

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITEE

1. APPLICATION DETAILS	
Reference No: HGY/2014/0484	Ward: Crouch End
Address: 159 Tottenham Lane, London, N8 9BT	
Proposal: Erection of a part 4 / part 5 storey building to contain retail development on the ground floor consisting of 422sq.m of A1 use and 218sq.m of A3 use with 18 residential units on the upper floors.	
Applicant: Crouch Properties Limited	
Date received: 13/02/2014	
Drawing number of plans: 00-103 Rev P03; 00-104 Rev P02; 00-105 Rev P02; 00-106 Rev P02; 00-107 Rev P02; 00-108 Rev P02; 00-110 Rev P02; 00-111 Rev P02; 00-112 rev P02; 00-113 Rev P02; 00-114 Rev P02; 00-115 Rev P02; 0814-98-110; 0814-98-101; 0814-98-001; Transport Assessment by lamda TPE Ltd dated January 2014; Energy and Sustainability Statement by NRG Consulting Ltd dated January 2014; Daylight Assessment by David Maycox and Co. Dated 20 January 2014; Tree Report by Forbes-Laird Arboricultural Consultancy dated March 2008; Design and Access Statement by Prospect Planning Limited dated January 2014.	
Plans amended: 09/04/2014. Following the DM Forum and comments made by residents, the plans were amended reducing the bulk of the building, reducing the number of units from 19 to 18, and an amended rear elevation treatment.	
Case Officer Contact: Anthony Traub	
PLANNING DESIGNATIONS:	
CPZ: Crouch End A Not in a Conservation Area Not a Listed Building	
The site adjoins the Crouch End Conservation Area to the rear (south) and a Local Shopping Centre to the east.	

2. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The impact of the development on neighbouring residential amenity is acceptable;
- The design and appearance of the proposal is acceptable and is considered to preserve the appearance of the Crouch End Conservation Area;
- The proposed building would continue the ground floor shop fronts from the adjacent Local Shopping Centre;
- There would be no significant impact on parking;
- The proposal meets the minimum standards outlined in the London Plan SPG Housing;
- The 18 new residential units would meet Code for Sustainable Homes Level 4;
- The mix of residential units, 8 x 1 bed, 7 x 2 bed, and 3 x 3 bed, is considered to be acceptable and would bolster housing stocks within the borough;
- The commercial units would achieve a rating of BREEAM 'Excellent';
- The s106 financial obligations for affordable housing, open space, education, skills and training, highways/transportation, are considered to be appropriate in mitigating any affect on local infrastructure.

2.1 RECOMMENDATION

The proposal involves the erection of a part 4 / part 5 storey building to contain retail development on the ground floor consisting of 422sq.m of A1 use and 218sq.m of A3 use with 18 residential units on the upper floors.

The proposal is seen to be the efficient use of a currently underutilised site and would provide much needed, well proportioned housing to the borough and an active ground floor frontage to the street scene. Given the above, this application is recommended for APPROVAL subject to the signing of a S106 agreement.

GRANT PERMISSION subject to conditions, the signing of a s106 agreement and a s278 Highways agreement:

- Time limit
- In accordance with approved plans
- External materials to be approved
- No permitted development for satellite dishes
- Refuse and waste storage
- Construction management plan
- Considerate constructors scheme
- Service and delivery plan
- Cycle parking for 21 bicycles
- Contaminated land risk assessment
- Contaminated land remediation (if required)
- Control of dust
- Combustion and energy plant
- Carbon saving of at least 40%
- Hours of operation for ground floor A1/A3 units
- Plant equipment noise
- Wheelchair accessible units x 2
- No impact piling (Thames Water)

Informatives:

- Positive statement
- Thames Water x 4
- Fire Brigade
- Mayoral CIL
- Naming and Numbering

And subject to the following planning obligations secured under a S106 agreement:

- Car capped and £1,000.00 contribution;
- Travel plan and car club;
- £15,000.00 to review the Crouch End CPZ;
- £53,491.33 Education Contribution;
- £43,291.95 Open Space Contribution;
- £432,120.72 Offsite Affordable Housing Contribution;
- £14,000.00 Employment and Training contribution;
- Notification to Council of any job vacancies during the construction phase;
- Claw back clause following QS assessment of build costs giving the Local Authority the ability to obtain any additional contributions should the build costs be lower than what has been described within the viability documentation
- Considerate contractors;
- £31,000.00 Monitoring and Administration Costs.

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3.0 SITE AND SURROUNDS

- 3.1 The site is a former petrol station (now demolished) located on the south eastern side of Tottenham Lane opposite Elmfield Avenue, between the secondary frontage of Crouch End Town Centre and the Tottenham Lane (west) local shopping centre. The site now consists only of hardstanding with no permanent structures remaining. It is currently used for a hand carwash business.
- 3.2 The site is bounded to the south west by the former Salvation Army "Citadel", to the north east by 2 commercial properties on Tottenham Lane and the rear gardens of 2 houses in Ferme Park Road, and to the south east by the rear gardens of houses in Fairfield Road.
- 3.3 There are no listed buildings on site and the site is not located in a conservation area. The site adjoins the Crouch End Conservation Area to the south. The site is also located within the Crouch End A CPZ. There are two existing vehicle crossovers onto Tottenham Lane.
- 3.4 The site currently offers views of the back gardens of properties in Fairfield Road. The site is prominently located and can be viewed from Tottenham Lane and from Elmfield Road directly opposite the site. Currently the boundaries with residential properties are well screened by a large brick wall on the boundary with Fairfield Road, which is supplemented by trees in the rear gardens. The rear gardens of properties in Ferme Park road are also well screened by trees in their own gardens.

4.0 PLANNING HISTORY

- 4.1 HGY/2009/1593 - Erection of 4 storey building over 1 basement level comprising parking / storage, with 2 retail units with 4 disabled parking spaces at ground floor level, 2 office units at first floor level and residential units at first, second and third floor levels comprising 16 flats – GRANTED 22/12/2009
- 4.2 HGY/2004/1782 - Erection of part 3/4 storey building with gym / leisure facilities at basement and ground floor level and residential accommodation comprising 9 x 3 bed and 1 x 4 bed dwellings at 1st, 2nd and 3rd floor levels. Car parking at rear for 17. – REFUSED
- 4.3 HGY/2005/2278 - Amendments to planning application HGY/ 2005/1129 granted on 03. 08.05 for erection of part 3/part 4 storey building with gym/leisure facilities at basement and ground floor level and 6 x two bed and 1 x three bed maisonettes and 1 x two bed and 1 x three bed flats at 1st, 2nd and 3rd floor levels, with 22 car park spaces at rear. - GRANTED
- 4.4 HGY/2005/1129 - Erection of part 3/ part 4 storey building with gym / leisure facilities at basement and ground floor level and 7 x 2 bed maisonettes and 1 x 2 bed and 1 x 3 bed flats at 1st, 2nd and 3rd floor level, with 22 car park spaces at rear - GRANTED
- 4.5 HGY/2007/0751 - Erection of 5 storey building over 2 basement levels comprising gym and storage at sub-basement, car parking in basement, retail unit at ground floor level, offices and 2 x one bed and 1 x two bed flats at 1st floor level, and 5 x one bed, 7 x two bed, 2 x three bed and 5 x studio flats at 2nd, 3rd and 4th floor levels. REFUSED and DISMISSED ON APPEAL

- 4.6 HGY2008/1412 - Erection of 4 storey building over 2 basement levels comprising gym / storage at sub-basement, car parking in basement, retail unit or D1 (class XV) at ground floor level, offices at first floor level, 3 x two bed and 6 x three bed flats from first to third floor mezzanine - WITHDRAWN
- 4.7 HGY/2012/2173 - Application for a new planning permission to replace an extant planning permission HGY/2009/1593 for erection of 4 storey building over 1 basement level comprising of parking / storage, with 2 retail / units with 4 disabled parking spaces at ground floor level, 2 offices & units at first floor level and residential units at first, second and third floor level comprising of 16 flats. REFUSED and DISMISSED ON APPEAL.

5.0 RELEVANT PLANNING POLICY

5.1 National Planning Policy Framework

- 5.1.1 The NPPF was formally published on 27th March 2012. This document sets out the Government's planning policies for England and supersedes the previous Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs).

5.1.2 London Plan 2011

- Policy 3.1 Ensuring equal life chances for all;
- Policy 3.3 Increasing housing supply;
- Policy 3.4 Optimising housing potential;
- Policy 3.5 Quality and design of housing developments;
- Policy 3.8 Housing choice;
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 4.1 Developing London's economy;
- Policy 5.1 Climate change mitigation;
- Policy 5.2 Minimising carbon dioxide emissions;
- Policy 5.3 Sustainable design and construction;
- Policy 5.7 Renewable energy;
- Policy 5.11 Green roofs and development site environs
- Policy 6.3 Assessing effects of development on transport capacity;
- Policy 6.9 Cycling;
- Policy 6.10 Walking;
- Policy 6.11 Smoothing traffic flow and tackling congestion;
- Policy 6.13 Parking;
- Policy 7.1 Building London's neighbourhoods and communities;
- Policy 7.2 An inclusive environment;
- Policy 7.3 Designing out crime;
- Policy 7.4 Local character;
- Policy 7.5 Public realm;
- Policy 7.6 Architecture;
- Policy 7.14 Improving air quality;
- Policy 7.15 Reducing noise and enhancing soundscapes;
- Policy 7.8 Heritage Assets and Archaeology

5.1.3 Haringey Local Plan 2013

Policy SP0 Presumption in favour of sustainable development;
Policy SP1 Managing growth;
Policy SP2 Housing;
Policy SP4 Working towards a low carbon Haringey;
Policy SP5 Water management and flooding;
Policy SP6 Waste and recycling;
Policy SP7 Transport;
Policy SP11 Design;

5.1.4 Haringey Unitary Development Plan 2006 'Saved Policies'

Policy UD3 General principles;
Policy UD7 Waste storage;
Policy TCR2 Out of Town Centre Development;
Policy TCR5 A3 Restaurants and Cafes...;
Policy M9 Car-free Residential Developments;
Policy M10 Parking for development;

5.1.5 Supplementary Planning Guidance

Mayor of London 'London Housing Design Guide'
SPG 6a Shop fronts, Signage and Security
Tottenham Lane Design Framework 2005

6.0 CONSULTATION

Ward Councillors
Adjoining neighbours
LBH – Education
LBH – Arborist
LBH – Conservation and Design Team
LBH – Transportation
LBH – Noise and Pollution
LBH – Housing
LBH – Cleansing
LBH – Building Control
LBH – EHS Contaminated Land
London Fire Brigade
Thames Water
Designing out Crime Officer

7.0 RESPONSES

7.1 LBH Pollution: No objection to the proposal. Recommends conditions relating to land contamination, dust control, and energy plant equipment should the application be approved.

