

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

**Reference No:** HGY/2006/1934

**Ward:** Tottenham Green

**Date received:** 02/10/2006

**Last amended date:** 19/01/2007

**Drawing number of plans:** 345/HR1 Rev A, 345/HR2 rev C, 345/HR3 rev C,  
345/HR4 Rev C & 345/HR-SC.

**Address:** Garages At Harold Road / Newton Road N15

**Proposal:** Demolition of existing garages and erection of 3 storey block comprising 1 x three bed and 2 x four bed houses and 4 x two bed and 2 x one bed flats. Development includes associated landscaping and parking.

**Existing Use:** Garages

**Proposed Use:** Residential

**Applicant:** Sanctuary Housing Association, London Regional Office

**Ownership:** Council

SPECIAL REPORT RELATING TO AN APPEAL AGAINST NON-DETERMINATION

PURPOSE

The purpose of this report is to allow Members to indicate what their decision would have been had they been able to determine this application.

1. BACKGROUND

- 1.1 At the meeting of the Planning Applications Sub-Committee on 26 March 2007, Members considered a report for the redevelopment of the above site for residential use.
- 1.2 At that meeting, Members decided to defer the application pending a site visit.
- 1.3 On the 10 May 2007, the applicant appealed to the Planning Inspectorate against the non-determination of the application by way of an informal hearing.

## 2. REPORT

- 2.1 The application is for the redevelopment of the largely unused garage court facing Harold Road and Newton Roads. The garages were built as part of the larger residential estate including Cordell House and Stamford House.
- 2.2 Housing Service take the view that the garages are no longer required for their original purpose within the estate. Complaints have been received from local residents regarding the unsocial use of the garages. Housing Service have carried out consultation within the estate and residents have generally supported the proposal to replace these garages with new housing.
- 2.3 Against this background, Sanctuary Housing Association submitted a planning application for the erection of nine houses and six flats on the site. Discussions were had with the Planning Service to achieve a satisfactory design. Issues relating to rights of way over land by the occupiers of the properties in Herbert Road are being dealt with separately.
- 2.4 In order to protect the Council's position at any forthcoming hearing, the application is being referred back to your committee to allow you to make a resolution on this scheme. As the application is subject to an appeal, you are not able to determine the scheme by granting or refusing planning permission, but you are able to say what decision you would have taken had you been able to determine the application.
- 2.5 The report is therefore being re-submitted to you in order that you may re-consider this scheme in the light of the current position as set out above.

## **PLANNING DESIGNATIONS**

Road - Borough

**Officer Contact:** Stuart Cooke

## **RECOMMENDATION**

GRANT PERMISSION subject to conditions and Section 106 Legal Agreement.

## **SITE AND SURROUNDINGS**

The application site comprises the former garage court on the south side of Harold and Newton Roads. The garages are largely unused and have become a focus for dumping and other anti-social behaviour. The site is located in a residential area, surrounded on its west and south sides by late Victorian terraced housing and its north and east sides by estates of modern flats built between 1950 and 1980. The houses to the west and south

are generally 2-storey with pitched roofs and small rear gardens. The flats directly to the east are 3-storey. Cordell House to the north is a high rise block.

More widely, the site is located close to local shops in Broad Lane and to the Seven Sisters transport interchange.

## **PLANNING HISTORY**

There is no planning history relating to this site.

The scheme is one of two separate new-build housing schemes for this estate. Both have been developed following extensive consultation with local residents by the Housing Service. A third scheme was dropped as a result of local concerns. The existing garages are currently underused which has resulted in problems such as dumping and anti-social behaviour.

## **DETAILS OF PROPOSAL**

The proposal comprises the demolition of the existing lock up garages on the site and the erection of 2 and 3 storey buildings to provide affordable residential development. The accommodation proposed comprises three houses, including one wheelchair house on the Harold Road end adjacent to the existing terrace of houses and six flats on the Newton Road end adjacent to the existing three storey blocks of flats. The main frontage of the proposed buildings faces onto Harold and Newton Roads. Entrances face onto these roads with private entrances to the houses and communal entrances to the flats. The houses have rear gardens and the flats have a communal garden.

Five parking spaces, including one disabled space, are provided. Cycle storage is located within the building. The vehicle and pedestrian entrances to the development will be gated and there is a brick boundary wall to the private side garden fronting Newton Road.

