

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

<b>1. APPLICATION DETAILS</b>	
<b>Reference No:</b> HGY/2014/1818	<b>Ward:</b> Crouch End
<p><b>Address:</b> 46 The Broadway N8 9SU</p> <p><b>Proposal:</b> Erection of first and second floor rear extension to create 1 x studio flat and 1 x split level bedroom flat, together with the conversion of the existing 2 flats at upper levels to create 8 bedsits units, with provision of cycle and refuse storage.</p> <p><b>Applicant:</b> MrDavid Yamin-Joseph Galante Corporation NV</p> <p><b>Ownership:</b> Private</p> <p><b>Case Officer Contact:</b> Valerie Okeiyi</p> <p><b>Site Visit Date:</b> 12/08/2014</p>	
<p><b>Date received:</b> 26/06/2014 <b>Last amended date:</b> DD/MM/YYYY</p> <p><b>Drawing number of plans:</b> 12-12-843/SU 101, 12-12-843/SU 301A, 12-12-843/SU 302A, 12-12-843/SU 102, 12-12-843/SK-864, 12-12-843/PD-363E, 12-12-843/PD-364E, 12-12-843/PD-162E, 12-12-843/PD-161F</p>	
<p>1.1 The application is being reported to Planning Committee due to the chair of the planning sub-committee's request.</p>	

## 1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The new addition would be subordinate to the original building and reflects the architectural features of the existing building, but interprets it in a simpler way so that it does not appear visually overbearing and dominant.
- Officers consider that the proposed development would preserve the character of the conservation area.
- The proposed bedsit units would be consistent with the Council's standards for houses in multiple occupation and the principle of their provision was established in the previous consent.
- The proposal would provide a satisfactory standard of accommodation for future occupiers. The provision of two flats rather than additional bedsit units overcomes the previous reasons for refusal.
- The proposed development would not have any adverse impact on the surrounding highway network or significant increase on car parking demand in this location
- The proposal will not give rise to unacceptable harm to the amenity of surrounding land and buildings.

## 2. RECOMMENDATION

That the Committee resolve to GRANT planning permission and that the Head of Development Management is delegated authority to issue the planning permission and impose conditions and informatives and/or subject to sec. 106 Legal Agreement to secure the following matters:

### Conditions

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Precise details of the materials to be used in to be submitted to LPA;
- 4) Details of site levels to be submitted to LPA prior to commencement;
- 5) Details of boundary treatment to be submitted to LPA prior to commencement;
- 6) Construction Management Plan and Construction Logistics Plan to be submitted to LPA prior to commencement;
- 7) Details of aerial to be submitted to LPA

### Informatives

- 1) Thames Water
- 2) Hours of construction
- 3) Party Wall Act
- 4) CIL liable
- 5) Numbering

In the even that member choose to make a decision contrary to officers' recommendation members will need to state their reasons.

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### 3.0 PROPOSED DEVELOPMENT AND LOCATION DETAILS

#### 3.1 Proposed development

This is an application for the erection of first and second floor rear extension to create 1 x studio flat and 1 x split level bedroom flat, together with the conversion of the existing 2 flats at upper levels to create 8 bedsits units, with provision of cycle and refuse storage.

#### 3.2 Site and Surroundings

The subject property has a fast food restaurant on the ground floor of a three storey Edwardian building on the corner of the Broadway and Weston Park Road two self contained flats on the upper levels. Both flats are accessed via an external staircase at the rear of the property which exits onto Weston Park Road. There is a door on the rear elevation at mezzanine floor level (between ground and first floors).

The building is differentiated from the attached row of 3-storey Victorian terraces by its prominent gable feature, larger footprint and articulated stone façade. As a result, the building is highly visible and prominent within the Crouch End Town Centre. Development elsewhere in the town centre consists of similar 3-storey terrace buildings with commercial units of the ground floor and residential above.

The property lies within the Crouch End Conservation Area.

#### 3.4 Relevant Planning and Enforcement history

Planning	<a href="#">HGY/2013/0442</a>	GTD 30-07-13	46 The Broadway London	Change of use of upper floors from 2 self-contained flats to House in Multiple Occupation comprising 8 bedsit units, with new side entrance, alterations to rear elevation and provision of cycle ad refuse store.
Planning	<a href="#">HGY/2014/0009</a>	REF 10-02-14	46 The Broadway London	Erection of first and second floor rear extensions and conversion of existing two flats at upper levels to create 13 bedsit units, including cycle and refuse storage.