7.2 Designing out Crime Officer: No objection to the proposal.

7.3 London Fire Brigade: No objection to the proposal. Sprinkler Informative recommended should the application be approved.

7.4 LBH Transportation: No objection to the proposal. The site has a medium PTAL of 4 and is served by the 91, W3, and W5 bus routes, which operate with a two-way frequency of 49 buses per hour and offers links to Finsbury Park and Wood Green underground and rail stations. The site is also within walking distance of the W7 bus route, which also provides links to Finsbury Park underground and rail stations with a two-way frequency of 26 buses per hour. It is considered that the prospective residents, staff and patrons would use sustainable modes of transport for the majority of journeys to and from the site. The Transport Assessment submitted by the applicant is not as up to date as it should be as it does not take into consideration recently approved developments in the immediate area. Notwithstanding this, it is considered that the proposal is unlikely to result in any significant impact upon the surrounding highway and transportation network. Conditions, S106 and s278 obligations are recommended should the application be approved. Specifically with regards to cycle parking, travel plans, construction management, CPZ review, car club, removal of redundant crossover.

7.5 LBH Waste: No objection to the proposal. Recommends bin and waste storage size requirements for each unit size. Further comments being: *“The application shows limited space for waste and recycling for domestic dwellings and commercial premises within the proposed build. Also, refuse vehicles should be able to enter the development in forward gear, make collections and exit in forward gear without the need to reverse.*

Commercial business must ensure all waste produced on site are disposed of responsibly under their duty of care within Environmental Protection Act 1990. It is for the business to arrange a properly documented process for waste collection from a licensed contractor of their choice. Documentation must be kept by the business and be produced on request of an authorised Council Official under section 34 of the Act. Failure to do so may result in a fixed penalty fine or prosecution through the criminal Court system.

Waste must be properly contained to avoid spillage, side waste and windblown litter. Waste collection arrangements must be frequent enough to avoid spillage and waste accumulations around the bin area and surrounding land both private and public.”

7.6 Thames Water: No objection to the proposal. A condition is recommended requiring a piling methodology given the sites proximity to local sewerage infrastructure along with several informative should the application be approved.

7.7 LBH Housing: Whilst not supportive of a 100% private accommodation, LBH Housing does acknowledge the position of the applicant regarding the viability of the scheme and the rationale behind not providing on site affordable housing. This is further discussed under the affordable housing section of this report.

7.8 15 letters of objection have been received. Matters raised being (response below and within Appendix 1):

- *The scale of the building is out of proportion with the surrounding area and in particular the row of shops and the Music Palace building it adjoins on both sides;*

The proposed building would adjoin the newly approved cinema to the south-west and the existing shopping parade to the north-east, albeit a gap is provided here for access to the rear of the site. The bulk, massing, and height of the proposal has been reduced in light of residents concerns raised at the initial DM Forum with the design and appearance and massing very similar to what had been previously approved on the site in 2009. It is considered that the four storey building with a centralised fifth floor is considered to reflect the massing and building lines in the area. This is particularly evident of the front facade given the fourth floor is stepped back to provide amenity space for the residential units, thus giving the impression of a three storey building when viewed on the high street. Materials at the fourth and fifth floor also differ again aiding in minimising the visual bulk of the building when viewed from the street. This matter is discussed further under 'design and appearance and affect on adjoining conservation area'.

- *Design and appearance of the building;*
See 'design and appearance and affect on adjoining conservation area'.
- *Parking for residents and staff does not seem sufficient. Also, there are insufficient residential parking zones in the area already and there will be further pressure from the commercial uses;*
See 'transportation' section. Furthermore, no objection has been raised by the Council's Transportation and Highways team. S106 legal obligations will require the scheme to be car capped, restricting future occupants to residents permits, cycle parking is provided on site, a travel plan and sponsorship to a car club will also be a s106 obligation with 15 car parking spaces provided on site, 2 of which are accessible spaces. These measures and the fact the site has a PTAL of 4 with good access to public transportation are considered to be sufficient in mitigating any transportation effects.
- *More A3 uses on the high street will harm other established A3 businesses on the high streets;*
Trade competition is not considered to be a matter that would be material or hold sufficient weight when considering the planning merits of the scheme.
- *Overcrowding leading to parking issues and an oversupply of shops and restaurants in the area;*
See 'transportation' section. Furthermore, the ground floor commercial uses (A1/A3) are considered to be complementary to the existing ground floor retail uses that form part of the adjoining Local Shopping Centre to the north.
- *Harmful impact on traffic in the area;*
See 'transportation' section.
- *The proposal does not preserve or enhance the Crouch End Conservation Area to which it adjoins;*
See 'design and appearance and affect on adjoining conservation area' section. Furthermore, whilst the site adjoins the conservation area, the bulk of the building is located to the front of the site, providing a substantial setback from the conservation area. It is also acknowledged that the current state of the site detracts from the conservation area given it is an open yard with sporadic temporary uses on the site (such as the previous car wash facility) with the proposal seen as an improvement to the current situation.
- *Proposed rear balconies would overlook properties at 201-205 Ferme Park Road and 22-32 Fairfield Road leading to a loss of residential amenity;*
See 'neighbouring amenity' section. Furthermore, the side boundary (north-eastern) that adjoins to the rear of the Ferme Park sites is at its closest some 27 metres (approximately) with the rear boundary (southern) being some 19m

from the rear elevation of these properties. Including the car parking area, the rear facade of the proposed building would be set back approximately 44m from the rear facade of those houses fronting Fairfield Road. This generous setback is considered to be sufficient in preserving the amenities and privacy of both existing neighbours and future occupiers of the proposed development.

- *The underground parking has been removed but this means there is no green space to the rear of the site for adjoining residents to look onto;*
The current condition of the site provides no relief when viewed from the surrounding area with regards to greenery. The site is located in a pocket of industrial sites that house commercial buildings or large areas of hardstanding. The proposal is not considered to exacerbate this situation, however, there would be some improvement through the provision of planted walls at the roof level to provide screening for the proposed roof terrace and greenery at a high level.
- *Noise from plant equipment associated with the commercial ground floor A1/A3 uses;*
Conditions of consent can be recommended with regards to plant noise. Further to this, the ground floor plans indicate that the commercial plant would be located within the proposed building footprint. Any additional external plant would be require planning permission which again could assess and restrict noise levels
- *The additional unit on the 5th floor entitled as a mezzanine is actually a full floor;*
The fifth floor addition has been reduced in size with the latest amendments. It is a centralised addition that is set back from the building edges considerably. It is considered that this element would appear subservient to the overall bulk of the proposed building and therefore would be acceptable.
- *High level glazed sliding doors would impact on the amenities of rear neighbours given the amount of glazing and overlooking from the upper floor flats;*
Since the amendments to the scheme, the amount of high level glazing and sliding doors has been reduced. Notwithstanding this, the distance between these glazed elements and the rear elevation of those properties fronting Fairfield Road would be approximately 44m. This is considered to be sufficient in maintaining privacy between the properties.
- *Flank windows overlooking existing office windows at 155 Tottenham Lane;*
Office windows are not habitable room windows and therefore, there would be no loss of privacy to these neighbours.
- *The proposed gated entrance location would affect neighbouring fire escapes and access;*
This is a matter for building control and a civil matter between neighbours and would not hold sufficient weight when considering the planning merits of the scheme.
- *The application form states operational hours for the A1/A3 ground floor uses is unknown. The hours of operation should be stipulated and restricted to 8am to 10pm daily.*
Conditions are recommended should the application be approved restricting the hours of the proposed commercial uses.

7.9 1 letter of support has been received stating:

- *It will be good to fill the gap next to the new cinemas and new shops are welcomed, however, the design appears bland;*

7.10 1 neutral letter has been received stating:

- *The proposed buildings are ugly. Could the site not have been turned into a car parking area for the cinema?*

7.11 It is noted that a letter of objection relating to trade competition and the threat new A1/A3 businesses would have on established businesses discusses a petition signed by 60 local businesses raising this same objection. The Council has not received such a petition, although this matter has been considered above.

8.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

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

- Principle of development and uses on site;
- Density;
- Design and appearance;
- Affect on adjoining conservation area;
- Neighbouring amenity;
- Quality of accommodation;
- Housing mix;
- Affordable Housing;
- Transportation;
- Sustainability;
- Waste;
- Access;
- Trees;
- Contamination;
- Planning Obligations.

8.2 Principle of Development

8.2.1 Local Plan Policy SP0 supports the broad vision of the NPPF, and states that the Council will take a positive approach to reflect the presumption in favour of sustainable development.

8.2.2 The principle of a mixed-use development on this site has been accepted under the original permission and a previous permission for a mixed use scheme on 30 August 2005 (HGY/2005/1129) and a resolution to grant permission by committee in 2008 regarding planning application (HGY2008/1412).

8.2.3 The site lies just outside the Crouch End Town Centre but is linked commercially to it by its close proximity. Mixed-use development is considered to be appropriate in this location and should assist in promoting the viability and vitality of the northern part of the shopping centre and also the adjoining commercial units in Tottenham Lane.

8.2.4 The proposals would involve a considerable investment adjacent to the Town centre and within the Tottenham Lane Design Framework 2005 area. The framework sets out the planning aims for Tottenham Lane for this site it encourages a mixed-use development and suggests retail and housing as appropriate uses.

8.2.5 Therefore, the proposed retail/restaurant and residential use is considered appropriate having regard to Policies UD3 'General Principles' and TCR2 'Out of Centre' Development of the Unitary Development Plan 2006.

8.3 Density

8.3.1 National, London and local policy seeks to ensure that new housing development makes the most efficient use of land and takes a design approach to meeting density requirements.

8.2.2 Table 3.2 of the London Plan sets out the acceptable range for density according to the Public Transport Accessibility (PTAL) of a site. The site is in an 'urban' context and has a PTAL of 4 thus development should be within the density range of 200 to 700 habitable room per hectare (hr/ha).

8.2.3 As the floor space for the residential element is approximately a third of the total development, the density is calculated on a proportionate basis. The density is 490 habitable rooms per hectare (hrh) based on 49 habitable rooms. This is within the acceptable range.

8.4 Design and Appearance

8.4.1 The NPPF sets out the over-arching policy for design and emphasises its importance and indivisibility from good planning and sustainable development. Paragraph 60 states that planning decisions:

"should not attempt to impose architectural styles or particular taste and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

8.4.2 This approach is reflected in Chapter 7 of the London Plan, Haringey UDP policies UD3 'General Principles' and Local Plan Policy SP11.

