

REPORT FOR CONSIDERATION AT PLANNING APPLICATION SUB-COMMITTEE

Reference No: HGY/2007/0598

Ward: Stroud Green

Date received: 15/03/2007

Last amended date:

Drawing number of plans: PP-01 - PP-06, PP-08a,9a, 10a, 11a, 12a, 15a, 16a, 17a,18a,19a,20a,21a, 22a,25a, -PP-27

Address: Site Adjacent1 Mount Pleasant Villas N4 4HH

Proposal: Demolition of existing garages and erection of 9 x 3 storey houses (7 x three bed, 2 x two bed) and provision of 9 car parking spaces, cycle storage and associated works.

Existing Use: Vacant Garages

Proposed Use: Residential

Applicant: Jonathan Agnes Unistar Properties

Ownership: Private

PLANNING DESIGNATIONS

Road Network: B Road

Officer Contact: Oliver Christian

RECOMMENDATION

GRANT PERMISSION subject to conditions and a Section 106 agreement.

SITE AND SURROUNDINGS

The proposal site consists of a row of semi-derelict garages situated at the rear of No.1 Mount Pleasant Villas.

The garages are of no particular architectural interest. The surrounding area is characterised by 2 storey and 3 storey Edwardian and Victorian terraces. Immediately adjoining the site to the North is a large block of purpose built flats.

To the South is British Rail Land and Crouch Hill Station. The locality is a designated Conservation Area.

PLANNING HISTORY

HGY/2006/1569 --- Site Adjacent To 1 Mount Pleasant Villas London

Demolition of existing garages and erection of 9x3 storey three bed mews style houses with 9 car parking spaces

This application is the subject of an appeal.

DETAILS OF PROPOSAL

This application seeks planning permission the demolition of existing garages and erection of 7 x three bedroom, 2 x two bedroom houses with provision of 9 car parking spaces, cycle storage and associated works.

CONSULTATION

Ward Councillors – Stroud Green
Haringey Council – Transportation Group
Haringey Council – Conservation Team
Haringey Council – Building Control
Thames Water
Stroud Green CAAC
Owner/Occupier: 1 – 12 (c) Mount Pleasant Villas, N4
Owner/Occupier: 1 – 30 (c) 4 Mount View Road, N4
Owner/Occupier: 12, 14 Mount View Road, N4
Owner/Occupier: 45 – 51 (o) Mount Pleasant Villas, N4
Owner/Occupier: 6, 6a, 8, 8a, 10, 10a Mount View Road, N4

RESPONSES

2 letters of objection - raised a number of issues relating to height, bulk and scale, loss of vegetation, loss of habitat, noise, extra traffic and the appropriateness of the development.

Haringey Council – Building Control

Proposal has been checked under Regulation B5 – access for the fire service and building control have been satisfied.

Haringey Council – Transportation Team

This proposed development is within a walking distance of Crouch Hill train station and, the bus route Stroud Green Road which offers some 65buses per hour (two-way), for frequent connection to Finsbury Park tube station. We have subsequently considered that majority of prospective residents of this development would use sustainable travel modes for their journeys to and from the site. In addition, our interrogation with TRAVL database suggests that based on comparative sites (Lee Conservancy-E9, Porter Sq-N19, Rootes Estate-W10 and Yeats Close - NW10), this development proposal, some 997sqm GFA, would only generate a combined traffic inflow and outflow of four vehicles during the critical am peak hour. It is therefore deemed that this level of vehicular trips would not have any significant adverse traffic impact on the adjacent roads.

Moreover, the applicant has proposed a 4.2metre-wide vehicle access with traffic calming measures. Furthermore, although our site visit conducted on 31-08-2006 revealed that this location is heavily parked, the applicant has proposed 9 car parking spaces with adequate vehicle circulatory area and integral 9 bicycle storage as indicated on Plan No.PP-09. These in our opinion are adequate and in line with the maximum car parking standard stipulated in the Council's Adopted 2006 UDP and, would minimise the car parking impact of this development on the adjoining highway network. However, we are concerned that the applicant has not provided a clear-cut pedestrian access or a shared access to the development. We also do believe that this location would benefit from improved footway and lighting. Consequently the highway and transportation authority would not object to this application subject to the conditions that the applicant:

1. submits a scheme for a dedicated pedestrian/cyclist access or, a shared vehicle/pedestrian/cyclist access with the appropriate paving slabs, to the highway and transportation authority for approval.