### 4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

#### *Internal*

- 1) LBH Housing Renewal Service
- 2) LBH Cleansing
- 3) LBH Conservation
- 4) LBH Building Control
- 5) LBH Transportation
- 6) LBH Conservation Officer

External

- 1) Thames Water
- 2) London Fire Brigade

The following responses were received :

Internal:

- 1) LBH Conservation Officer - The revised scheme is considered to be an improvement in its appearance as it now appears subordinate to the original building. The extension reflects the architectural features of the existing building, but interprets it in a simpler way so that it does not appear visually overbearing and dominant. As such the proposal would preserve the appearance of the existing building. By removing the existing ad hoc buildings with a more aesthetically pleasing structure, the proposal would also enhance the appearance of the conservation area and would be acceptable in this instance.
- 2) LBH Transportation – No objection on transportation grounds on the basis of a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) condition and the following;
  1. The applicant enters into a S106 agreement that "The residential unit is defined as 'car free' and therefore no residents therein will be entitled to apply for on street residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development." The applicant must contribute a sum of £1000 (one thousand pounds) towards the amendment of the Traffic Management Order (TMO) for this purpose.
  2. The developer must offer all new residents of the proposed development two years free membership to a local Car Club. Evidence that each unit has been offered free membership to the Car Club must be submitted to the Local Planning Authority

External:

- 3) Thames Water – No objection
- 4) London Fire Brigade – No objection

## 5. LOCAL REPRESENTATIONS

5.1 The following were consulted:

A site notice was put up on the 10/07/2014

- Residents of 53 properties;
- Local Ward Councillors;
- Hornsey CAAC;

5.2 One objection was received to the development from a local resident. No details of the nature of the objection were set out.

## 6 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the proposed development are:

1. Principle of the development
2. Standard of Accommodation
3. The impact of the proposed development on the character and appearance of the conservation area
4. Impact on the amenity of adjoining occupiers
5. Parking and highway safety
6. Planning Obligations – Section 106

### 6.2 Principle of the development

6.2.1 This current scheme follows on from a refusal under planning reference HGY/2014/0009 for the erection of first and second floor rear extensions and conversion of existing two flats at upper levels to create 13 bedsit units, including cycle and refuse storage. The reasons for refusal can be summarised as follows;

- The development failed to preserve or enhance the character or appearance of the Conservation Area
- The additional HMO units would impinge on the amenities of adjoining neighbours and the area as a whole as a result of the increased concentration within the vicinity.

6.2.2 The current planning application seeks to overcome these reasons for refusal (HGY/2014/0009)

6.2.3 The principle of the conversion of the existing two self contained flats to eight bed sits was established by HGY/2013/0442 and as such the Council accepts that this location is one that is appropriate for such a use. The current application provides 8 bedsits units unchanged from the approved consent and the extension proposed would provide two self contained flats rather than the additional 5 bedsit units in the previously refused scheme. The impact upon the residential character of the area and the amenity of residents would be significantly reduced in the current application because the additional built form creates only two further units. In addition, the proposal is also supported by London Plan Policies 3.3 'Increasing Housing Supply' and 3.4 'Optimising Housing and the Council's new and raised target of meeting or exceeding 820

homes a year. It is also supported by Haringey Local Plan Policy SP2 'Housing'.

### **6.3 Standard of Accommodation**

- 6.3.1 London Plan Policy 3.5 'Quality and Design of Housing Developments' requires the design of all new housing developments to enhance the quality of local places and for the dwelling in particular to be of sufficient size and quality. Local Plan Policy SP2 'Housing' states that high quality new residential development in Haringey will be provided by ensuring that new development complies with the Mayor's Housing SPG sets out the space standards for all new residential developments to ensure an acceptable level of living accommodation offered.
- 6.3.2 The extension proposed provides a studio flat of 39.6 sq.m. at mezzanine floor level and, at first and second floor levels, a split level 1 bedroom unit of 63.49 sq.m. These units meet the space standards set out in the London Plan. The 1 bedroom flat would benefit from a terrace area of 14 sq.m. at first floor level. The studio however has no amenity space provision. Given the nature and constraints of the site and the nature of the unit this is acceptable.
- 6.3.3 Overall the layout of the proposed units, ventilation and circulation space are considered to provide a good standard of accommodation for future occupants
- 6.3.4 Neither the London Plan nor the Local Plan set out space standards for bedsits. However, the proposed bedsit units exceed the minimum space required by the Council's HMO standards for single occupation of 10 sq.m ranging from 13 to 17 sq.m. As such these are acceptable.

