

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

1. APPLICATION DETAILS	
Reference No: HGY/2014/2162	Ward: Harringay
<p>Address: Rear of 600 Green Lanes N8 0RY</p> <p>Proposal: Erection of three and two storey block comprising 1 x 3 bed flat, 5 x 2 bed flats and 3 x 1 bed flats</p> <p>Applicant: Mr P Corbisiero County & City Developments Ltd</p> <p>Ownership: Private</p> <p>Case Officer Contact: Matthew Gunning</p>	
Date received: 29/07/2014	Last amended date: 30/09/2014
Drawing number of plans: 665-2-COM-201 Rev & 665-2-COM-202 Rev C.	
<p>1.1 The application is being reported to the Planning Committee as an application for the same site was previously presented and subsequently refused. The application is also being reported as it will be subject to a S106/ legal agreement.</p>	
<p>1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION</p> <ul style="list-style-type: none"> • The principle of a change of use to residential including the dwelling mix and density of the development is considered acceptable; • The proposed residential accommodation would be of an acceptable layout and standard – meeting internal floorspace standards and providing external amenity space; • The position, scale, mass, detail and alignment of the proposed building is acceptable harmonising with its surroundings and the character and appearance of the area; • The impact of the development on the residential amenities of neighbouring properties is acceptable and would not cause unacceptable overlooking or loss of privacy; • The scheme is considered acceptable in terms of highways safety and in addition the scheme will have no adverse impact on the surrounding highway network or on car parking demand in the area; • A S106 agreement would secure an affordable housing contribution in addition to other contributions to mitigate its impacts. 	

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 to secure the following matters:

Conditions

- 1) Implementation within 3 years;
- 2) Development to be carried out in accordance with approved plans;
- 3) Precise details of the materials;
- 4) Details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins;
- 5) Details of landscaping;
- 6) Details of external lighting;
- 7) Secure cycle spaces provision;
- 8) Land contamination;
- 9) Land contamination;
- 10) Details of communal aerial/dish system;
- 11) Code for Sustainable Homes Level 4;
- 12) Construction Management Plan (CMP);
- 13) Considerate Constructors Scheme.

Informatives

- 1) CIL liable
- 2) Hours of construction
- 3) Street numbering

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

(4) That, in the absence of the agreement(s) referred to in resolution (1) above being completed within the time period provided for in resolution (2) above, the Planning Application be refused for the following reasons:

- i. In the absence of a legal agreement securing the provision of on-site affordable housing or a financial contribution in lieu the proposal would be contrary to policy SP2 'Housing' of the Local Plan March 2013, Policy 3.12 of the London Plan and Planning Obligation SPD (20114).
- ii. In the absence of a contribution for an amendment to the Traffic Management Order and a contribution for upgrading the existing street lighting along Colina Mews there would be unacceptable impact on the highway network and unacceptable highway safety issues contrary to saved UDP policies M9 and M10.
- iii. In the absence of a legal agreement securing an education contribution the proposal would be contrary to policy Planning Obligation SPD (20114).

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3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

- 3.1 This is an application for the erection of a three and two storey block comprising 1 x 3 bed flat, 5 x 2 bed flats and 3 x 1 bed flats. Most of the building will take the form of a two-storey building with a mansard roof with accommodation within, with a three storey wing to the rear. The ground and first floors of the building will be faced in a fair faced brickwork with the second floor facade being set back and clad. The roof will comprise of a proprietary GRP coating in grey with a parapet wall. The windows and doors will be powder coated aluminium (grey colour).
- 3.2 The proposal also includes parking spaces for the Langham Club (3 spaces) and a delivery vehicle space for the club, in addition to 5 car parking spaces for the residential units. The frontage of the scheme will be enclosed by a 1.8m high brick wall and railings.
- 3.3 The scheme has been amended slightly from that initially submitted namely by steeping the building further back from Colina Mews.

