building Lines, Lay-out, Form Rhythm, and Massing

DES 1.5 Detailing and Materials

DES 1.9 Privacy and Amenity Of Neighbours – Development should protect the reasonable amenity of neighbours.

DES 1.10 Overdevelopment – The Council will seek to prevent the overdevelopment of sites.

DES 2.2 Preservation and Enhancement Of Conservation Areas – The Council will seek to preserve and enhance the character and appearance of conservation areas.

DES 2.6 Materials

DES 5.1 Character of Residential Areas- need to take into account cumulative development.

DES 8.1 Hampstead and Highgate Area of Special Character

Emerging Haringey UDP (Revised Deposit Consultation September 2004) UPDATE

Relevant policies include:

UD2 General Principles – States among other things that development should not have an adverse effect on residential amenity.

UD3 Quality Design - Development should be of high design quality.

UD 8 New Development Location and Accessibility- accessibility for all users.

HSG1 New Housing Developments - New housing developments will be permitted subject to meeting specified criteria. Among other things, development must include a mix of house types, tenures and sizes including affordable housing.

HSG 2: Changes of Use to Residential:

HSG 10: Restricted Conversion Areas- the site is located in a restricted conversion area.

OS16 Tree Protection, Tree Masses and Spines – The Council will seek to protect the contribution of trees to the quality of the environment.

CSV1A New Development in Conservation Areas/Affecting Historic Buildings – The Council will seek among other things to preserve or enhance the historic character and qualities of conservation areas.

SPG 2 Conservation & Archaeology

SPG3A Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions & Lifetime Homes.

SPG 3B Privacy, Overlooking, Aspect, Outlook & Daylight & Sunlight.

SPG 3C Backlands Development

SPG 4 Access for All-Mobility standards

PPG 15 Planning & Historic Environment

London Plan

ANALYSIS/ASSESSMENT OF THE APPLICATION

The main issues are considered to be as follows:

- i) Impact on the conservation area;
- ii) Impact on adjoining properties;
- iii) Density
- iv) Impact on trees;
- v) Access
- vi) Loss of garages;
- vii) Amenity of Future Residents
- viii) The refused scheme
- viii) Other issues

1. IMPACT ON CHARACTER AND APPEARANCE OF THE CROUCH END CONSERVATION AREA.

Impact on Conservation Area (DES 2.2,DES 1.1, and DES 1.2)

The site is located in the Crouch End Conservation Area, the site is surrounded by residential properties which overlook the site from Landrock Road, Cecile Park, Sandringham Gardens and Gladwell Road. The site currently comprises garages which are very modest in height and scale. Therefore the character of the conservation area around this site is one of a strong terrace of building plots with private gardens abutting the site. The gardens and the trees on the site give the rear of the site an important verdant setting.

The proposed development would involve the demolition of all the garages and the erection of 4 detached dwellings with integral garages. The buildings would be part single and part two storey and laid out in a linear design along the site from east to west. The main projection above ground floor would be the two storey flat roofs. These two storey flat roofs elements would be separated by 12m intervals.

The houses would have flat roofs which would be out of character with the surrounding residential properties. However it is proposed to blend the development with a green roof and façade system. The proposed 'green roofs' to the ground and

first floor accommodation are made up of a thin layer of special soil compound which is planted with a variety of evergreen sedum plants. According to the architects the sedum will reduce the visual impact of the development while helping to create a bio-diverse environment and encourage local wildlife.

The green façade consists of a specialist designed light wire trellis being installed across the façade and then planted with climbing plants such as ivy and clematis. It has the same benefits as the roof system.

There is no doubt that the introduction of the houses would introduce a different form of development. It would to some extent contrast with the existing form of development and provide a less open character. Nonetheless it would still be predominantly open in character as the houses do not cover the whole site due to the introduction of gardens and retain a reasonable degree of space between the buildings at the upper levels would maintain some of this open character. It is noted that residents would see the whole development from the upper floors of their properties and also see parts of the ground from their gardens.