### **6.4 Character and appearance of the conservation area**

- 6.4.1 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.
- 6.4.2 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.

- 6.4.3 The proposal seeks to erect a rear addition at first, second and roof level to the existing 3 storey building to facilitate the creation of 2 self contained flats. The new addition would replace the existing flat roof first and second floor extensions that have been constructed of mismatching materials and detail. The new addition would have a width of 8.5m, depth of 6.9m. The new addition would be faced in red brickwork with stone dressings to its street elevation, but the new fabric would have simpler, pared down detailing. There would be stone string courses and a tiled roof. The entrance doors and casement window would be wooden and would again reflect but not copy the designs of the original building.
- 6.4.4 The extension would be set back from the pavement edge, unlike the existing extension, and would have period style steel railings on a dwarf wall protecting a small planting area. This would allow the building line to step back to better reflect the deeper set back of the adjacent houses in Weston Park. Because the extension is set back and, above mezzanine floor level, narrower than the original building, its roof, despite being the same pitch as the original building, would have a ridge lower than it.
- 6.4.5 To the rear of the site would be a yard, protected by screen walls, and this would accommodate both commercial and domestic bins, and a parking area for bicycles.
- 6.4.6 The scheme proposed is considered to be an improvement in its appearance to the previously refused scheme, as it now appears subordinate to the original building. The extension reflects the architectural features of the existing building, but interprets it in a simpler way so that it does not appear visually overbearing and dominant. As such the reason for refusal of the previous scheme has been overcome and the proposal would not cause harm to the Conservation Area and would preserve the appearance of the existing building. By removing the existing ad hoc buildings with a more aesthetically pleasing structure, the proposal would also enhance the appearance of the conservation area and would be acceptable in this instance.

## **6.5 Impact on the amenity of adjoining occupiers**

- 6.5.1 The London Plan 2011 Policy 7.6 Architecture states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Saved Policy UD3 also requires development not to have a significant adverse impact on residential amenity in terms of loss of daylight, or sunlight, privacy overlooking and aspect.
- 6.5.2 The proposed extension would have no material adverse impact on the amenity of the neighbouring properties because it would already replace existing structures on ground and first floor level and in terms of overlooking



from new windows there is already a degree of overlooking created by the existing windows and furthermore the property at no. 5 Weston Park Road has no side facing windows.

## **6.6 Parking and highway safety**

6.6.1 Local Plan (2013) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport and adopting maximum car parking standards and car free housing wherever feasible.

6.6.2 The proposal provides no off street parking however it would include secure cycle storage for 13 bicycles. The Council's Transportation Team has assessed the proposal and do not object because the proposed development would not have any adverse impact on the surrounding highway network or significant increase on car parking demand in this location.

6.6.3 However, the applicant is required to enter into a S106 agreement with the following clause: "The residential unit is defined as 'car free' and therefore no residents therein will be entitled to apply for an on street residents parking permit under the terms of the relevant Traffic Management Order(TMO) controlling on-street parking in the vicinity of the development." The applicant must contribute a sum of £1000 (one thousand pounds) towards the amendment of the Traffic Management Order (TMO) for this purpose. The developer must also offer all new residents of the proposed development two years free membership to a local Car Club. Evidence that each unit has been offered free membership to the Car Club must be submitted to the Local Planning Authority

## **6.7 Planning Obligations – Section 106**

6.7.1 Section 106 planning obligations, are legally binding commitments by the applicant/ developer and any others that have an interest in the land to mitigate the impacts of new development upon existing communities and/or to provide new infrastructure for residents in new developments. Guidance is also set out in Council's Development Plan policies and supplementary planning guidance, specifically SPG10a "Negotiation, Management and Monitoring of Planning Obligations" (Adopted 2006).