Following discussions with the Design team, the elevations to Harold Road have been extensively revised to improve the appearance of the development.

## **CONSULTATION**

Ward Councillors  
Transportation  
Building Control  
Cleansing  
Arboriculturist  
Design

Local residents:

1 - 48 Cordell house, Newton Road  
1, 3, 21 - 27, 6 - 24 Harold Road

2 - 48 Newton Road  
14 - 40 Herbert Road  
2 - 24 Walton Road

## **RESPONSES**

Ward Councillors - Councillor Diakkides has responded supporting the proposal.

Transportation do not object to this application.

Building Control have responded confirming the fire / emergency vehicle access is satisfactory.

Cleansing - no response received to date

Design have commented as follows:

*“Design Team have had the opportunity to review the amended scheme for the garage site at Harold Road/Newton Road submitted by Teri Okoro and am satisfied that concerns raised in terms of the scheme’s design have been positively addressed. Therefore, I have no further objection.”*

*“I suggest that a condition be included should permission be granted to ensure the quality of materials and detailing to be used.”*

6 objections from local residents:

26 Herbert Road N15 has objected on grounds of increased parking pressures and potential road safety issues, fire escape access from the property into the application site, express concern about current social problems in the area. Suggest turning the garage court into a green area where local residents could relax.

A second objection has been received from the same address but from a different objector. This letter objects on grounds of loss of privacy and light, and increased parking pressure. Also the proposal would result in a detrimental effect on the character of the area.

18 Herbert Road objects on the grounds of increased parking pressure and a detrimental effect on the character of the area.

No. 30 Herbert Road has also objected on the grounds of loss of light to the rear of the property, overlooking and loss of privacy and loss of rear access.

No. 25 Wakefield Road N15 have responded objecting on the grounds of increased parking pressure and need for local parking provision.

No. 86a Rangemoor Road N15 who occupies one of the garages has responded objecting on the grounds of loss of parking and privacy.

## **RELEVANT PLANNING POLICY**

The Council's new Unitary Development Plan was adopted by the Council in July 2006 following its Public Inquiry and modifications procedures. It incorporates relevant national policy guidance and complies with the London Plan. The principle policies which are relevant to this case area set out below.

### **POLICY HSG1: NEW HOUSING DEVELOPMENTS**

The Council has to provide enough extra housing in Haringey, over the plan period, to cater for the growing number of households and to ensure that there are homes available for those currently in temporary accommodation to move into. Haringey's population has grown slightly from 207,010 in 1991 to 216,510 in 2001 (an increase of 4%).

The Council will increase the supply of housing in the borough in order to meet targets through identifying sites, achieving higher densities, approving changes of use where appropriate and redeveloping at higher densities. The Council has welcomed the new London Housing Capacity Study and considers that it provides a realistic assessment of housing capacity in the borough. The draft alterations to the London Plan includes a housing target of 6,800 dwellings for Haringey over the period 2007/08 – 2016/17.

There will be sites that come forward for housing other than those already identified. These sites are known as "windfall sites" and will contribute towards meeting the housing need in Haringey. Such sites will be assessed against Policy HSG1 to ensure that they meet the needs of the community and do not harm the environment.

### **POLICY G3: HOUSING SUPPLY**

The Council will aim to provide enough housing to meet the needs of Haringey residents and to contribute towards achieving a draft London wide target of 31,090 additional households a year. Draft alterations to the London Plan identify a revised housing target for Haringey of 6,800 additional homes between 2007/8 and 2016/17.

The Council will also seek to maximise new housing opportunities.

### **POLICY UD3: GENERAL PRINCIPLES**

New development in the borough should complement the existing pattern of development in that part of Haringey. The policy aims to ensure that future development in the borough will not worsen the quality of life for those living and working in Haringey.

### **POLICY UD4: QUALITY DESIGN**

The Council wishes to support good and appropriate design, which is sustainable, improves the quality of the existing environment, reinforces a sense of place and promotes civic pride.

The Council considers that people deserve a safe environment in which they can live and move around without fearing that they might be a victim of crime. This is an important component of peoples' quality of life. Good design of buildings and their relationship with their environment affects the perception of an area, as well as the opportunity for disorderly or criminal behaviour.