8.4.3 The current design appears similar to that previously approved in 2009. The bulk, massing and overall height was considered appropriate at that time to the context of the site and the modern approach to the ground floor and detailing to the upper floors were considered acceptable.

8.4.4 The proposal is considered to be acceptable for the following reasons:

- The height of the scheme is considered to respond to the built form of the immediate high street with it appearing as a 3 storey building with a 4th floor set back and a centralised 5th floor appearing as a subservient and discreet addition to the building;
- Materials vary at the upper levels giving a lighter appearance to that of the lower three floors;
- The contemporary design is considered to provide a visual contrast between the historic buildings in the terrace and the new building;
- The palette of materials is considered to be of high quality. A condition requiring the submission of materials and details prior to construction is recommended should the application be approved.

8.4 Affect on adjoining conservation area

8.4.1 Section 72 of the 1990 Town and Country Planning Act sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The importance of properly discharging the duty conferred by these provisions and the need to pay particular attention to potential harm was recently underlined by the decision of the courts in the case of Barnwell Manor and subsequent decisions that rely on it.

8.4.2 NPPF chapter 12 'Conserving and enhancing the historic environment' and London Plan policy 7.8 'Heritage Assets and Archaeology' states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Similarly Local Plan Policy (2013) SP12 seeks to ensure the conservation of heritage assets, their setting, and the wider historic environment. The London Plan Policy 7.4 'Local character and 7.6 'architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Haringey Policy UD3 and SP11 Design and SP12 Conservation of the Local Development Plan continue this approach.

8.4.3 The site concerns a part 4 part 5 storey building on a site that adjoins the Crouch End Conservation Area. The proposal is considered to be acceptable for the following reasons:

- The bulk of the proposal is set forward towards Tottenham Lane and is set back from the Crouch End Conservation Area boundary by 27 metres. From the conservation area, the building would only be appreciated from the rear gardens and rear facing habitable rooms of existing buildings with the majority of prominent views coming from Tottenham Lane and long views from Elmfield Road opposite the site. Overall, the proposal is not considered to harm the appearance of the conservation area given the lack of views onto the site from the conservation area thus preserving the character and appearance of the Crouch End Conservation Area;
- Whilst there would be a loss of a view into the conservation area from Tottenham Lane, this view is of the rear of the terrace of buildings that face Fairfield Road and their gardens. Whilst this view offers some greenery at a distance, the loss of this view from Tottenham Lane is not considered to be harmful given the view is merely of the rear gardens and rear elevation of nearby buildings rather than a view that appreciates the street scene and front facades of these historic buildings which is what gives the conservation area its distinct character. As such the character and appearance of the conservation area is preserved.

8.5 Impact on the amenity of adjoining occupiers

8.5.1 Saved UDP Policy UD3 states that development proposals are required to demonstrate that there is no significant adverse impact on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy, overlooking. Similarly London Plan Policy 7.6 requires buildings and structures should not cause

unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy.

- 8.5.2 The proposed building would be set forward towards Tottenham Lane. The only potentially affected windows in close proximity would be those at 155 and 157 Tottenham Lane at the upper floors and the ground floor flank windows to the rear addition. Residential properties to the rear are set back approximately 44m.
- 8.5.3 There currently exists a 4m (approx.) high wall that bounds the front portion of this neighbouring site, which is considered to already enclose and detract from the amenities of these lower windows with the proposed development not considered to have a discernible effect on the levels of daylight/sunlight to these windows. Notwithstanding this, the building at 157 Tottenham Lane appears to be commercial in nature with no habitable room windows.
- 8.5.4 The upper floor flat to 155 Tottenham Lane has a single upper floor window that would be able to view the proposal. But given its distance from the development, it is not considered to be affected by the development.
- 8.5.5 The application is supported by a daylight/sunlight report which supports the scheme indicating that the only affected windows with regards to any loss of daylight/sunlight would be to the rear extension at 157 Tottenham Lane, which is in commercial use.
- 8.5.6 Whilst it is acknowledged there have been objections raised with regards to neighbouring amenity, given the above reasons, the proposal is not considered to harm the amenities of surrounding residential neighbours with regards to loss of outlook, daylight/sunlight, or an increased sense of enclosure and is therefore considered to preserve the amenities of residential neighbours.
- 8.5.7 The proposal would provide ground floor A1/A3 units which would likely require plant equipment. The ground floor plans indicate plant equipment within the building, however, it is likely that further equipment may be needed externally.
- 8.5.8 A condition has been included requiring that all plant equipment installed as part of this application, should it be approved, conform with the Council's noise standards. Any further plant equipment would be subject to a separate planning application where the noise and appearance would be assessed at that time and controlled accordingly.
- 8.5.9 Overall, the proposal is considered to maintain the amenity of surrounding neighbours and is consistent with saved UDP 2006 Policy UD3 and concurrent London Plan 2011 Policy 7.6.

8.6 Quality of Accommodation

- 8.6.1 London Plan 2011 Policy 3.5 and accompanying London Housing Design Guide set out the space standards for all new residential developments to ensure an acceptable level of living accommodation offered.
- 8.6.2 In assessing the proposal against these requirements, all the flats would accord with the minimum unit size requirements and in fact exceed these standards with the family sized units exceeding the standards by over 30%.

- 8.6.3 The minimum standards prescribed for individual rooms are set out within the London Housing Design Guide and the proposed rooms conform comfortably with these standards.
- 8.6.4 On site amenity for the proposed units is provided in the form of roof terraces with the largest terraces afforded to the family sized units.
- 8.6.5 Some of the flats located to the centre of the site are single aspect, however, given the flats are well proportioned and have long frontages with acceptable outlook from windows, this is not considered to be so harmful as to warrant refusal of the application.
- 8.6.6 Given the urban location of the site and that all family sized units have generously sized outdoor terraces with all units being well proportioned and laid out, the proposal would provide an acceptable level of amenity for future occupiers.

8.7 Housing Mix

- 8.7.1 The NPPF recognises that to create sustainable, inclusive and diverse communities, a mix of housing based on demographic and market trends and the needs of different groups should be provided. This approach is supported at the local level through UDP Policy HSG10. Policy 3.8 of the London Plan seeks to ensure that development schemes deliver a range of housing choices in terms of a mix of housing and types.
- 8.7.2 The proposed dwelling mix is 8 x 1bed, 7 x 2-bed and 3 x 3-bed.
- 8.7.3 This dwelling mix is considered to be acceptable and provides a range of dwelling sizes that are considered suitable for a high street location, in that there is more focus on the 1 and 2 bedroom units with fewer but well proportioned family units in the building.
- 8.7.4 Overall, the proposal is considered to provide an acceptable range of housing choices within the scheme, suitable for its high street location in accordance with the NPPF and UDP Policy HSG10 and Policy 3.8 of the London Plan.

8.8 Affordable Housing

- 8.8.1 The NPPF states that where it is identified that affordable housing is needed, planning policies should be set for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. However, such policies should be sufficiently flexible to take account of changing market conditions over time (para. 50).
- 8.8.2 Similarly, The London Plan (2011), policy 3.12 states that Boroughs should seek “the maximum reasonable amount of affordable housing...when negotiating on individual private residential and mixed-use schemes”, having regard to their affordable housing targets, the need to encourage rather than restrain residential development and the individual circumstances including development viability”.

- 8.8.3 Policy HSG 4 of the UDP (2006) requires developments of more than 10 units to provide a proportion of affordable housing to meet an overall borough target of 50%. This target is retained in Policy SP2 of the emerging Local Plan.
- 8.8.4 The application includes a toolkit viability appraisal which calculates that it is not viable to provide any affordable housing. The appraisal has been independently assessed by the Council's chosen assessor who agrees with the figures and conclusions outlined in the viability report.
- 8.8.5 Notwithstanding the findings of the report (indicating that there is no viability to provide affordable housing on or off site or a financial contribution), the applicant has offered a sum of money to cover s106 obligations with the amount available for affordable housing being £432,120.72.
- 8.8.6 As an aside, the viability of the scheme has been calculated on a 100% private housing scheme, which provides for the maximum values with regards to the sale of the proposed units. Were affordable housing physically provided on site, values of the proposed private units would have to be adjusted, and would be lower, further reducing the viability of the scheme and thus the likelihood of the development ever coming forward. The lower the viability the lower the contribution amount and/or the fewer physical units that would be able to be provided on site. Further to this, were it actually viable to provide a small number of units on the site, it is unlikely that an RSL would take up the affordable units given the difficulties in managing such a small number of houses.
- 8.8.7 Furthermore, were the affordable housing contribution calculated according to the new Draft Planning Obligations SPD 2014, the contribution for affordable housing would be £596,904.00.
- 8.8.8 Given the above and the position of the applicant with regards to viability, in that there is no viable opportunity to provide affordable housing on site, and that whilst the financial contribution offered by the application would be lower than what would be expected with regards to providing cash in lieu of affordable housing, it is considered to be, on balance, acceptable.

8.9 Transportation

- 8.9.1 The NPPF states that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. This approach is continued in Local Plan Policy SP7. UDP Policy UD3 requires development to not significantly affect private and public transport networks.
- 8.9.2 The site has a medium PTAL of 4 and is served by the 91, W3, and W5 bus routes, which operate with a two-way frequency of 49 buses per hour and offers links to Finsbury Park and Wood Green underground and rail stations. The site is also within walking distance of the W7 bus route, which also provides links to Finsbury Park underground and rail stations with a two-way frequency of 26 buses per hour. It is considered that the prospective residents, staff and patrons would use sustainable modes of transport for the majority of journeys to and from the site. The Transport Assessment submitted by the applicant is not as up to date as it should be as it does not take into consideration recently approved developments in the immediate area.

Notwithstanding this, it is considered that the proposal is unlikely to result in any significant impact upon the surrounding highway and transportation network given the above. Conditions and S106 obligations are recommended should the application be approved.

8.9.3 Subject to the above provisions, the proposed development would not have a harmful impact on the highway network.

8.10 Sustainability

8.10.1 The NPPF and London Plan Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10 and 5.11, as well as Policy SP4 of Haringey's Local Plan and SPG 'Sustainable Design & Construction' set out the sustainable objectives in order to tackle climate change.

8.10.2 The NPPF emphasises the planning system's key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change and supporting the delivery of renewable and low carbon energy and associated infrastructure. Chapter 5 of the London Plan 2011 sets out the approach to climate change and requires developments to make the fullest contribution to minimizing carbon dioxide emissions. The energy strategy for the development has been developed using the Mayor's 'lean, clean, green' energy hierarchy which prioritises in descending order: reducing demand for energy, supplying energy efficiently and generating renewable energy.