Site and Surroundings

- 3.4 The application site is located to the rear of 600 to 606 Green Lanes and is generally a rectangular shaped site measuring 0.09 hectares in size. 600 Green Lanes is a 'Working Men's Club' accommodated within a three storey building which has been heavily extended to the rear.
- 3.5 The northern boundary of the site adjoins the rear gardens of terraced properties (37-45 Park Road). The eastern boundary of the site fronts onto Colina Mews, a small service road measuring approximately 130m in length and which connects Park Road to the north and Colina Road to the south. Directly opposite the site is Colina House, a former warehouse building which has been converted into residential/ live work use. Behind Colina House and in part adjoining the eastern side of Colina Mews are the rear gardens of properties that front onto Harringay Road.
- 3.6 The southern boundary of the site is adjacent to a large commercial warehouse premises occupying a large site with frontages onto Green Lanes, Colina Road and Colina Mews. The site is in the immediate vicinity of Green Lanes, a major north-south route through the Borough and a designated District Centre; in addition to being surrounded by predominantly residential areas, the most notable of which is the Harringay Ladder. Green Lanes falls within an area of high public accessibility (level five) and in the case of the application site is within walking distance (700m) of Turnpike Lane Underground Station and the many bus routes that serve Green Lanes.

Relevant Planning and Enforcement history

- 3.7 HGY/2008/1529 - Retrospective planning application for the retention of free standing open shelter/ Langham W.M Club – Refused 27/01/2009
- 3.8 HGY/2013/0472 - Erection of part three / two storey block comprising 1 x 3 bed flat, 1 x 1 bed flat and 7 x 2 bed flats with associated landscaping, parking / cycle spaces and bin store – Withdrawn 07/06/2013
- 3.9 HGY/2013/1119 - Erection of part three / two storey block comprising 1 x 3 bed flat, 1 x 1 bed flat and 7 x 2 bed flats with associated landscaping, parking / cycle spaces and bin store – Refused by Planning Subcommittee 18/10/2013 and dismissed on appeal May 2014
- 3.10 The above application (ref: HGY/2013/1119) had been recommended for approval by Officers but was subsequently refused by Members of the Planning Sub Committee. The four main issues considered by the Planning Inspector are summarised below with a copy of the Appeal Decision attached in Appendix 3.

Impact on the character and appearance of the host site and surrounding area

- 3.11 The Inspector considered that the buildings in Colina Mews to be of “varied quality and form” and later went on to say that the “character is undoubtedly mixed, the existing visual condition of the site is poor, and the aesthetic qualities of Colina Mews itself are limited.” The Inspector did however identify that the nearby buildings in Park Road, Green Lanes and Harringay Road “are generally of a more traditional and distinctive Victorian style, typically involving such features as stock bricks, stucco render, string courses, sash windows, and pitched roofs”.
- 3.12 In respect of the scheme before him the Inspector noted the scheme to be a “3-storey flat-roofed building of a modern and relatively basic design” with “substantial footprint, height and bulk...positioned close to the front of the Colina Mews boundary” occupying a “a significant part of this frontage”. As such the Inspector considered that “the combined effect of the forward position and its substantial form would be to introduce an unduly dominant and intrusive feature” which would not relate “appropriately to the scale, form, detailing and other vernacular characteristics of its wider surroundings, including the Club’s own premises”.
- 3.13 Lastly on this point the Inspector said that the scheme would “fail to make a significant response or connection to the more traditional character of the surrounding area, or to take the substantial opportunity available to contribute positively to it” and in conclusion said that it “would be harmful to the character and appearance of both the host site and the surrounding area”.

Supply of affordable housing in the Borough

- 3.14 The Inspector acknowledged “that the scheme seeks to provide financial benefits for the Club by transferring ownership of three of the proposed flats to the organisation...thereby providing a future income stream”. The Inspector

recognised that the Club is a non-profit-making organisation and that “its continuing operation will no doubt be of benefit to parts of the local community” in lieu of affordable housing. The Inspector also acknowledged that provision were in place via the appellant’s unilateral undertaking to make provision for payment of a financial contribution towards affordable housing in the event the Club sold one or more of the flats within the first five years.

- 3.15 Notwithstanding the above the Inspector took the view that “policy SP2 makes no provision for community or other benefits as an alternative to delivery of affordable housing” and that the “scheme would therefore appear significantly harmful in failing to meet that acknowledged housing need” or to make “similar alternative contributions”. The Inspector did however recognise that guidance identifies the need for flexibility in matters relating to viability.