Reason: To ensure that adequate safety provisions are made for pedestrians and subsequently minimise pedestrian/vehicle conflict at this location

2. contributes a sum of £20,000 (Twenty thousand pounds) towards improved lighting/footway.

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

Haringey Council – Conservation Team

No objection to the revised scheme received.

Council's Arboriculturalist comment as follows:

The following comments and observations relate to the proposed new development on the existing trees on site and in adjacent land. This is a revision to HGY/2006/1569. Drawing no PP-08, 09 and 10 and an Arboricultural Report prepared by Marishal Thompson were used for reference purposes.

Tree Coverage

The tree coverage in the location can be classified in three groups:

1. Trees located within the proposed development site.
2. Trees located within the Local Authority (LBI) Housing site.
3. Trees located within land managed by Railtrack.

Trees located within the proposed development site.

There are a variety of trees growing within the existing garage site. Many self-seeded Sycamores are located along the Northern boundary and adjacent to the access road.

Located along the Southern boundary is a row of Lime and Sycamore trees. All are of value as screening to the adjacent railway line, particularly T5: Lime which is a significant specimen and categorised as an 'A' tree in accordance with BS5837: 2005 Trees in relation to construction (BS5837: 2005).

The land immediately to the south of the Limes has a steep gradient away from the trees. This would indicate that the majority of their roots are located within the proposed development site. Therefore, these trees must be adequately protected against any damage to their likely rooting environment.

The original Arboricultural report recommended that T5, T6, T7 and T10 (row of Limes) be removed to facilitate the new development. The revised scheme however, states that these trees are now to be retained.

Trees located within the Local Authority (LBI) Housing site.

Located on the Northern boundary is T8: Horse chestnut and T9: London plane. Both are of value as screening to the adjacent Housing site. The trees are significant specimens and also categorised as 'A' trees. The canopy of both trees extends 6m into the proposed development site.

Trees located within land managed by Railtrack.

The land beyond the Southern boundary is managed by Railtrack, located here is a variety of self seeded trees the most significant of which is T12 Sycamore. This tree is of value as screening to the adjacent railway line.

Proposed layout

The revised layout indicates the nearest point of the new structure at a distance of 4m from T5-T7, and 5m from T8 and 6m from T9. This is within the recommended Root Protection Areas (RPA's) for these trees as calculated using BS5837:2005. However, BS5837:2005 does state that incursion into the RPA can be considered if it allows for the retention of category 'A' trees. This is on the condition that foundations are suitably designed to minimise root damage (BS5837:2005 sec 11.6.2)

A sunlight study has been undertaken considering the influence of the buildings on the Holly park estate, but they have not considered the influence of the existing trees to be retained on levels on light entering the new development.

Tree works

A schedule of tree works must be provided with a method statement. All works must be carried out in accordance with BS 3998: Recommendations for tree works and by a suitably qualified and experienced tree works contractor. All works must be undertaken prior to the commencement of construction activities on site.

The Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000 provides statutory protection to nesting birds and roosting bats. A thorough inspection of all trees must be undertaken prior to any works.

Tree Protection

The Arboricultural report has recommended the site hoarding to be installed surrounding the boundary as protective fencing. It has also recommended retaining the existing hard standing within the site, as ground protection for the RPA's.

The site hoarding must be constructed as recommended in Figure 2, BS5837:2005. It must be installed prior to commencement of any construction activities on site and be retained in place until completion.

Tree protection on site must also incorporate the existing concrete hard standing. It must be retained to a minimum distance of 7.5m from T8 and T9 to provide adequate protection for their recommended RPA's.

Any additional ground protection measures must be installed as recommended in Figure 3, BS5837:2005.

No Tree Protection Plan (TPP) has been produced which clearly indicates where fencing and ground protection will be installed. This is a requirement of BS5837:2005 and must be provided for approval. It should also indicate the location of site buildings, storage areas, and areas where materials will be mixed, such as concrete.

The protective fencing and ground protection must be inspected by the Council Arboriculturist, prior to any works commencing on site. No fencing or ground protection will be moved unless with prior agreement of the Council Arboriculturist.

Foundation design

No details have been submitted regarding foundation design. In my opinion, and following recommendations in BS5837:2005 the development must be constructed using a piled foundation and ground beams, to avoid extensive severance of tree roots. This is also the recommendation of the Arboricultural report.

A method statement for foundation design and installation including a specification drawing must be produced and forwarded for approval.

Excavations for the piles must be made through the retained concrete hard standing to minimise disturbance of tree roots.