6.7.2 The statutory policy tests which planning obligations must meet are set out in the Community Infrastructure Levy Regulations 2010. Planning obligations must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

6.7.3 The applicant has agreed to provide the following contributions in the form of a S106 agreement. These contributions are in line with Haringey policy.

### ***Transportation contribution***

1) The applicant has agreed that the residential unit is defined as 'car free' and therefore no residents therein will be entitled to apply for on street residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development." The applicant has agreed to contribute a sum of £1000 (one thousand pounds) towards the amendment of the TMO for this purpose.

2) The applicant has agreed to offer two years free membership to a local Car Club, evidence of which must be submitted to the Transportation Team.

## **6.8 Conclusion**

6.8.1 The proposed development would appear subordinate to the original building and would enhance the character and appearance of the conservation area and does not cause harm to the conservation area. The proposed bedsit units would be consistent with the Council's standards for houses in multiple occupation and the principle of their provision was established in the previous consent. The proposal would provide a satisfactory standard of accommodation for future occupiers. The provision of two flats rather than additional bedsit units overcomes the previous reasons for refusal. The proposed development would not have any adverse impact on the surrounding highway network or significant increase on car parking demand in this location and it would not adversely affect the residential amenities of the adjoining occupiers.

6.8.2 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

## **6.9 CIL**

6.9.1 Based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £3,815 (109 x £35). 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.

## **8.0 RECOMMENDATIONS**

GRANT PERMISSION subject to conditions and subject to sec. 106 Legal Agreement

Applicant's drawing No.(s) 12-12-843/SU 101, 12-12-843/SU 301A, 12-12-843/SU 302A, 12-12-843/SU 102, 12-12-843/SK-864, 12-12-843/PD-363E, 12-12-843/PD-364E, 12-12-843/PD-162E, 12-12-843/PD-161F

Subject to the following condition(s)

1. 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.

2. 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.

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. No development shall proceed until details of all existing and proposed levels on the site in relation to the adjoining properties be submitted and approved by the Local Planning Authority. The development shall be built in accordance with the approved details.

Reason: In order to ensure that any works in conjunction with the permission hereby granted respects the height of adjacent properties through suitable levels on the site.

5. Details of the proposed boundary treatment shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The approved boundary treatment shall thereafter be installed prior to occupation of the new residential unit.

Reason: In the interest of the visual amenity of the area and residential amenities of

neighbouring occupiers.

6. The applicant/developer is required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the local authority's approval prior to construction work commencing on site. The Plans should provide details on how construction work (including any demolition) would be undertaken in a manner that disruption to traffic and pedestrians on Crouch End Broadway, Weston Park and the surrounding roads is minimised. It is also requested that construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods.

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

7. The proposed development shall have a central dish/aerial system for receiving all broadcasts for all 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 protect the visual amenities of the neighbourhood.

#### INFORMATIVE: Thames Water

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

#### INFORMATIVE: Hours of Construction Work

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday 8.00am - 1.00pm Saturday and not at all on Sundays and Bank Holidays. INFORMATIVE: Party Wall Act The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

#### INFORMATIVE : 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 £3,815 (109 x £35). 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: 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.

## Appendix 1: Consultation Responses

No	Internal/External Consultees	Comments	Response
1.	LBH - Conservation	<p>No objection. The revised scheme is considered to be an improvement in its appearance as it now appears subordinate to the original building. The extension reflects the architectural features of the existing building, but interprets it in a simpler way so that it does not appear visually overbearing and dominant. As such the proposal would preserve the appearance of the existing building. By removing the existing ad hoc buildings with a more aesthetically pleasing structure, the proposal would also enhance the appearance of the conservation area and would be acceptable in this instance.</p>	Noted.
2.	LBH - Transportation	<p>No objection on the basis of a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) condition and the following;</p> <ol style="list-style-type: none"> <li>1. The applicant enters into a S106 agreement that "The residential unit is defined as 'car free' and therefore no residents therein will be entitled to apply for on street residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development." The applicant must contribute a sum of £1000 (one thousand pounds) towards the amendment of the Traffic Management Order (TMO) for this purpose.</li> <li>2. The developer must offer all new residents of the proposed development two years free membership to a local Car Club. Evidence that each unit has been offered free membership to the Car Club must be submitted to the Local Planning Authority</li> </ol>	Noted.
3.	Thames Water	<p><u>Waste Comments</u> Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.</p> <p><u>Water Comments</u> On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission.</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx</p>	Noted.