The fact that the proposals would introduce houses into the backland facing the rear of the private gardens of the surrounding properties is not considered to be a sufficient reason to withhold planning permission. The garages that exist do provide a sense of openness, while this would be diluted to some extent due to the nature of the proposals an open character would be retained or preserved. The buildings would also to a much lesser extent, than the refused scheme restrict views through the site and give a less sylvan setting to the existing built form. However the balance of built form and openness is considered to be appropriate.

In the previous application refused by the planning committee one of the reasons given was the impact on the character of the open appearance of the site. The planning committee attached significant weight to this open character. This proposal would still introduce significant elements of site coverage and introduce elements of second floor which would still impact on the character and appearance of the open aspect of this part of the conservation area. However due to the separation of these more prominent elements the overall openness of the site would be retained to a satisfactory level.

The conservation officer considers that this proposal would not harm the character and appearance of the conservation area. (see report above) The applicants have stated they have adopted a contemporary architectural approach with a large ground floor and reduced upper elements. This approach according to the applicants was adopted to directly address the issues of views across the site with the addition of living roofs and vegetative sides thus reducing even more the effects of the new building. Residents consider that it would introduce an alien form of development into the backland which would be clearly visually intrusive in their view and harm the character of the conservation area in terms of its strong terrace formation.

It is noted that in a recent appeal decision at Land to the rear of Alford House which was for a block of flats in the rear of the above property the Inspector commented "the strong character with the open setting is an important quality of this part of the conservation area", the Inspector also considered the open space in that case provided visual relief and concluded that the proposal would be out of character with the pattern of frontage development that dominates the Conservation Area. This scheme involves part single and part two storey house which it is considered would have less visual impact than the type of proposal envisaged at Alford House.

IMPACT ON THE LIVING CONDITIONS OF ADJOINING PROPERTIES.

Policy HSG 2.3 recognises the sensitive nature of backland sites and the importance of safeguarding residential amenity. It expects buildings to be limited to single or two storey. In this sense the application complies. A considerable extent of the buildings are single storey.

However the existing buildings on site are single storey and this proposal envisages the introduction of two storey flat roof elements. These elements would be provided on each of the four detached houses and would be 6m in width at 12m intervals. These elements would be sited between 1.5m and 3.5m off the boundaries with properties in Cecile Park which are at a higher level. In relation to Landrock Road which is at a lower level the two storey elements would vary between 2.5m and 5m from the boundaries. The height of these elements would 5.4m. The rear gardens of the adjoining properties are 15m-16m in depth. Taking into account the level change between Cecile Park and the site it is considered the proposals would have an acceptable relationship on the gardens and houses of Cecile Park. In relation to Landrock Road taking into account the distance off the boundary, the relationship is again considered to be acceptable in relation to the issue of outlook.

It is noted that outlook would be altered by the introduction of these properties, however taking into account their overall massing and spacing it is not considered that the outlook retained would be harmful.

In relation to privacy and overlooking the proposals have been designed with no windows in the side elevations of the new houses. This are no windows directly face in to the gardens of adjoining properties at unreasonable distances. Some oblique overlooking maybe possible from the upper windows, but taking into account that this minimal overlooking would be of rear gardens and from bedrooms this is not considered sufficient grounds to withhold planning permission. In this respect of Cecile Park and Landrock Road the proposal would comply with criteria in policies DES 1.9 and HSG 2.3.

The property most affected is perhaps 7 Sandringham Gardens, the garden would lie to the south of house 4, the two storey section of that house would line up with the rear boundary but at an angle to that property. It would be closer to this property than the houses on the previous scheme. In addition according the Tree officer it is suggested it would be necessary to cut back the Oak tree (TPO) This would then make House 4 in particular the two storey section more visible from the rear garden and house of 7 Sandringham Gardens. While the two storey section of house 4 would be 2.4m from the boundary and set an angle it would despite the green facades represent a significant visual intrusion and also lead to overlooking over the rear garden to 7 Sandringham Gardens from Bedroom 2. House 4 also involve the loss of one other tree.

DENSITY

There is no principle presumption against development of backland sites either in UDP Policy HSG 2.3 or in SPG 3C providing certain criteria are met..