Impact on living conditions of neighbouring occupiers/ overlooking and loss of privacy

- 3.16 On this point the Inspector said that the “scheme would involve windows in the habitable rooms of the proposed flats facing the existing rear of residential properties in Park Road” which would be “positioned at a distance below the minimum privacy standards recommended by the SPD”. The Inspector said that to a “lesser extent, the rear of properties in Harringay Road would also be overlooked”.
- 3.17 The Inspector did however “acknowledge that such impacts might be mitigated, to some extent, by requirements for obscured glazing” but said that “obscured glazing would thereby run the risk of significantly detracting from their living environment, and could also have implications for the external appearance of the building”. While not explicitly clear on what aspect of neighbouring properties would be overlooked the Inspector said that the scheme “would be harmful to the living conditions of neighbouring occupiers with regard to overlooking and loss of privacy”.

Living conditions of future occupiers/ provision of amenity space

- 3.18 The Inspector acknowledges “that the scheme would provide some form of external space to all but one of the units, in the form of either balconies or small garden areas” and that “flat 6 would only be served by a Juliette balcony”. The Inspector considered that as all “the remaining units all appear to be reasonably served” he considered the deficiency to flat 6 “would not render the overall living conditions within the scheme to be so harmful as to justify withholding planning permission on that basis”.

Other Matters

- 3.19 It is important to bear in mind that in the previous appeal decision the Inspector noted objection on the “loss of business premises and also various concerns regarding implications for traffic, daylight and sunlight, and noise” but took the view that “these are not considerations which weigh heavily against the proposed development”. The Inspector also noted concerns were raised

“regarding the possible implications for any possible future development proposals of the adjacent warehouse” but indicated that he had to base his decision “on the existing considerations and the current circumstances presented”.

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

Internal:

- 1) Transportation
- 2) Building Control – Raise no points/ objections.
- 3) Cleansing
- 4) Environmental Health – Required condition on contaminated land to be added in addition to an informative indicating the need for an asbestos survey to be carried out to identify possible asbestos materials

External

- 1) London Fire Brigade – Is satisfied with the proposal.
- 2) Thames water – Advise that with regard to water infrastructure capacity, they have no objection but recommend an informative to be added to the planning permission.
- 3) London Underground - Indicate that they have no comment to make on the planning application.

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of 270 letters. The number of representations received from neighbours, local groups etc were as follows:

No of individual responses:

Objecting: 18

Supporting: 0

5.2 The following issues were raised in representations received and are considered material to the determination of the application and are addressed within the main body of the report.

Impact on Residential Amenity

- Loss of natural light / sunlight to properties on Park Road, Harringay Road and in Colina House;
- Overlooking and loss of privacy to Harringay Road and Park Road properties;
- Scheme will dwarf neighbouring houses;
- Overlooking from balconies;
- Balconies should be designed and positioned so that neighbours privacy is not encroached on;
- The scheme does not specify exactly how much of the windows will be obscured;

- Unreasonable overshadowing and loss of outlook;
- Distance between proposal and Park Road properties inadequate and should rather be 30m;
- Impact on residents of Harringay Road and Colina Mews have not been adequately addressed despite the greater number and closer proximity to the building;
- Trees proposed on the north boundary with Park Road will substantially overhang the rear gardens of the Park Road residences and further contribute to the loss of light;
- Concerns about the location of the bins in relation to 39 Park Road;
- Area is already congested;
- No benefit to local residents;

Access and Traffic

- Concern that there is no footpath on the Mews which is the proposed main access point and entrance to the application site;
- Increased traffic on what is really an access alleyway;
- Concern about safety;
- Noise pollution of traffic (deliveries for the Langham Club) as well as people and their vehicles using the Mews will be detrimental to the area;

Siting, Layout and Design

- The proposed development is too high, and does not appropriately address the scale and massing of its context;
- The development should be in keeping with existing/ majority of building heights/ 2x storeys;
- Concern about the building height in relation to the street;
- The proposal would not enhance the appearance of the area;
- New homes are less than 2m from the boundary with Colina Mews and unreasonably close;
- Building should be set back further from Colina Mews;
- Mature tree planting should be included in the scheme along the site boundary fronting Colina Mews to improve streetscene and mitigate overlooking;
- No precedent for this proposal to be designed with windows so close to the adjacent houses; in fact the street elevation on the west side of Colina Mews facing the houses on Harringay Road is completely blank;
- Ground and first floor private living spaces in the proposed building would be completely overlooked by pedestrian and vehicular traffic;

Other

- Provision of one disabled parking space and having level access into the building does not fully address accessibility requirements;
- Proposed disabled parking space is still some distance (approximately 30 metres) from the front door;