No	Internal/External Consultees	Comments	Response
		1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.	
4.	London Fire Brigade	The brigade is satisfied with the proposal subject to the domestic sprinkler system	Noted
			.
No	Local representatives	Comments	Response
5	Neighbour consulted from 12 Park Road	Objection	No details of the nature of the objection

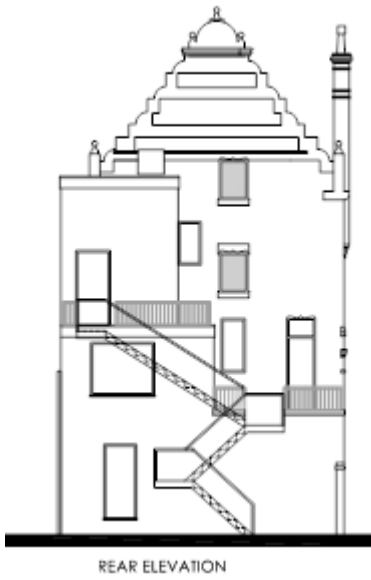
## Appendix 2: Plans and images



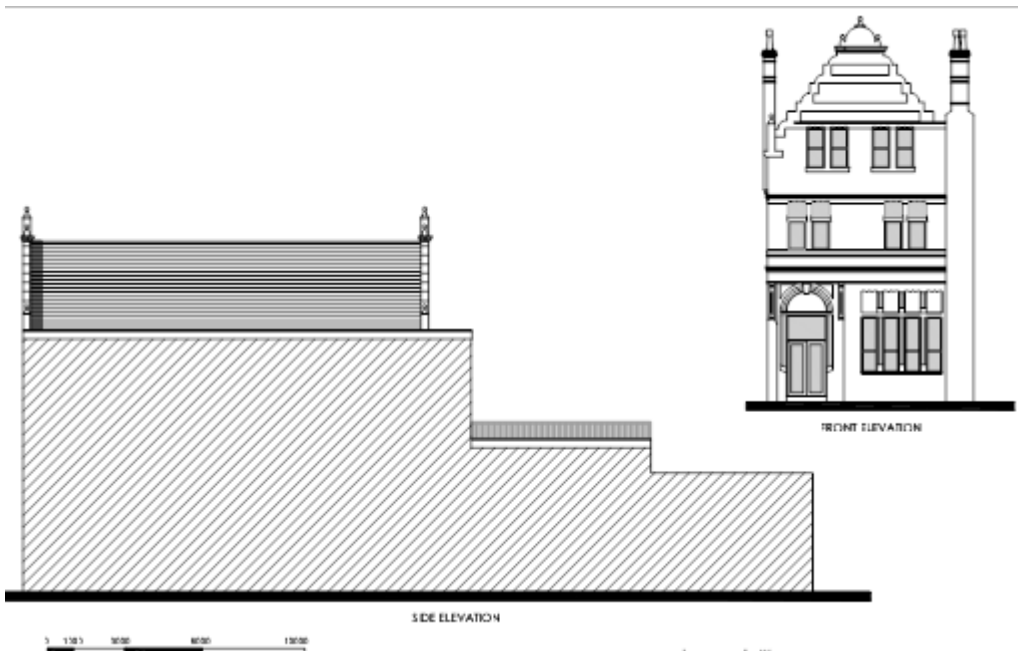
Location plan



Existing side elevation

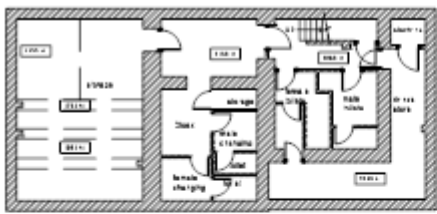


Existing rear elevation

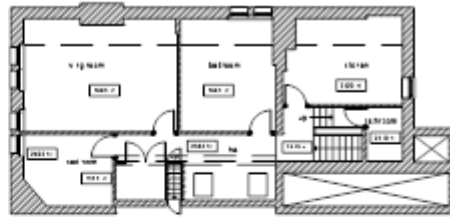


Existing front and side elevation

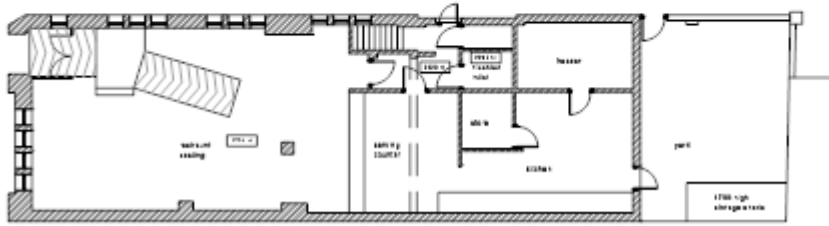




BASEMENT PLAN