The current Adopted Unitary Development Plan policy HSG 2.3 states the maximum density on backland sites should not exceed 145 HRH. In this case there would be

24 habitable rooms on a site area of 0.1433 hectares excluding the private garages but including the access road. This would give a density of 167.48 habitable rooms per hectare. It is debatable whether the garages should be included, as these are for residential albeit for surrounding residents. PPG3 states the access roads within the site should be included.

The SPG 3c attached to Policy HSG 8 of the Revised Unitary Development Plan, states that the Council densities would not generally apply to backland sites unless it can be demonstrated that the scheme does not constitute town cramming. It is considered that while density is an important indication in such backland cases the most important factors are the impact on the adjoining properties and character of the locality. The second deposit UDP Policy HSG 8 para 4.30 states density on backland sites is expected to be lower to avoid town cramming.

Government Guidance in PPG3 is that densities should fall within the range of 30 to 50 dwellings per hectare.

Based on a site area of 0.1433 (excluding garages), the site development would equate to 27.9 dwellings per hectare. It is noted that the Inspector in granting the appeal at the rear 1-33 Priory Avenue considered a density of 25 dwellings per hectare was appropriate due to the backland nature of the site and the elongated nature of the site.

The Gladwell Residents Association has calculated the density but excluded the garages and access road area and has given a density 32 dwellings per hectare or 200 hrph. This approach is consistent with SPG3a. However the density is still in the range recommended in Government guidance PPG3 between 30 and 50 dwellings per hectare.

While the density on the site is beyond that recommended in the Adopted Unitary Development Plan for Backland sites, it is not considered to be a sufficient reason to withhold planning permission.

IMPACT ON TREES (See Tree Officer Report)

The tree officer considers the development – specifically the House on Plot 4 -, is too close to the TPO oak tree immediately to the north; as such the development is likely to cause harm to that tree, in terms of digging in the main rooting area and possible damage by piling rigs. In addition having such a large tree close to the house is likely to cause concern to future residents and is likely to call for its pruning.

In all other respects the tree officer considers the protective measures for the other TPO tree Horse Chestnut T15 is considered satisfactory. The applicants agents have confirmed that they propose to retain the existing finished ground levels for the new scheme across the whole site. Subject to this condition being met it is unlikely there would be any loss of trees anticipated over and above that listed in the tree report.

The tree report indicates the loss of a semi-mature sycamore multi-stemmed tree located to the northern boundary of the site within plot 4.

ACCESS ARRANGEMENTS

The access was considered acceptable as part of the planning application 2002/0094 now at appeal (see planning history). There have been no material changes since

that decision therefore no objection in principle can be made to the access arrangements.

Although the access is narrow, it is considered adequate for the limited development proposed (four houses and six garages). A turning-head is proposed near the eastern end of the site, which would allow emergency vehicles to turn within the site. A speed table is also proposed near the exit into Gladwell Road. It would not be feasible for refuse vehicles to enter the site. The Council's Waste Management Service have agreed arrangements whereby bins would be moved on collection day to a hardstanding close to Gladwell Road.

It is noted that the site has permission to be used for the garaging of vehicles for 38 vehicles, the proposed use would create less vehicular activity than that approved use. The vehicle access would also be a pedestrian access for the occupiers of the proposed houses, however bearing in mind the level of activity expected from the proposed development this relationship would be acceptable.

Access for all, the site is not ideal in that it rises from the site entrance to the rear of the site. Pedestrians including disabled users may find some conflict with the access point but no greater than currently exists.

The highways officer has recommended approval of the scheme subject to a section 106 agreement requiring the following elements: traffic calming measures along Gladwell Road in the vicinity of the site access: implementation of speed humps and suitable pro-pedestrian paving along the access road: provision of visibility mirrors :priority signage for vehicles along the access road.

Building Control Officers have discussed the plans with the emergency services and are satisfied the access is satisfactory for their purposes.