8.10.3 Policy 5.2 of the London Plan requires major developments to achieve at least a 40% reduction in CO2 emissions over the Building Regulations 2010 standard. The submitted energy statement indicates that the proposal would achieve a 40.1% energy saving per annum over the Building Regulations 2006. The proposed carbon reduction for the residential units achieves the minimum required with the proposed commercial floorspace achieving a BREEAM 'excellent' rating. The development is considered to adequately reduce its greenhouse gas emissions and mitigate its impact on climate change contrary to the NPPF and London Plan Policy 5.2.

8.10.4 A condition requiring this carbon saving to be achieved and that the commercial floorspace achieves a BREEAM 'excellent' rating is recommended should the application be approved and would ensure the proposal accord with the NPPF 2012 and to London Plan 2011 Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10 and 5.11, as well as Policy SP4 of Haringey's Local Plan 2013, which require all residential development proposals to incorporate energy technologies to reduce carbon emissions has been included.

8.11 Waste

8.11.1 UDP Policy UD7 requires development proposal make adequate provision for waste and recycling storage.

8.11.2 The LBH Waste Management Team has not objected to the proposed development. A condition has been included requiring the submission of an appropriate waste strategy which encompasses not only the proposed flats but also the proposed commercial units on site.

8.12 Access

8.12.1 Policy HSG1 of the UDP and Policy 3.6 of the London Plan require that all units are built to Lifetime Homes Standard. This standard ensures that dwellings are able to be easily adapted to suit the changing needs of occupiers, particularly those with limits to mobility. All flats are designed to meet Lifetime Homes standard. Although it is not clear that 10% of units will be fully wheelchair accessible. A condition requiring 2 of the proposed units to be wheelchair accessible is recommended should the application be approved.

8.13 Trees

8.13.1 Policy OS17 of the Unitary Development Plan 2006 states that Council will seek to protect and improve the contribution of trees, tree masses and spines to local landscape character.

8.13.2 There are no trees within the former petrol station site but there are a number of trees in the neighbouring rear gardens.

8.13.3 The Council's Arboriculturalist was consulted on the previously approved application and concluded that it is unlikely that roots from the trees in the rear gardens would have established within the proposed development site, therefore the proposed new development would have no impact on their future health or life expectancy.

8.13.4 A previously approved planning permission on the site that included a substantial basement area was not considered to harm these neighbour trees. As such, the proposal is not considered to cause harm to these neighbouring trees. It should also be taken into consideration that the site having been a petrol station has a number of deep storage tanks.

8.14 Contamination

8.14.1 There has been little investigation below ground on site since the closure of the previous petrol station use. Therefore, it can be assumed that the tanks remain underground.

8.14.2 The proposal has been viewed by the Council's Pollution Officer who raises no objection to the scheme, however, given the above, conditions are recommended with regards to site investigate and/or remediation should it be required.

8.14.2 Therefore, the proposal, subject to a thorough site investigate and appropriate remediation, where required, is considered to be acceptable and appropriate for a mixed use development and is in general accordance with Policy 5.21 of the London Plan 2011 and Saved Policy UD3 of the Haringey Unitary Development Plan.

8.15 Planning Obligations

8.15.1 Under Section 106 of the Town and Country Planning Act, the Community Infrastructure Levy Regulations 2010 (as amended), the terms of Circular 05/2005 Planning Obligations, and in line with Policy UD8 and Supplementary Planning Guidance 10a 'The Negotiation, management and Monitoring of Planning Obligations'

the Local Planning Authority (LPA) will seek financial contributions towards a range of associated improvements immediately outside the boundary of the site.

8.15.2 The following obligations are considered to be appropriate should the application be approved:

- Car capped and £1,000.00 contribution;
- Travel plan and car club;
- £15,000.00 to review the Crouch End CPZ;
- £53,491.33 Education Contribution;
- £43,291.95 Open Space Contribution;
- £432,120.72 Affordable Housing Contribution;
- £14,000.00 Employment and Training contribution;
- Notification to Council of any job vacancies during the construction phase;
- Claw back clause following QS assessment of build costs giving the Local Authority the ability to obtain any additional contributions should the build costs be lower than what has been described within the viability documentation;
- Considerate Contractors;
- £31,000.00 Monitoring and Administration Costs.

9.0 HUMAN RIGHTS

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

10.0 EQUALITIES

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

11.0 CIL APPLICABLE

11.1 Based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £80,920.00 (2,312sqm x £35.00). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

12.0 CONCLUSION

12.1 The proposal involves the erection of a part 4 / part 5 storey building to contain retail development on the ground floor consisting of 422sq.m of A1 use and 218sq.m of A3 use with 18 residential units on the upper floors.

12.2 The proposal is seen to be an improvement to the current site situation making efficient use of a currently vacant piece of land whilst providing well proportioned flats to the borough's housing stock and providing an active frontage to the Tottenham Lane. Given the above, this application is recommended for APPROVAL.

13.0 RECOMMENDATION

13.1 That planning permission be GRANTED in accordance with the Applicant's drawing No's:

00-103 Rev P03; 00-104 Rev P02; 00-105 Rev P02; 00-106 Rev P02; 00-107 Rev P02; 00-108 Rev P02; 00-110 Rev P02; 00-111 Rev P02; 00-112 rev P02; 00-113 Rev P02; 00-114 Rev P02; 00-115 Rev P02; 0814-98-110; 0814-98-101; 0814-98-001; Transport Assessment by lamda TPE Ltd dated January 2014; Energy and Sustainability Statement by NRG Consulting Ltd dated January 2014; Daylight Assessment by David Maycox and Co. Dated 20 January 2014; Tree Report by Forbes-Laird Arboricultural Consultancy dated March 2008; Design and Access Statement by Prospect Planning Limited dated January 2014.

and subject to the following conditions and the signing of a s106 agreement and s278 Highways agreement:

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 accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

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

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

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area and consistent with Policy SP11 of the

Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

4. Notwithstanding the Provisions of Article 4 (1) and part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, no satellite antenna shall be erected or installed on the building hereby approved. The proposed development shall have a central dish or aerial system for receiving all broadcasts for the residential units created: details of such a scheme shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property, and the approved scheme shall be implemented and permanently retained thereafter.

Reason: In order to prevent the proliferation of satellite dishes on the development.

5. No development shall take place until a detailed scheme for the provision of refuse and waste storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented and permanently retained thereafter.

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

6. No development shall take place, including any works of demolition, until a Method of Construction Statement, to include details of :
- a) parking and management of vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials
 - d) programme of works (including measures for traffic management)
 - e) provision of boundary hoarding behind any visibility zones
 - f) wheel washing facilities:

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

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

7. Prior to the first occupation of the hereby approved ground floor A1 and A3 use class units a detailed scheme for the servicing and delivery of these units shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented and permanently retained thereafter.

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

8. Prior to the first occupation of the hereby approved eighteen (18no) residential units on site, a detailed plan to provide secure and covered cycle parking facilities for 22 bicycles has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until a minimum of 22 cycle parking spaces for users of the development, have been installed in accordance with the approved details. Such spaces shall be retained thereafter for this use only.

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

9. Before development commences other than for investigative work:

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

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

" a risk assessment to be undertaken,

" refinement of the Conceptual Model, and

" the development of a Method Statement detailing the remediation requirements.

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

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

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy 5.21 of the London Plan 2011 and Saved Policy UD3 of the Haringey Unitary Development Plan.

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy 5.21 of the London Plan 2011 and Saved Policy UD3 of the Haringey Unitary Development Plan.

11. No works shall be carried out on the site until a detailed report, including risk assessment, detailing management of demolition and construction dust has been submitted and approved by the Local Planning Authority (reference to the London Code of Construction Practice) and that the site of contractor company be registered with the considerate constructors scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out on site.

Reasons: To safeguard the amenities of the area consistent with Policies 6.3, 6.11 and 7.15 of the London Plan 2011, Policies SP0 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

12. Prior to the first occupation of the hereby approved eighteen (18no) residential units, installation details of the boiler to be provided for space heating and domestic hot water are to be submitted to and approved in writing by the Local Planning Authority. The boilers to be provided for space heating and domestic hot water shall have dry NOx emissions not exceeding 40mg/kWh (0%). The boilers are to be installed and permanently retained thereafter, or until such time as more efficient technology can replace those previously approved.

Reason: To ensure that the Code for Sustainable Homes assessment obtains all credits available for reducing pollution, as required by the London Plan 2011 Policy 7.14.

13. The dwellings hereby approved shall achieve a carbon reduction in CO2 emissions of at least 40%. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that this reduction has been achieved.

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

14. No building shall be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which Replaces that scheme) rating Excellent has been achieved for this development,

Or

Evidence that each element of the development is registered with a BREEAM certification body and that a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the stipulated BREEAM level Excellent shall be presented to the local planning authority within 6 weeks of the date of this decision and a final certificate shall be presented to the local planning authority within 6 months of the occupation of the development.

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

15. The A1 and A3 uses hereby permitted shall not be operated before 07:00 hours or after 23:00 hours on any day.

Reason: To protect the amenities of adjacent residential properties consistent with Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

16. The design and installation of new items of fixed plant hereby approved by this permission shall be such that, when in operation, the cumulative noise level LAeq 15 min arising from the proposed plant, measured or predicted at 1m from the facade of nearest residential premises shall be a rating level of at least 5dB(A) below the background noise level LAF90. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997. Upon request by the local planning authority a noise report shall be produced by a competent person and shall be submitted to and approved by the local planning authority to demonstrate compliance with the above criteria.

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

17. At least 10% of the hereby approved eighteen (18no) residential units shall be wheelchair accessible or easily adaptable for wheelchair use unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development meets the Council's Standards for the provision of wheelchair accessible dwellings in accordance with Haringey Local Plan 2013 Policy SP2.

INFORMATIVE 1: In dealing with this application, Haringey Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 to foster the delivery of sustainable development in a positive and proactive manner.

INFORMATIVE 2: Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

INFORMATIVE 3: Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.

INFORMATIVE 4: Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. In line with best practice for the disposal of fats, oils, and grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding, and pollution to local watercourses.

INFORMATIVE 5: Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development.

INFORMATIVE 6: The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

INFORMATIVE 7: Community Infrastructure Levy. The application is advised that the proposed development will be liable for the Mayor of London's CIL. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £80,920.00 (2,312sqm x £35.00). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

INFORMATIVE 8: The London Fire Brigade strongly recommends that sprinklers are considered for this development. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life.