Any proposals for developments and alterations or extensions, which require planning permission or listed building consent, will be expected to be of high design quality.

#### POLICY UD2: SUSTAINABLE DESIGN AND CONSTRUCTION

This policy is primarily concerned with the environmental/natural resource aspects of sustainable development. (The social and economic aspects of sustainable development are addressed elsewhere in the UDP). The Council would prefer, all things being equal, that all development in the borough is designed in a way that maximises the potential of the site without causing any unnecessary local nor global environmental consequences.

#### POLICY HSG4: AFFORDABLE HOUSING

Housing developments capable of providing 10 or more units will be required to include a proportion of affordable housing to meet an overall borough target of 50%. The proportion negotiated will depend on the location, scheme details or site characteristics.

#### POLICY HSG9: DENSITY STANDARDS

Residential development in the borough should normally be provided at a density of between 200 – 700 habitable rooms per hectare (hrh) and should have regard to the density ranges set out in Table 4B.1 of the London Plan.

#### POLICY HSG10: DWELLING MIX

All new residential development (including conversions) should, where possible, provide a mix of dwelling types and size in order to meet the housing needs of the local community.

#### POLICY ENV10: MITIGATING CLIMATE CHANGE: RENEWABLE ENERGY

The Council will contribute to mitigating climate change by:

- c) Encouraging non-major developments to have an energy assessment and on site energy provision from renewable sources;

#### POLICY M10: PARKING FOR DEVELOPMENT

The Council will apply its parking standards to restrain car use, to reduce congestion, to improve road safety, to give priority to essential users and people with disabilities, to improve the environment, to improve local accessibility and to encourage sustainable regeneration.

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

The main issues relating to this proposal are:

1. The need for new housing
2. Density, mix, design
3. Sustainability
4. Impact on neighbouring properties
5. Parking provision

### **1. The Need For New Housing**

National Guidance (PPG3) requires Local Authorities to:

*“provide sufficient housing land, giving priority to re-using previously developed land within urban areas, in preference to the development of Greenfield sites.”*

Part of this provision is to identify and provide “windfall sites” which are sites not specifically identified as available in the Local Plan but have become unexpectedly available. Harold Road garages falls within this category.

The London Plan was adopted in 2004. Haringey’s housing target in the London Plan is 19,370 between 1997 and 2016. This target has subsequently been amended to 6,800 dwellings between 2007/8 and 2016/17 based on 2004 housing capacity study and is accepted by the Council and the Greater London Authority as an accurate and realistic assessment of housing potential in the borough. Therefore, the draft altered housing target will be used to guide decisions on housing developments in the Borough.

The housing target is for net additional dwellings and includes dwellings provided through development and redevelopment and will be incorporated into the London Plan in 2007. Para 4.11 of the adopted Unitary Development Plan 2006 sets out the preference for the use of previously developed land for new housing proposals, specifically identifying redundant or derelict sites. Harold Road garages clearly falls within this category.

The application site is regarded as being both a “windfall site” and a “previously developed site” as identified in the PPS3 and the adopted Plan. As such, the principle of the use of the site for residential purposes must be regarded as complying with the appropriate policy guidelines. The use of the site for residential purposes will therefore contribute toward the Council’s strategic housing targets in line with Policy HSG1.

### **2. Density, Mix, Design**

Policy HSG9 Density Standards of the adopted Unitary Development Plan 2006 states:

*“residential development in the borough should normally be provided at a density of between 200-700 habitable rooms per hectare and should have regard to the density ranges set out in Table 4B.1 of the London Plan.”*

The density of the development proposed here is 245 habitable rooms per hectare, and therefore complies with the Council's preferred density range.

Policy HSG10 Dwelling Mix states:

*“All new residential development should, where possible, provide a mix of dwelling types and size in order to meet the housing needs of the local community.”*

This scheme provides 2 x 4-bed units, (22%), 1 x 3-bed units, (11%), 4 x 2-bed units, (44%) and 2 x 1-bed units, (22%). This is an acceptable mix and complies with the requirements set out in SPG3a.

Policies UD3 General Principles and UD4 Quality Design set out the Council's policies regarding good design. These policies state:

*“The Council will require development proposals to demonstrate that:*  
a) *the proposal complements the character of the local area and is of a nature and scale that is sensitive to the surrounding area;”*

The application site is well located in terms of its proximity to local shops, schools and other facilities. It also has good links to the public transport network.