LOSS OF GARAGES POLICY TSP 7.4

The highways and transportation report of the applicants states that only six of the existing garages are used by local residents for parking vehicles. Most of the remainder are used for storage. The 38 garages in June 2002 were used for the following purposes, 4 were vacant, 4 were used by the applicants, 8 were used by local residents (6 for parking vehicles) and 22 were used for other purposes. The garage report of the applicants shows that there has been steady decline in usage by local residents with 15 used in 2000, 12 in 2001. The reasons for this are not specified. An updated report carried out on the 6th June 2005 indicates no material change in the use of garages for car-parking purposes.

Reflecting existing usage stated by the applicants, the application proposes the erection of six replacement lock-up garages. This level of replacement provision is considered acceptable.

An updated parking survey was carried out by the applicants on the 8th September 2005 from 0600-0000 (this an extension of two hours from the 2200 hours of the last survey) The survey revealed a spare peak time capacity of 20-23 spaces on 5 streets within a 2 minute walk from the Gladwell garages site.

The residents have also carried a survey which shows the results found on four different occasions Tuesday 26th-Friday 30th September 2005 at approximately 06.00 am by three different surveyors. The residents surveys revealed that when taking into account illegally parked cars, which in their view includes (illegally parked cars include within 5m of a corner, over or partially obscuring a driveway or crossover, double parked and parked on a double yellow lines, the number of vehicles parked exceeded capacity by between 2.25 to 5 spaces on average over the period survey period.

In addition the residents survey identifies flaws in the surveys of the applicants such as failure to take into account illegally parked cars, capacity identified by the applicants is too high, should be 288 rather than 315 spaces, the survey area did not cover a area two minute walk from the site, access arrangements in to the site have not been considered which would result in the loss of on-street parking. Residents indicate that the garages have not been properly rented out despite attempts to rent from the existing owners. In addition the area is now an restricted conversion area "now experiencing problems of extreme parking pressure and a significant adverse effect on residential amenity."

While there is some differences between the surveys carried out, and there is no doubt that if the garages were well used by local residents then it is clear that there would be an improvement in availability of parking spaces on the road. However the balance of the evidence is that the garages have not been used particular well in the past though there is doubt on how well there have been marketed and made available. Notwithstanding this it is concluded on this issue, that the proposal, which would provide 6, garages and would not lead to an increased parking on the surrounding highway apart from some displacement at the front of the site.

AMENITY OF FUTURE RESIDENTS

Houses 1,2 and 3 of the proposals would achieve the 50m³ of garden space required when taking into account the amenity space on the side of the building along the boundary with Cecile Park. House 4 is well excess of the minimum required.

There is an issue of privacy between windows of the properties on the northern flank. The windows between the properties would not achieve the 20m required between properties. In order to overcome this problem the architect has designed the windows to be long and thin to reduce the loss of privacy between the properties. This is an disadvantage of the proposals, though not fatal to the scheme.

Overall it is considered a satisfactory environment would be created for the future owners.

COMPARISON TO REFUSED SCHEME

The refused scheme introduced more traditional houses to the backland site, this proposal attempts to find an innovative design solution for the site, with a flat roof and green façade design.

This scheme attempts to reduce the height of buildings and set them further away from boundaries. The previous scheme had large pitched roofs and the second floor elements were closer together. In this scheme the bulk has been reduced by separating the two storey elements.

Parking and access issues remain relatively unaltered apart from the updated studies.

Other Matters.

Ecology.

The site not allocated within the UDP as an area of ecological importance. It could be argued that the introduction of a residential use together with gardens may assist in the ecological development of the site bearing in mind the site is predominantly hardsurfaced.

Objections have been raised to the lack of school places. However, there have been recently –completed school extensions at Rokesley School, St.Peter–in-Chains Primary, and at Highgate Wood Upper School; there are proposals in the pipeline for the expansion of Coleridge School. Due to the modest nature of these proposals and the fact the Council's Supplementary Guidance Note 8.2 on Educational Needs Generated by New Housing paragraph 3.5 says this requirement will not normally apply to residential units containing less than 5 family houses, a section 106 agreement requiring a contribution to education cannot be justified.