Care must be taken when using piling rigs close to trees. All facilitation pruning must be undertaken prior to any construction works, to avoid unnecessary damage to the trees canopies.

Conclusions

In my opinion, the proposed new development can be constructed, on the condition that all the protection measures specified in this document and the Arboricultural report are adhered to. This will ensure the future health of the existing trees to be retained and those significant specimens on adjacent land.

The protection measures specified must be conditioned to ensure enforcement action can be taken if necessary.

The foundations must be designed using a pile and ground beam construction to minimise any detrimental effects on the retained trees.

A pre-commencement site meeting must be specified and made a condition. It must be attended by all interested parties, (Architect, Consultant Arboriculturist, Planner Officer, Council Arboriculturist and Site manager) to confirm all the protection measures to be installed for trees.

RELEVANT PLANNING POLICY

Unitary Development Plan –

UD2 Sustainable Design and Construction
UD3 General Principles
UD4 Quality Design
HSG9 Density Standards
M10 Parking for Development
CSV1 Development in Conservation Areas
CSV2 Alterations and Extensions in Conservation Areas
Supplementary Planning Guidance 1a Design Guidance and Design Statements
Supplementary Planning Guidance 2 Conservation and archaeology
Supplementary Planning Guidance 3a Density, Dwelling Mix, Floorspace Minima
Supplementary Planning Guidance 3b Privacy/Overlooking, Aspect/Outlook

ANALYSIS / ASSESSMENT OF THE APPLICATION

The proposed scheme will be assessed against the following:

Design

The proposal when assessed from a design perspective. Policy UD4 “Quality Design (How Design will be Assessed - “Assessment of Design Quality: Enclosure, Height and Scale -Assessment of Quality Design - Building Lines, Form, Rhythm and Massing”) states that proposals for development will be expected to be of high design quality and positively address issues of

enclosure, urban grain, building lines, form rhythm and massing, height and scale, architectural style, detailing and materials.

Firstly the proposal must also be assessed from a design perspective. Policy UD4 “Quality Design (How Design will be Assessed - “Assessment of Design Quality: Enclosure, Height and Scale -Assessment of Quality Design - Building Lines, Form, Rhythm and Massing”) states that proposals for development will be expected to be of high design quality and positively address issues of enclosure, urban grain, building lines, form rhythm and massing, height and scale, architectural style, detailing and materials.

Policy CSV1 “Development in Conservation Areas”, relates specifically to development in Conservation areas and the requirement that works to buildings preserve or enhance the special character of the area. Conservation Team has been consulted on this application has no objection in principle to the proposed development.

Overall, the height, bulk and mass would not appear over dominant and can barely be seen from the street. It considered that the proposed development is acceptable; it is of a high quality design that would enhance the appearance of the conservation area by virtue of adding to the architectural interest to this location. The proposal also conforms to the Council’s key objectives as outlined in UD2 Development and Urban Design to “support sustainable development and to promote high quality design which is sustainable in terms of form, function and impact”. As such is not detrimental to the character and appearance of the conservation area, nor contrary to policy UD4.

The design is modern and is considered to contribute to rather than detract from the conservation area.

Effect on Conservation Area

The potential impact of the proposal on the privacy and amenity of neighbouring properties must be considered pursuant to Policy UD4 and SPG3b.

Policy CSV1 “Development in Conservation Areas”, relates specifically to development in Conservation areas and the requirement that works to buildings preserve or enhance the special character of the area. Haringey Council – Conservation Team has been consulted on this application has no objection to the proposed development.

Overall, the height, bulk and mass does not appear over dominant and has no impact on the street scene, therefore is not detrimental to the character and appearance of the conservation area, as such is not contrary to policy UD4.

Effect on Amenity

The positioning, scale and design of the dwellings is considered not harmful to neighbouring occupiers in relation to any potential loss of sunlight and daylight or loss of privacy in that the properties most likely to be affected are on the other side of the adjacent railway line.

It is also considered that the scale and bulk, positioning of the dwellings ensures that no adverse amenity issues arise, meeting policies UD4 and SPG3b.

Effect on trees

The Council's Arboricultural Officer has been consulted and is satisfied that the proposed new development can be constructed, on the condition that all the protection measures specified in this document and the Arboricultural report are adhered to. This will ensure the future health of the existing trees to be retained and those significant specimens on adjacent land.

The protection measures specified must be conditioned to ensure enforcement action can be taken if necessary.