The proposed buildings are two and three storey and so are of a bulk and mass appropriate to the area. The two-storey element is toward the west end of the site adjacent to the existing two-storey properties in Harold Road. The east end of the scheme rises to three-storeys to match the existing flats adjacent to the site at the Newton Road end.

The scheme has been designed to re-instate the building line and streetscape in Harold Road and so repair the street frontage that was lost when the garages were built as part of the larger development in the 1970's. The new houses will have private front doors facing the street and the flats entrance will relate to the flats adjacent.

The scheme has been subject to extensive redesigning following discussions with the Design Team and is now considered acceptable. The revised scheme is crisp and clean in appearance but contains adequate modelling of the elevations and roof structures to give interest to the overall building. The design and materials are modern but reflect the character and nature of the surrounding area, being predominantly brick built with complimentary panels of coloured render.

Planted areas in front of the new buildings will create a sense of privacy for the occupiers as well as contributing to the appearance of the development in the general street scene.



Vehicle access to the scheme is via a gated archway in the centre of the scheme leading to four car spaces. The refuse and cycle stores are also sited on this access.

All the units are designed to comply with regulations for the ambulant disabled and to Lifetime Home standards as required by SPG3a. Unit 1 is designed to full wheelchair standard with its own parking space and incorporates a lift.

### 3. Sustainability

Policy ENV10 'Mitigating Climate Change: Renewable Energy' of the adopted Unitary Development Plan 2006 seeks to encourage new development to be more energy efficient in line with guidance set out in PPS 1 'Building Sustainable Communities' and PPS22 'Energy Efficiency'. This policy encourages non-major schemes such as Harold Road to have an energy assessment and on-site energy provision from renewable resources.

The sustainability checklist submitted as part of the application identifies a number of specific features to address energy efficiency issues.

These include:

- i) scheme design to maximise natural daylight and ventilation to the buildings
- ii) incorporating energy efficient condensing boilers
- iii) rain water collection to houses
- iv) affordable housing
- v) secure covered cycle storage
- vi) design and materials to be sustainable

### 4. Impact on Neighbouring Properties

Policy UD3 'General Principals' of the adopted Unitary Development Plan 2006 states:

*"The Council will require development proposals to demonstrate that:*

- a) there is no significant adverse impact on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy, overlooking, aspect and the avoidance of air, water, light and noise pollution and of fume and smell nuisance."*

The application site has a common boundary with the terrace of houses Nos. 22 – 36 Herbert Road, directly to the south of the site. The current boundary treatment is a brick wall approximately 2 metres high. The additional bulk and mass of the proposed buildings will not significantly adversely affect the sunlight and daylight to the rear gardens and windows of the existing houses in Herbert Road as they are located to the north of these houses and are some 16 – 18 metres away.

In terms of privacy and overlooking, the proposed buildings have been designed to minimise principal windows facing the existing houses and as a result no direct overlooking will occur.

## 5. Parking Provision

Policy M10 'Parking for Development' sets out the Council's parking requirement for new development. This is based on national guidance in PPG13 'Transport' which seeks to reduce dependence on the private car. The standards set out in the guidance should be regarded as maximum figures.

As part of this scheme, 5 car spaces are provided, including the space attached to the wheelchair standard house. The policy would require between 6 and 8 spaces be provided. However, the application site is located in an area of medium to high public transport accessibility with particularly good access to bus routes and underground services at Seven Sisters. Transportation Group have responded not objecting to the application.

Given the high standard of public transport accessibility, and in the light of the guidance in PPG13, the level of parking provision is considered to be appropriate for this site.

### CLAIMED RIGHTS OF WAY OVER THE SITE

The occupiers of two properties backing onto the site have made claims for right of way over the application site.

It is not the proper function of planning law to protect private interests as such. The only question is whether the claimed rights are within a class of material considerations to be given weight by the Committee. From a planning perspective, these rights, if they exist, are not material considerations. There is no suggestion that a public right of way on foot should be preserved over the application site.

### **S106 AGREEMENT**

Policy UD8 'Planning Obligations' allows the Council to enter into agreements with developers to lessen any adverse impacts associated with the development in line with advice in Circular 05/2005. Detailed advice is set out in SPG10a and b.