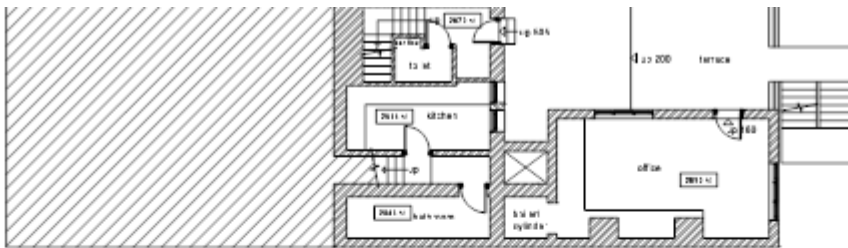


SECOND FLOOR PLAN

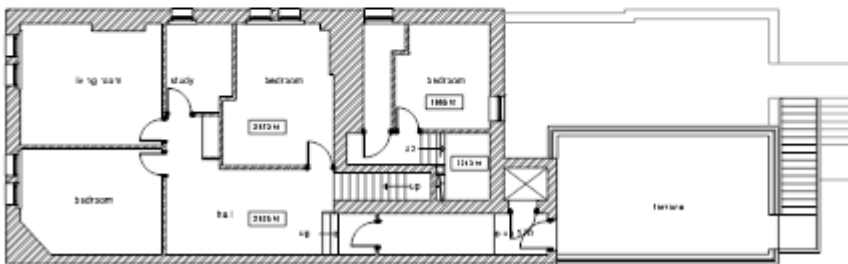


GROUND FLOOR PLAN

Existing basement, ground and second floor plan

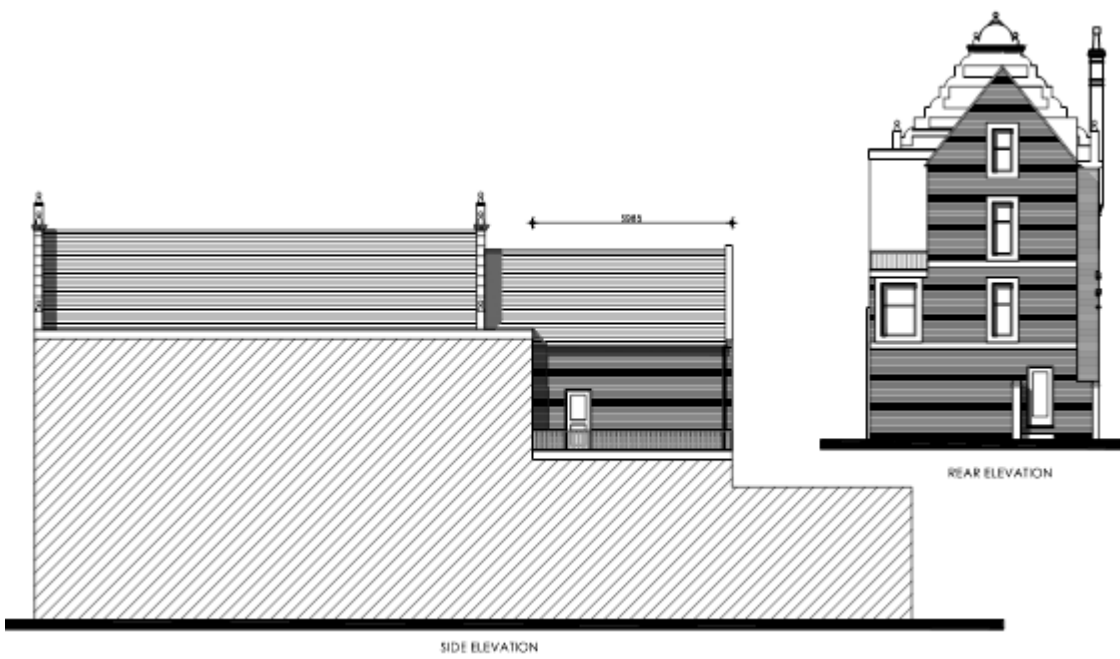


MEZZANINE FLOOR PLAN

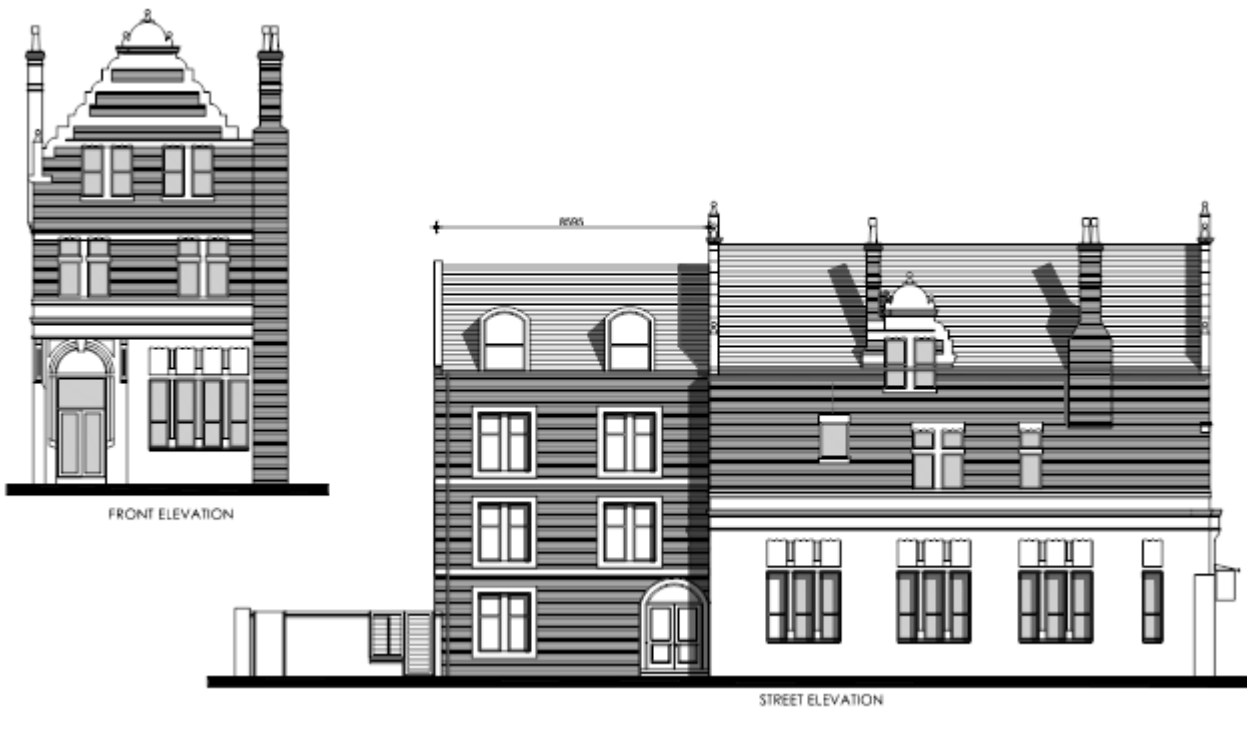


FIRST FLOOR PLAN

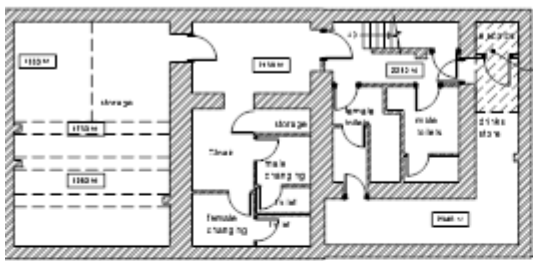
Existing mezzanine and first floor plan.