The foundations must be designed using a pile and ground beam construction to minimise any detrimental effects on the retained trees. Appropriate condition will be attached.

Sustainability

The scheme includes a high level of sustainability – windows to south elevations – large glazed opening maximising passive solar gain, rainwater harvesting tanks to recycle grey-water.

Surfacing to the access road to the site will be loose permeable gravel, reducing the impact on local surface water infrastructure. Material from garages will be utilised as hardcore.

Interior and exterior of development is fully compliant with access for all standards.

High efficiency and insulated condensing boilers installed in all dwellings – reducing fuel consumption.

Parking and Access

Policy M10 Parking for Development set out the council standards on parking. Haringey Council – Transportation Group has been consulted and provide the following comments: "The proposed site is in an area with low public transport accessibility level; however the location has not been identified by the councils SPG3a as a site suffering from parking problem".

The proposed spaces will be sufficient to support the proposed development in line with the Council's parking standard SPG 7a.

The access to the site is considered to be satisfactory for the level of vehicular traffic anticipated.

Cycle storage/parking is provided within the scheme - As such, the proposal is deemed to comply with policy M10.

Waste and Refuse

The scheme proposes satisfactory waste and re-cycling facility for the dwellings that accord with Council policy and requirements.

Response to Consultation

The Council received letters of objection from residents in respect of the original application. These letters raise a number of objections relating to height, bulk and scale, loss of vegetation, loss of habitat, noise, extra traffic and the appropriateness of the development.

The objectors comment and issues have been addressed in the above sections and by the amendments to the scheme.

Affordable Housing

The threshold for affordable housing contribution is 10 units.

The proposed development is for 9 units and as such does not require a contribution toward affordable housing in the borough.

Section 106 contributions

The scheme includes family accommodation and as such incurs a contribution toward education in the borough.

Using the formula set out in the Education contribution SPG the scheme generates a sum of £84,500.

The applicant has agreed to enter into a Section 106 agreement for a contribution of £20,000 toward the Transportation works and administration costs of £3,000.

A total contribution of £107,500 results.

SUMMARY AND CONCLUSION

It is considered that the proposed development would not be out of keeping with the surrounding pattern of development and does not detract from the character of the conservation area. The development would not be visually intrusive when viewed from neighbouring residential properties. In addition, the materials proposed for this development within the conservation area is acceptable. The revised proposal has been assessed against and found to accord with Council policies, especially UD2 Sustainable Design and Construction, UD4 Quality Design CSV1 "Preservation and Enhancement of Conservation Area", UD3 "General Principles", CSV1 "Development in Conservation Areas" HSG9 Density Standards, M10 Parking for Development also Supplementary Planning Guidance 1a Design Guidance and Design Statements, Supplementary Planning Guidance 2 Conservation and archaeology, Supplementary Planning Guidance 3a Density, Dwelling Mix, Floorspace minima, Supplementary Planning Guidance 3b Privacy/Overlooking, Aspect/Outlook and Supplementary Planning Guidance 10a The Negotiation, Management and monitoring of Planning Obligations of the Haringey Unitary Development Plan.

RECOMMENDATION 1

That planning permission be granted in accordance with planning application no. HGY/2007/0598, subject to a pre-condition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under Section 106 of the Town & Country Planning Act 1990 (As Amended).

This report also recommends that under the guidance contained in SPG10e, the applicant enter into an Agreement under Section 106 and Section 16 of the Greater London Council (General Powers) Act 1974 to make a contribution of £20,000 toward Improvement to Public Transportation Infrastructure and Services also administrative recovery costs of £3,000.

RECOMMENDATION 2

1. That the Agreements referred to in Resolution (1) above is to be completed no later than 27/07/2007 or within such extended time as the Council's Assistant Director (Planning Policy & Development) shall in her sole discretion allow; and
2. That in the absence of the Agreements referred to in Resolution (1) above being completed within the time period provided for in Resolution (2) above, the planning application reference number HGY/2007/0598 be refused for the following reason:

The proposal fails to provide the Education and Transportation contributions in accordance with the requirements set out in Supplementary Planning Guidance 10a The Negotiation, Management and monitoring of Planning Obligations attached to Haringey Unitary Development Plan.