It is noted in two appeal decisions at 3 Fairfield Road the appeal Inspectors made some relevant comments. This site is different to the application site in some aspects in that it involves building in a large rear garden area and is an area of local importance for ecology. The Inspector noted the density of the surrounding area was high and considered the undeveloped open green space as important. The Inspector found the design of the properties and the siting in the backland was out of character (essentially alien character of the proposal) with the strong terrace of building plots, which surround the site.

In relation, to biodiversity it is not considered that this development which would preserve most of the trees and introduce gardens would have an adverse impact on the biodiversity. In addition it could be argued the introduction of the gardens would assist in this objective. The site would retain a significant proportion of its open character. The applicants have also agreed to undertake a bat survey.

Residents have also referred to the recent appeal decision at the rear of Alford House APP/Y5420/A/04/11611239;In that case the Inspector considered the loss of two garages used by local residents was not acceptable due it resulting in a likely increase in on-street parking (and site was within a restricted conversion area). However that case is not entirely parallel with the current application, as this Cecile Mews application does contain proposals for six replacement garages for local resident as partial replacement.

With regard to the green facades proposed for this scheme, officers have some concerns regarding the enforceability of this proposal, though there are many examples of this system. Also it is not known what the time period would be for full coverage, by creeper, of the walls of the buildings.

Reference has also been made to developments at Aubrey Road and Haringey Park of examples of backland, however they are considered to be material different to the

applicant site, in terms of shape and size and also in terms buildings that existed on the site previously.

SUMMARY AND CONCLUSION

The scheme represents an attempt at an innovative modern design solution for this complex site. It is clearly an improvement on the previously refused scheme, indeed it has gained support from the Hornsey Conservation Area Advisory Committee, in terms of its impact on the character and appearance of the conservation area. Nevertheless residents have put forward a case against the development on Conservation terms based on density standards, the Llewelyn-Davies study, appeal decisions, and the strong existing character of the locality based on terrace frontages. Based on all the submissions by the applicants and residents It is considered this issue is finely balanced. On this issue the conservation advice is that the proposal is acceptable.

Officers do not consider the case for the loss of the garages is sufficient to warrant refusal of planning permission bearing in mind the replacement of 6 garages. The access arrangements are considered satisfactory for such a small development.

The scheme despite the improvement in design terms still has a number of short comings which have been identified in the report. These essentially relate to siting House 4 which the tree officer consider would be threaten the TPO Oak tree. In addition it is considered the position of house 4 would be detrimental to the outlook and be visually intrusive to 7 Sandringham Gardens. This would be exacerbated in winter months when the tree coverage is less.

For these reasons the scheme is being recommended for refusal.

RECOMMENDATION

REFUSE PERMISSION

Registered No. HGY/2005/1084

Applicant's drawing No.(s) **plans** PP01B-02-03-04-05-06-07-10c-11a-12a13-14-15b 16-17-18-19-20-21-22 -23- 24-25-26 -27-28-29-30-31-32-33-34-35 Alan Baxter & Associates Highways and Transportation Report:Supplementary Parking Report:Tree Report Marishal Thomson & Co. planning application statement and conservation area statement.

1. The proposed siting of House 4, 2.5m from the T2 Oak Tree is likely to result in damage to the tree from digging in the main rooting area and possible damage to the crown by piling rigs. In addition the canopy of T2 will overhang the development and result in part of House being under the canopy. This is likely to result in requests to cutback the tree as such the amenity value of the tree is likely to be threatened detrimental to the amenity of the Crouch End Conservation Area and locality contrary to Unitary Development Plan Policy DES 2.2 (3) Preservation and Enhancement of Conservation Areas, HSG 2.3 (3), Backland Housing, and OP 1.6 Tree Protection, Tree Masses and Spines and CSV1A Development in

Conservation Areas OS16 Tree Protection, Tree Masses, and Spines of the Hringey Unitary Development Plan Revised Deposit Consultation Draft September 2004.

2. The proposed siting of house 4 would due to its height and width would be visually dominant and intrusive and result in oblique overlooking of that property, in particular the garden area contrary to UDP Policies, DES 1.9 Privacy and Amenity and HSG 2.3 (1). Backland Housing, and UD2 (a) General Principles of the Haringey Unitary Development Plan Revised Deposit Consultation Draft September 2004.