APPENDIX 1 - Consultation responses

No	Stakeholder	Questions/Comments	
1	LBH Pollution	No objection to the proposal. Recommends conditions relating to land contamination, dust control, and energy plant equipment should the application be approved.	
2	Designing out rime Officer	No objection to the proposal.	
3	London Fire Brigade	No objection to the proposal. Sprinkler Informative recommended should the application be approved.	
4	LBH Transportation	No objection to the proposal. The site has a medium PTAL of 4 and is served by the 91, W3, and W5 bus routes, which operate with a two-way frequency of 49 buses per hour and offers links to Finsbury Park and Wood Green underground and rail stations. The site is also within walking distance of the W7 bus route, which also provides links to Finsbury Park underground and rail stations with a two-way frequency of 26 buses per hour. It is considered that the prospective residents, staff and patrons would use sustainable modes of transport for the majority of journeys to and from the site. The Transport Assessment submitted by the applicant is not as up to date as it should be as it does not take into consideration recently approved developments in the immediate area. Notwithstanding this, it is considered that the proposal is unlikely to result in any significant impact upon the surrounding highway and transportation network. Conditions and S106 obligations are recommended should the application be approved.	
5	LBH Waste	No objection to the proposal. Recommends bin and waste storage size requirements for each unit size. Further comments being: <i>“The application shows limited space for waste and recycling for domestic dwellings and commercial premises within the proposed build. Also, refuse vehicles should be able to enter the development in forward gear, make collections and exit in forward gear without</i>	

		<p><i>the need to reverse.</i></p> <p><i>Commercial business must ensure all waste produced on site are disposed of responsibly under their duty of care within Environmental Protection Act 1990. It is for the business to arrange a properly documented process for waste collection from a licensed contractor of their choice. Documentation must be kept by the business and be produced on request of an authorised Council Official under section 34 of the Act. Failure to do so may result in a fixed penalty fine or prosecution through the criminal Court system.</i></p> <p><i>Waste must be properly contained to avoid spillage, side waste and windblown litter. Waste collection arrangements must be frequent enough to avoid spillage and waste accumulations around the bin area and surrounding land both private and public.”</i></p>	
6	Thames Water	No objection to the proposal. A condition is recommended requiring a piling methodology given the sites proximity to local sewerage infrastructure along with several informative should the application be approved.	
7	LBH Housing	Whilst not supportive of a 100% private accommodation scheme, LBH Housing do acknowledge the position of the applicant regarding the viability of the scheme and the rationale behind not providing on site affordable house. This is further discussed under the affordable housing section of this report.	
8	<p>Neighbouring Properties</p> <p>15 letters of objection, 1 neutral letter and 1 letter of support.</p>	<p>Matters raised (response in italics below)</p> <p><i>The scale of the building is out of proportion with the surrounding area and in particular the row of shops and the Music Palace building it adjoins on both sides;</i></p> <p>The proposed building would adjoin the newly approved cinema to the south-west and the existing shopping parade to the north-east, albeit a gap is provided here for access to the rear of the site. The bulk, massing, and height of the proposal has been reduced in light of residents concerns raised at the initial DM Forum with the design and appearance and massing very similar to what had been previously approved on the site in 2009. It is considered that the four storey building with a centralised fifth floor is considered to reflect the massing and building lines in the area. This is particularly evident of the front facade given the fourth floor is stepped</p>	

		<p>back to provide amenity space for the residential units, thus giving the impression of a three storey building when viewed on the high street. Materials at the fourth and fifth floor also differ again aiding in minimising the visual bulk of the building when viewed from the street. This matter is discussed further under 'design and appearance and affect on adjoining conservation area'.</p> <p><i>Design and appearance of the building;</i> See 'design and appearance and affect on adjoining conservation area'.</p> <p><i>Parking for residents and staff does not seem sufficient. Also, there are insufficient residential parking zones in the area already and there will be further pressure from the commercial uses;</i> See 'transportation' section. Furthermore, no objection has been raised by the Council's Transportation and Highways team. S106 legal obligations will require the scheme to be car capped, restricting future occupants to residents permits, cycle parking is provided on site, a travel plan and sponsorship to a car club will also be a s106 obligation with 15 car parking spaces provided on site, 2 of which are accessible spaces. These measures and the fact the site has a PTAL of 4 with good access to public transportation are considered to be sufficient in mitigating any transportation effects.</p> <p><i>More A3 uses on the high street will harm other established A3 businesses on the high streets;</i> Trade competition is not considered to be a matter that would be material or hold sufficient weight when considering the planning merits of the scheme.</p> <p><i>Overcrowding leading to parking issues and an oversupply of shops and restaurants in the area;</i> See 'transportation' section. Furthermore, the ground floor commercial uses (A1/A3) are considered to be complementary to the existing ground floor retail uses that form part of the adjoining Local Shopping Centre to the north.</p> <p><i>Harmful impact on traffic in the area;</i> See 'transportation' section.</p> <p><i>The proposal does not preserve or enhance the Crouch End Conservation Area to which it adjoins;</i> See 'design and appearance and affect on adjoining conservation area' section. Furthermore, whilst the site adjoins the</p>	
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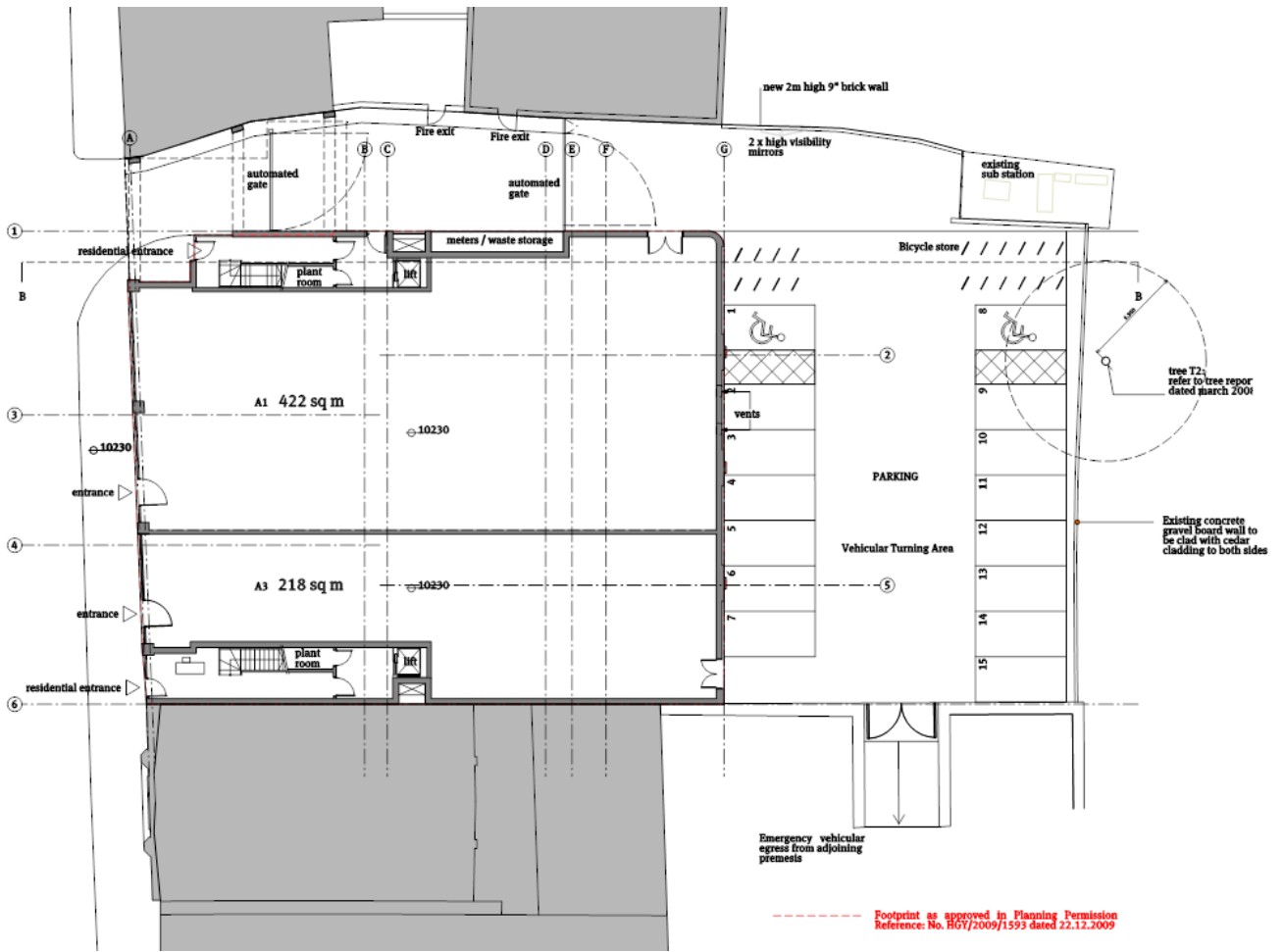
		<p>conservation area, the bulk of the building is located to the front of the site, providing a substantial setback from the conservation area. It is also acknowledged that the current state of the site detracts from the conservation area given it is an open yard with sporadic temporary uses on the site (such as the previous car wash facility) with the proposal seen as an improvement to the current situation.</p> <p><i>Proposed rear balconies would overlook properties at 201-205 Ferme Park Road and 22-32 Fairfield Road leading to a loss of residential amenity;</i> See 'neighbouring amenity' section. Furthermore, the side boundary (north-eastern) that adjoins to the rear of the Ferme Park sites is at its closest some 27 metres (approximately) with the rear boundary (southern) being some 19m from the rear elevation of these properties. Including the car parking area, the rear facade of the proposed building would be set back approximately 44m from the rear facade of those houses fronting Fairfield Road. This generous setback is considered to be sufficient in preserving the amenities and privacy of both existing neighbours and future occupiers of the proposed development.</p> <p><i>The underground parking has been removed but this means there is no green space to the rear of the site for adjoining residents to look onto;</i> The current condition of the site provides no relief when viewed from the surrounding area with regards to greenery. The site is located in a pocket of industrial sites that house commercial buildings or large areas of hardstanding. The proposal is not considered to exacerbate this situation, however, there would be some improvement through the provision of planted walls at the roof level to provide screening for the proposed roof terrace and greenery at a high level.</p> <p><i>Noise from plant equipment associated with the commercial ground floor A1/A3 uses;</i> Conditions of consent can be recommended with regards to plant noise. Further to this, the ground floor plans indicate that the commercial plant would be located within the proposed building footprint. Any additional external plant would be require planning permission which again could assess and restrict noise levels</p> <p><i>The additional unit on the 5th floor entitled as a mezzanine is actually a full floor;</i> The fifth floor addition has been reduced in</p>	
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		<p>size with the latest amendments. It is a centralised addition that is set back from the building edges considerably. It is considered that this element would appear subservient to the overall bulk of the proposed building and therefore would be acceptable.</p> <p><i>High level glazed sliding doors would impact on the amenities of rear neighbours given the amount of glazing and overlooking from the upper floor flats;</i> Since the amendments to the scheme, the amount of high level glazing and sliding doors has been reduced. Notwithstanding this, the distance between these glazed elements and the rear elevation of those properties fronting Fairfield Road would be approximately 44m. This is considered to be sufficient in maintaining privacy between the properties.</p> <p><i>Flank windows overlooking existing office windows at 155 Tottenham Lane;</i> Office windows are not habitable room windows and therefore, there would be no loss of privacy to these neighbours.</p> <p><i>The proposed gated entrance location would affect neighbouring fire escapes and access;</i> This is a matter for building control and a civil matter between neighbours and would not hold sufficient weight when considering the planning merits of the scheme.</p> <p><i>The application form states operational hours for the A1/A3 ground floor uses is unknown. The hours of operation should be stipulated and restricted to 8am to 10pm daily.</i> Conditions are recommended should the application be approved restricting the hours of the proposed commercial uses.</p> <p>SUPPORT: It will be a good to fill the gap next to the new cinemas and new shops are welcomed, however, the design appears bland;</p> <p>NEUTRAL: The proposed buildings are ugly. Could the site not have been turned into a car parking area for the cinema.</p>	
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SITE LOCATION PLAN