3. In the event that the Planning Application is refused for the reasons set out above, the Assistant Director of Planning Policy & Development (in consultation with the Chair of PASC) is hereby authorised to approve any further application for planning permission which duplicates the planning application provided that:

- (i) There has not been any material change in circumstances in the relevant planning considerations, and
- (ii) The further application for planning permission is submitted to and approved by the Assistant Director Planning Policy & Development within a period of not more than 12 months from the date of the said refusal, and
- (iii) The relevant parties shall have previously entered into the Agreement contemplated in Resolution (1) above to secure the obligations specified therein.

4. That, following completion of the Agreement referred to in Resolution (1) within the time period provided for in Resolution (2) above, planning permission be granted in accordance with planning application reference number Registered No. HGY/2007/0358 and applicants' drawing numbers: PP-01 - PP-06, PP-08a,9a, 10a, 11a, 12a, 15a, 16a, 17a,18a,19a,20a,21a, 22a,25a, -PP-27 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. Samples of all materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references.
Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

4. The site hoarding must be constructed as recommended in Figure 2, BS5837:2005. It must be installed prior to commencement of any construction activities on site and be retained in place until completion.
Reason: In order to safeguard the trees in the interest of visual amenity of the area.
5. Tree protection on site must also incorporate the existing concrete hard standing. It must be retained to a minimum distance of 7.5m from T8 and T9 to provide adequate protection for their recommended RPA's.
Reason: In order to safeguard the trees in the interest of visual amenity of the area.
6. A Tree Protection Plan (TPP) which clearly indicates where fencing and ground protection will be installed must be submitted and approved in writing by the Local Planning Authority in line with the requirement of BS5837:2005. It should also indicate the location of site buildings, storage areas, and areas where materials will be mixed, such as concrete.
Reason: In order to safeguard the trees in the interest of visual amenity of the area.
7. The protective fencing and ground protection must be inspected by the Council Arboriculturist, prior to any works commencing on site. No fencing or ground protection will be moved unless with prior agreement of the Council Arboriculturist.
Reason: In order to safeguard the trees in the interest of visual amenity of the area.
8. The foundations must be designed using a pile and ground beam construction to minimise any detrimental effects on the retained trees.
Reason: In order to safeguard the trees in the interest of visual amenity of the area.
9. A pre-commencement site meeting attended by (Architect, Consultant Arboriculturist, Planning Officer, Council Arboriculturist and Site manager) to confirm all the protection measures to be installed for trees.
Reason: In order to safeguard the trees in the interest of visual amenity of the area.
10. 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.
11. 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.

12. The residential buildings proposed by the development hereby authorised shall comply with BS 8220 (1986) Part 1 'Security Of Residential Buildings' and comply with the aims and objectives of the police requirement of 'Secured By Design' & 'Designing Out Crime' principles.

Reason: In order to ensure that the proposed development achieves the required crime prevention elements as detailed by Circular 5/94 'Planning Out Crime'.

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

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

14. A site history and soil contamination report shall be prepared; submitted to the Local Planning Authority and approved before any works may commence on site.

Reason: In order to protect the health of future occupants of the site.

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

INFORMATIVE: The applicant is advised that in the interests of the security of the development hereby authorised that all works should comply with BS 8220 (1986), Part 1 - 'Security Of Residential Buildings'.

INFORMATIVE: That all works on or associated with the public highway be carried out by The Transportation Group at the full expense of the developer. Before the Council undertakes any works or incurs any financial liability the developer will be required to make a deposit equal to the full estimated cost of the works.

INFORMATIVE: Details of the foundation work on the boundaries and any border treatment should be agreed with the adjoining occupiers before such works commence.

INFORMATIVE: The applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Connections are not permitted for the removal of Ground Water. Where the developer proposes discharge to a public sewer, prior approval from Thames water Developer Services will be required. They can be contacted on 0845 850 2777. Reason: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

REASONS FOR APPROVAL

The development would not be visually intrusive when viewed from neighbouring residential properties. In addition, the materials proposed for this development within the conservation area is acceptable. The revised proposal has been assessed against and found to accord with Council policies, especially UD2 Sustainable Design and Construction, UD4 Quality Design CSV1 "Preservation and Enhancement of Conservation Area", UD3 "General Principles", CSV1 "Development in Conservation Areas" HSG9 Density Standards, M10 Parking for Development also Supplementary Planning Guidance 1a Design Guidance and Design Statements, Supplementary Planning Guidance 2 Conservation and archaeology, Supplementary Planning Guidance 3a Density, Dwelling Mix, Floorspace minima, Supplementary Planning Guidance 3b Privacy/Overlooking, Aspect/Outlook of the Haringey Unitary Development Plan.