Schemes with over 5 units with child bed spaces are required to provide an education contribution based on the formula set out in SPG10b. This scheme includes 7 units in this category. Based on the formula set out in SPG10b, the education contribution required will be £66,500.

There will also be an administrative charge of 5% of the total value of the scheme. This will be £3,325.

### **SUMMARY AND CONCLUSION**

The proposal comprises the demolition of the existing lock up garages on the site and the erection of 2 and 3 storey buildings to provide affordable residential development. The accommodation proposed comprises three houses, including one wheelchair house.

The main issues relating to this proposal are the need for new housing, density, mix and design, sustainability, impact on neighbouring properties and parking provision.

The proposal will provide a small but valuable contribution to meeting the boroughs strategic housing target. The development will provide 9 new residential units, one to wheelchair standards, all of which will be affordable.

The scheme will result in an appropriate new use for the site, removing a disused garage court that causes problems in the locality.

The proposal meets all the appropriate standards for new residential development as set out in the relevant policies and SPG's.

The applicant, Sanctuary Housing Association, has agreed to enter into a S106 agreement to provide 100% of the units for affordable housing and an appropriate education contribution in line with Supplementary Planning Guidance.

In light of the above, the application is recommended for approval subject to conditions.

## **RECOMMENDATION 1**

- (1) That planning permission be granted in accordance with planning application reference number HGY/2006/1934 subject to a pre-condition that Sanctuary Housing Association shall first have entered into an Agreement with the Council under Section 106 of the Town and Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974] in order to secure £66,500 as the education contribution, and £3,325 as an administration charge.

## **RECOMMENDATION 2**

### **GRANT PERMISSION**

Registered No. HGY/2006/1934

Applicant's drawing Nos. 345/HR1 Rev A, 345/HR2 rev C, 345/HR3 rev C, 345/HR4 Rev C & 345/HR-SC.

Subject to the following conditions:

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect. Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory

Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

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

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

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in connection with the development hereby permitted have been submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.

4. A scheme for the treatment of the surroundings of the proposed development including the planting of trees and/or shrubs shall be submitted to, approved in writing by the Local Planning Authority, and implemented in accordance with the approved details.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity.

5. Details of a scheme depicting those areas to be treated by means of hard landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme to include a detailed drawing of those areas of the development to be so treated, a schedule of proposed materials and samples to be submitted for written approval on request from the Local Planning Authority.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

6. That the levels of all thresholds and details of boundary treatment be submitted to and approved by the Local Planning Authority.

Reason: In order to safeguard the visual amenity of the area and to ensure adequate means of enclosure for the proposed development.

7. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

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

8. No development shall take place until site investigation detailing previous and existing land uses, potential land contamination, risk estimation and remediation work if required have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: In order for the Local Planning Authority to ensure the site is contamination free.

9. Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning General Permitted Development Order 1995, no enlargement, improvement or other

alteration of any of the dwellings hereby approved in the form of development falling within Classes A to H shall be carried out without the submission of a particular planning application to the Local Planning Authority for its determination.

Reason: To avoid overdevelopment of the site.

10. That not more than 30 habitable rooms shall be constructed on the site.

Reason: In order to avoid overdevelopment of the site.

11. That the accommodation for car parking and/or loading and unloading facilities be specifically submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority before the occupation of the building and commencement of the use; that accommodation to be permanently retained for the accommodation of vehicles of the occupiers, users of, or persons calling at the premises and shall not be used for any other purposes.

Reason: In order to ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

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

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

## REASONS FOR APPROVAL

The application site is considered suitable for residential development in principle and so satisfies the requirements of Policies HSG1: 'New Housing Developments' and HSG3: 'Housing Supply' of the Unitary Development Plan 2006. The scheme is regarded as being of appropriate size, bulk and mix of unit type, is of good design quality, affordable housing provision and does not cause injury to existing amenity and thereby fulfils the requirements of Policies UD3: 'General Principles', UD4: 'Quality Design', HSG4: 'Affordable Housing Provision', HSG9: 'Density Standards', HSG10: 'Dwelling Mix' and M10: 'Parking for Development' of the Unitary Development Plan 2006.