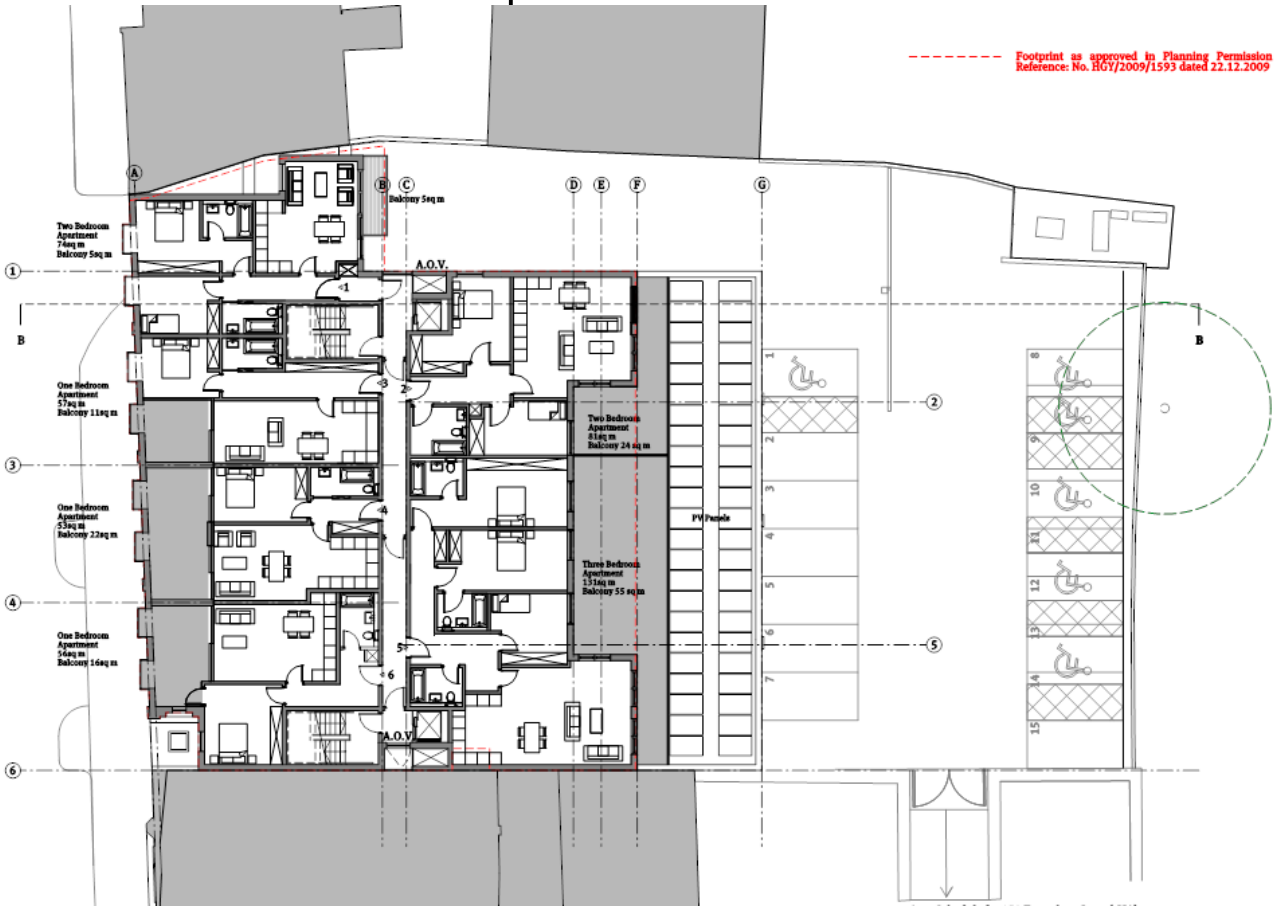


Proposed Ground Floor Plan



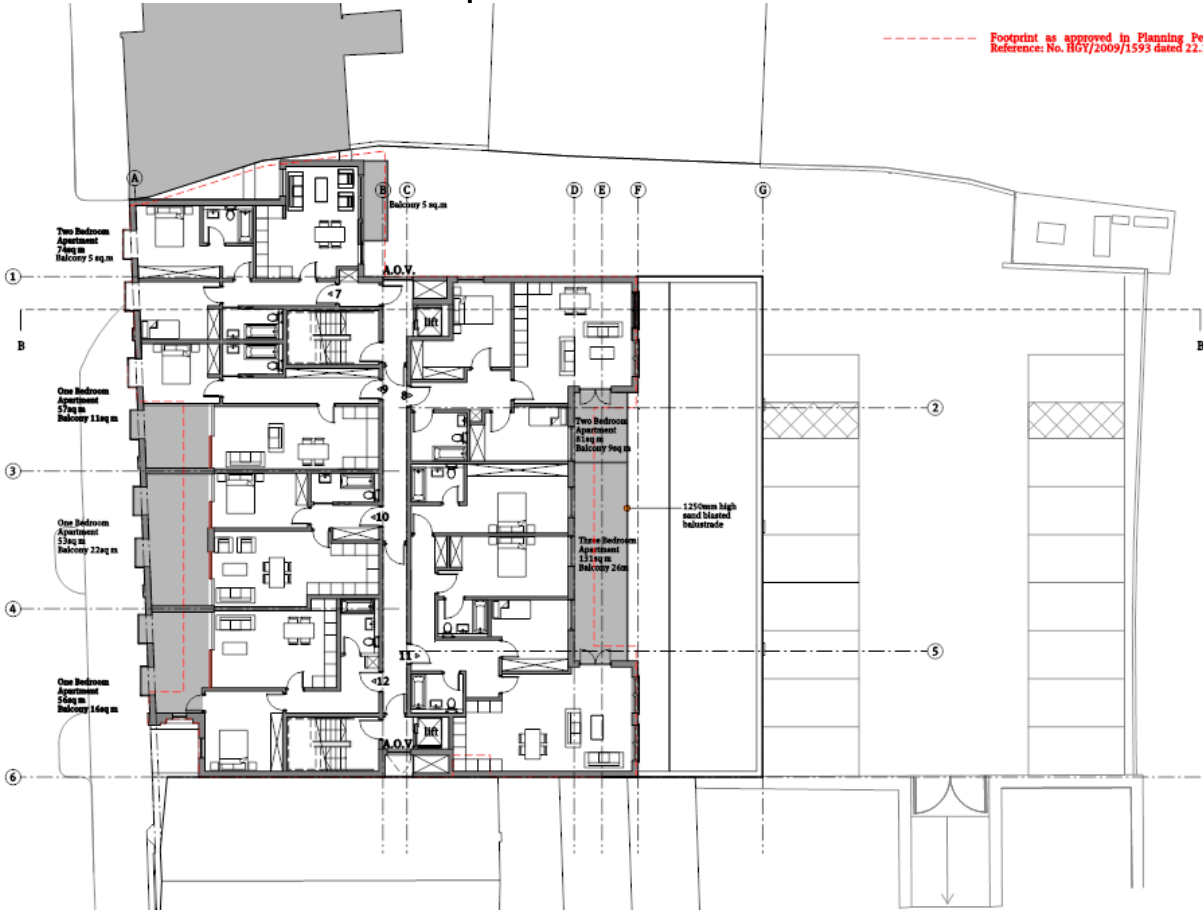
Proposed First Floor Plan

----- Footprint as approved in Planning Permission
Reference: No. HG/2009/1593 dated 22.12.2009