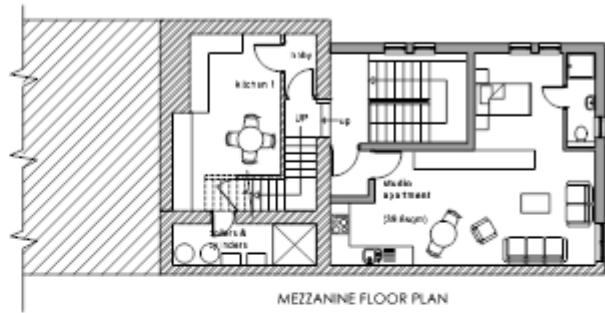
Proposed side and rear elevation



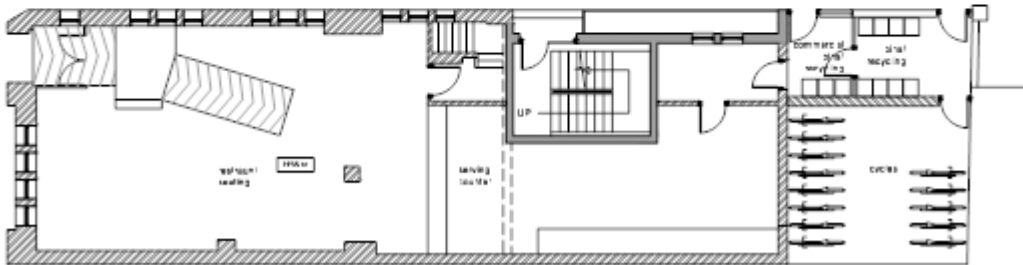
Proposed front and street elevation



BASEMENT PLAN

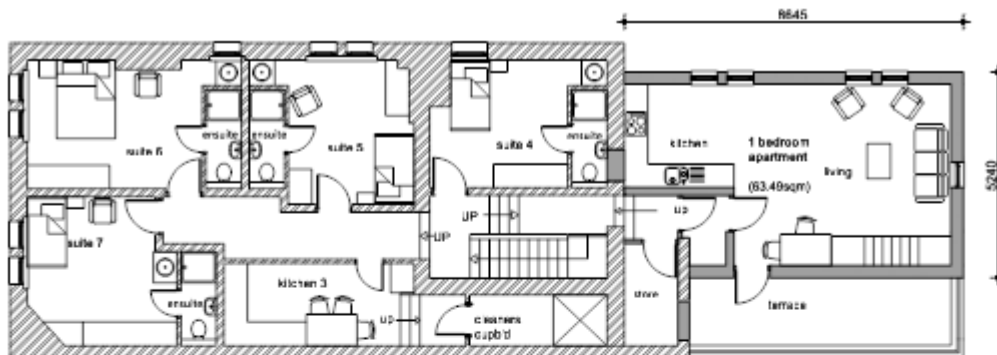


MEZZANINE FLOOR PLAN

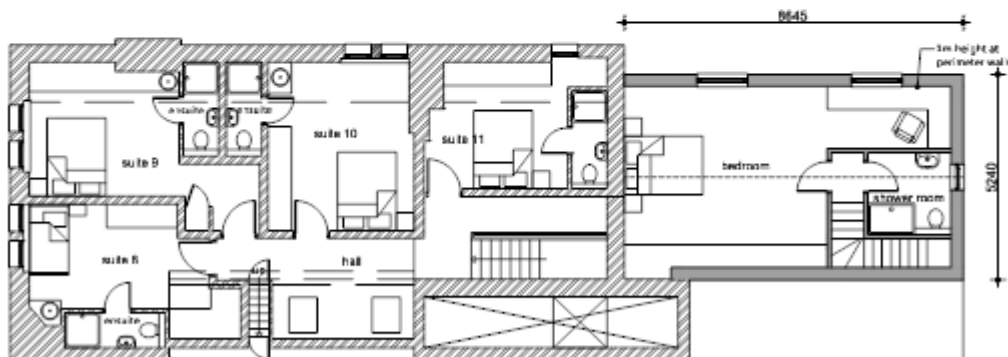


GROUND FLOOR PLAN

Proposed basement/mezzanine and ground floor plan



FIRST FLOOR PLAN



SECOND FLOOR PLAN

Proposed first and second floor plan



Proposed CGI Image