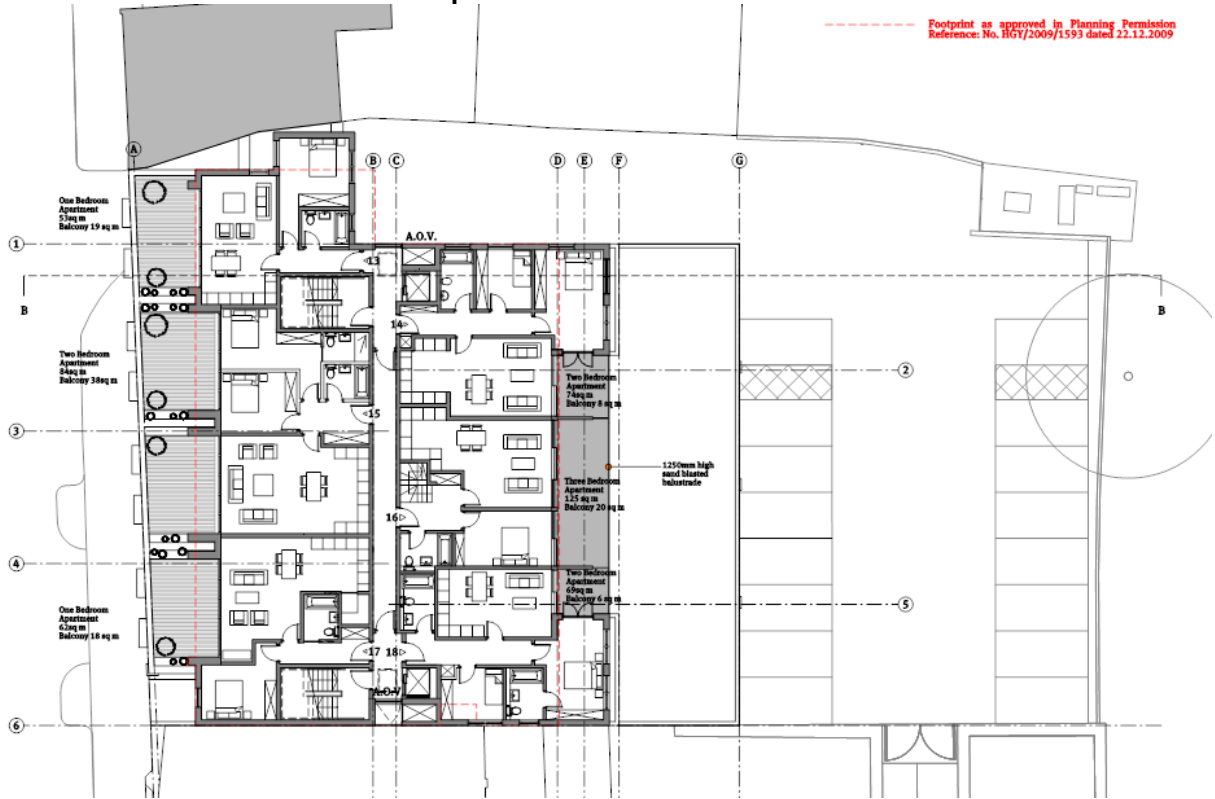


Proposed Second Floor Plan

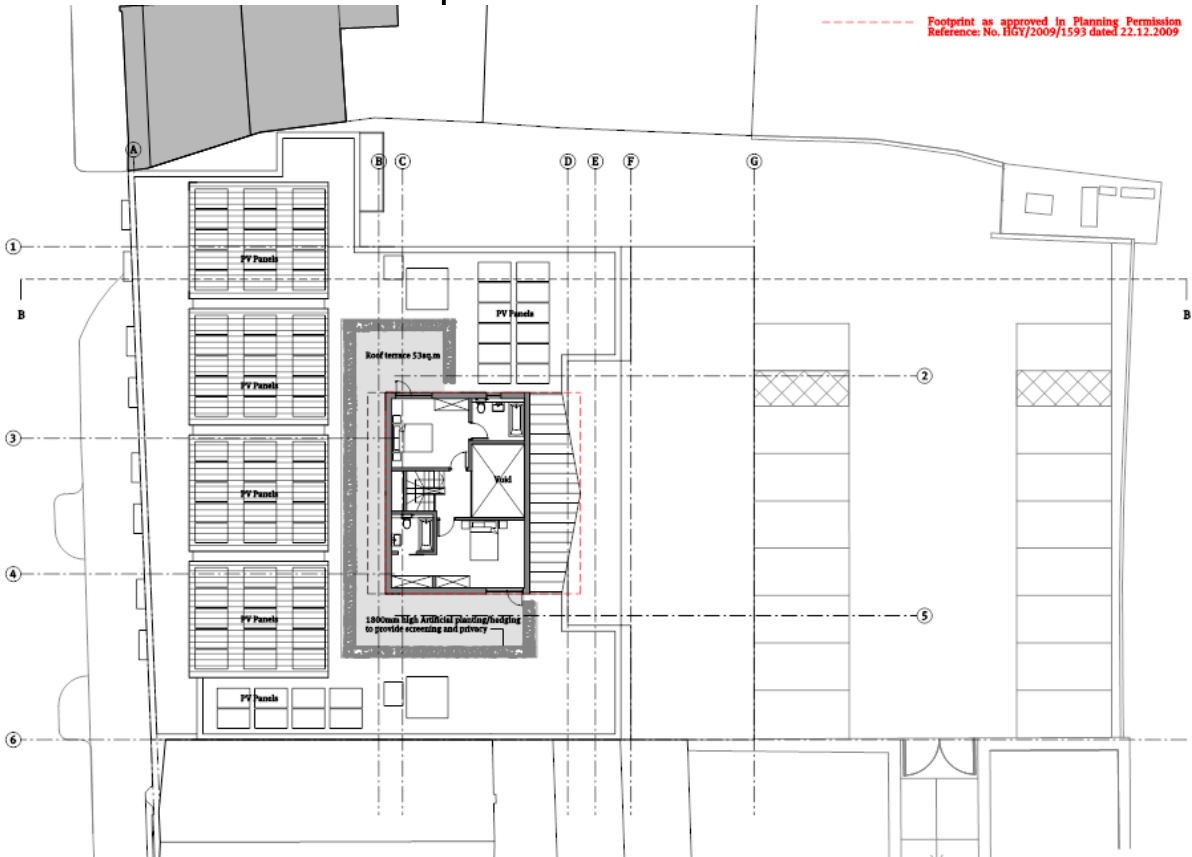
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Reference: No. HG/2009/1593 dated 22.12.2009



Proposed Third Floor Plan

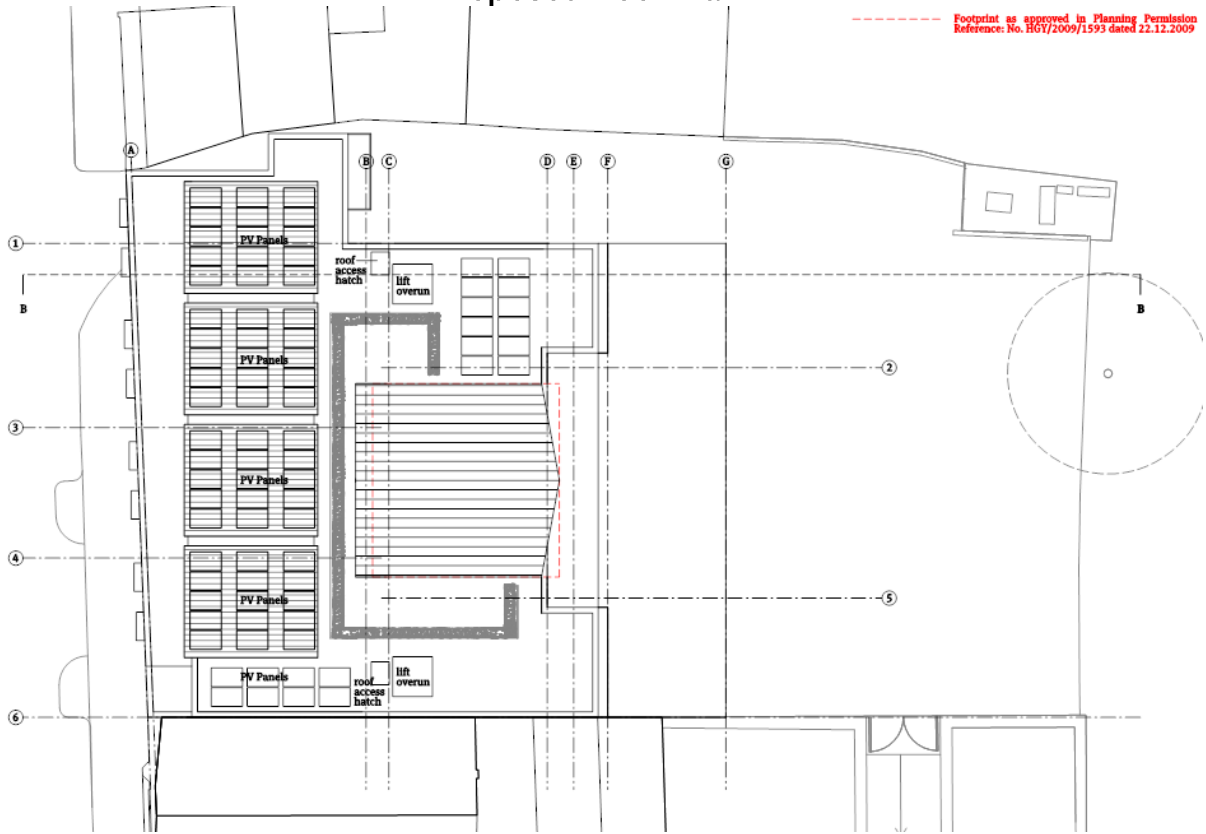


Proposed Fourth Floor Plan



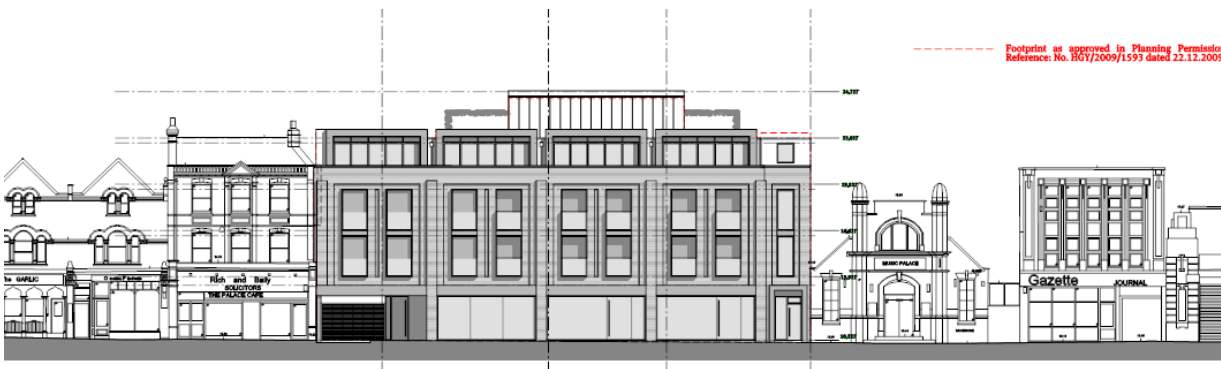
Proposed Roof Plan

Footprint as approved in Planning Permission
Reference: No. HGT/2009/1593 dated 22.12.2009

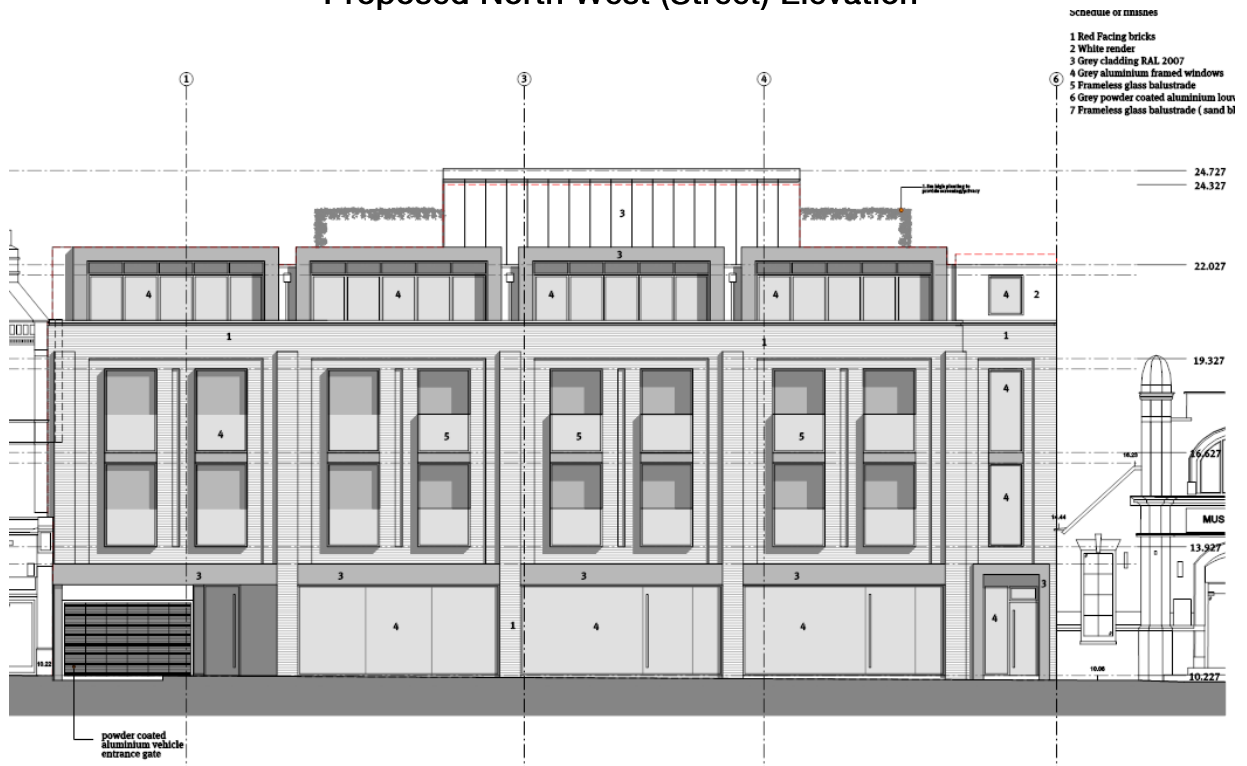


Street Frontage - Context

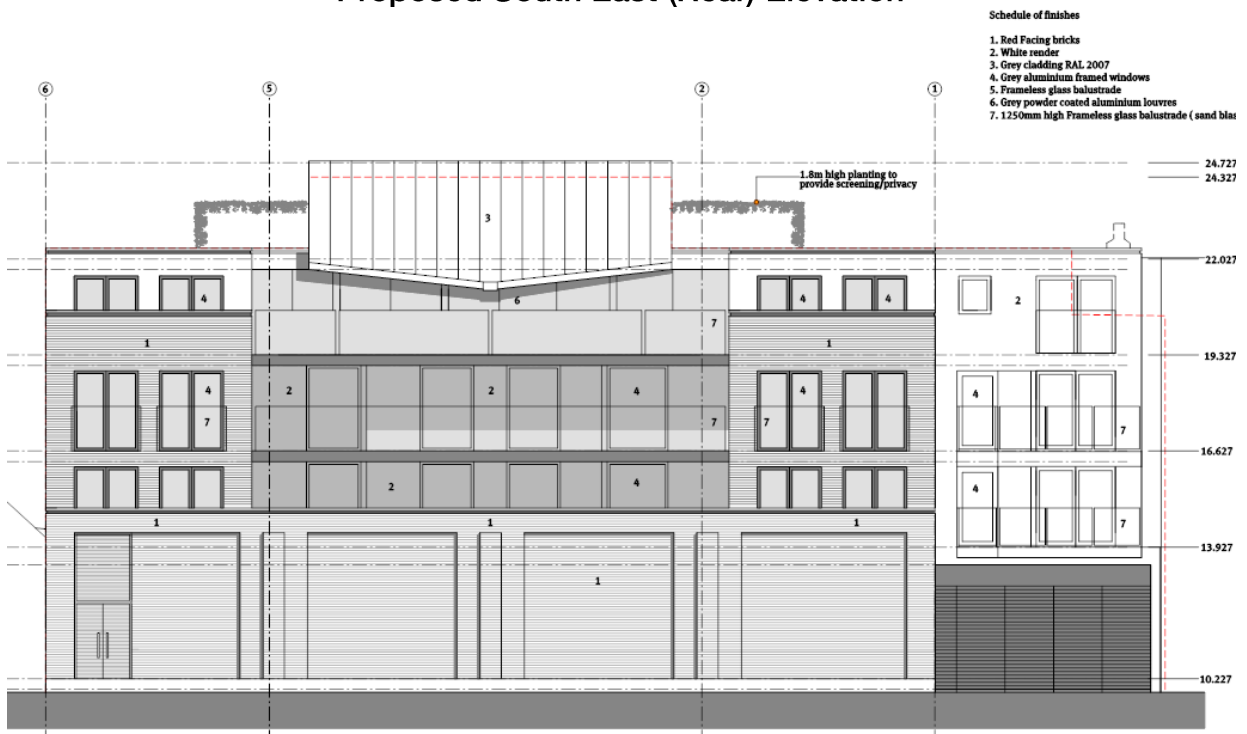
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Reference: No. HGT/2009/1593 dated 22.12.2009



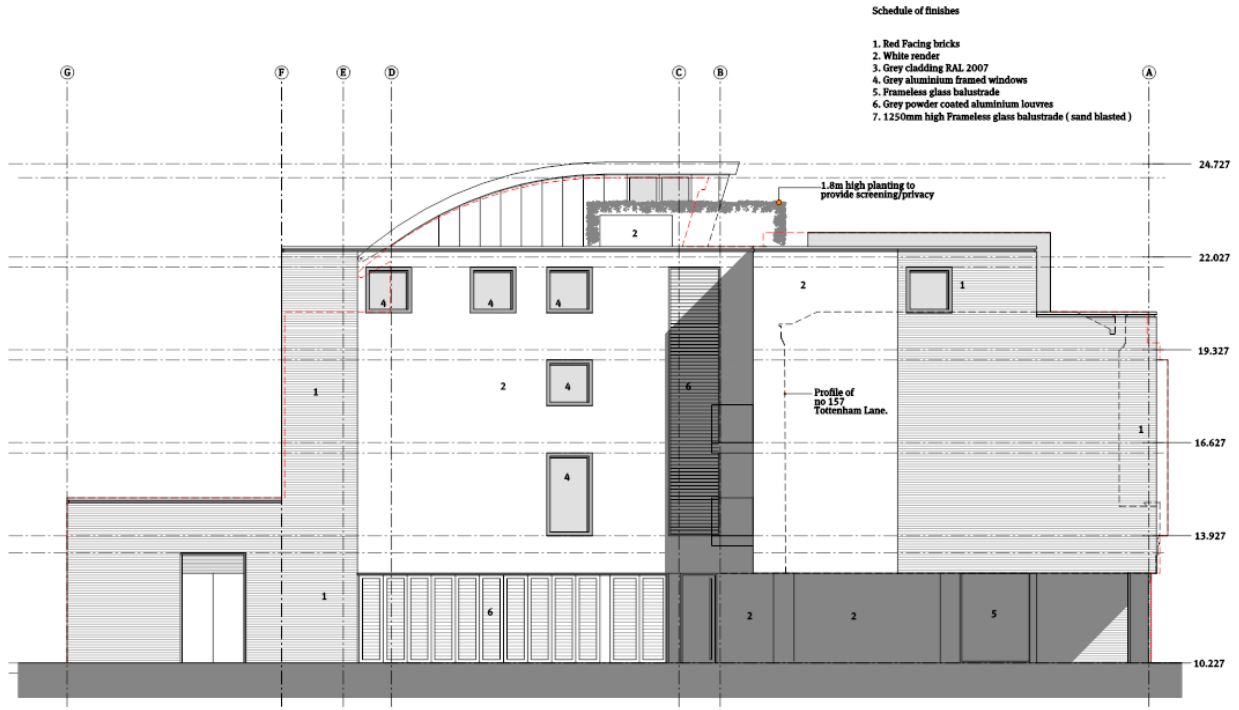
Proposed North West (Street) Elevation



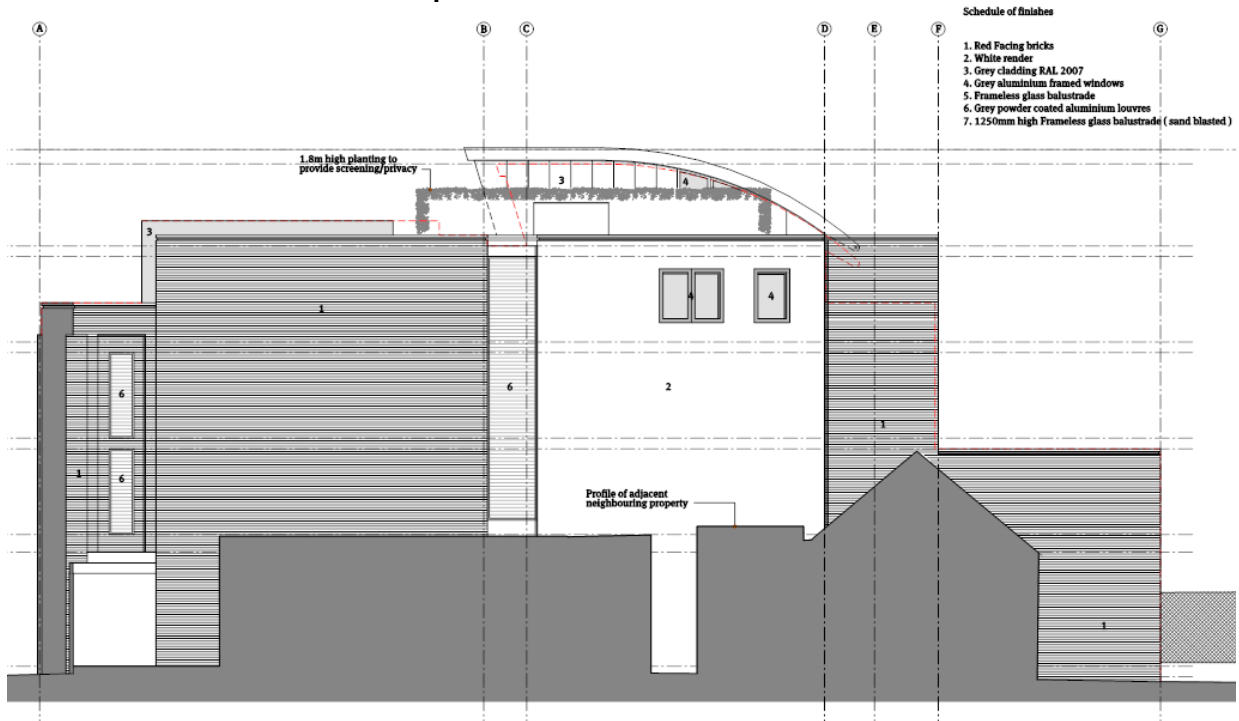
Proposed South East (Rear) Elevation



Proposed North East Elevation



Proposed South West Elevation



AERIAL PHOTOGRAPH