- The mobility needs of pedestrians, cyclists and people with difficulties have not been taken into account;
- Loss of garages currently used/ car mechanic business/ employment on site;
- Increase in noise pollution;
- Additional strain on the area's infrastructure;
- Scheme does not meet Council guidance on sustainable development;
- Dwelling mix not in accordance with guidance;
- Proposed development would not make any contribution towards the supply of affordable housing in the Borough;
- A contribution should be sought to make the pedestrian access properly safe;
- Uncoordinated development on this site will add to the constraints affecting the viability of delivering housing on the neighbouring 0.55 hectare site, identified in Haringey's Draft Sites Allocation Development Plan Document (Jan 2014).

6. MATERIAL PLANNING CONSIDERATIONS

6.1 Following the previous appeal decision the main planning issues are outlined below making reference to the points raised in the appeal decision.

1. Land use and density;
2. Residential mix, quality of accommodation & affordable housing;
3. Design & form;
4. Impact on the amenity of adjoining occupiers;
5. Parking and highway safety;
6. Sustainability;
7. Waste management;
8. Planning Obligations.

Land use and density

6.1 The site is currently occupied by lock up garages which are heavily under-utilised with a number in a state of disrepair. The majority of the garages are used for storage purposes with one used for car repairs. The proposed redevelopment of this site will not lead to the displacement of parking nor will it adversely affect local parking conditions. While the development will lead to the loss of the car repair garage from this site, the site in question is not within a defined employment area (DEA). The displacement of this business to another site/ or loss could not be protected under policy EMP4 as this car repair garage use is not strictly in accordance with the original use of this site. This equally was not identified as an issue in the recent appeal decision.

6.2 The principle of residential use on the site is considered appropriate given the site is a previously developed site and given its siting within a residential area in close proximity to a district shopping centre parade and number of public transport nodes. The proposal is supported by London Plan Policies 3.3 'Increasing Housing Supply' and 3.4 'Optimising Housing Supply' and local plan

policy SP2 'Housing', which has a current target of providing 820 new homes a year in Haringey; which is to be increased to 1,502 under the Draft Further Alterations to the London Plan (FALP) 2014.

- 6.3 Policy 3.4 of the London Plan (2011) encourages the optimisation of housing output for different types of location. Table 3.2 sets out broad ranges of densities in relation to different types of area and public transport accessibility. The density of the proposal in terms of habitable rooms per hectare would be approximately 400 habitable rooms per hectares (HRH). The London Plan (2011) categorises density ranges in terms of location, setting, existing building form and massing. The site is viewed to be an area characterised by terrace houses and blocks of flats and as such a density of 200-700 HRH is considered acceptable. In this case the density would be under the middle range (450) and on this basis would accord with policy 3.4 of the London Plan.
- 6.4 The use of the site for residential accommodation is considered acceptable in principle subject to addressing issues of bulk/design and amenity issues as discussed further below.

Residential mix, quality of accommodation & affordable housing

- 6.5 London Plan 2011 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. The standards by which this is measured are set out in the Mayor's Housing SPG 2012.
- 6.6 All flats meet or exceed the floorspace minimum set out in the Housing SPG. The layout of the accommodation is considered to be acceptable with good access to natural light and ventilation. The upper floor flats will benefit from private balconies while the ground floor units will benefit from private amenity space. As per the previous scheme one of the units did not benefit from private amenity space, however the Inspector acknowledged that the deficiency to one of the flats would not render the overall living conditions within the scheme to be so harmful as to justify withholding planning permission on that basis.
- 6.7 The proposal would provide a mix of unit sizes which would be in accordance with national and local planning policies. As set out in the appeal decision the Inspector acknowledged that while not strictly in accordance with the mix prescribed in the 'Housing' SPD (2008) the units proposed would still add to the local housing stock.
- 6.8 Policy SP2 of the Local Plan requires developments of less than 10 units to provide 20% of the scheme as affordable housing or to make an equivalent financial contribution. The basis of the affordable housing contribution is set out in the Council's Planning Obligation SPD (20114) and in this case a financial contribution is to be made as opposed to onsite provision. This contribution would amount to £246,960.00 calculated on the basis of 735 sq. m of floor space at £336 per sq.m. In this case a financial contribution is considered to be acceptable as it is recognised that the delivery of a limited number of affordable

units within a flatted scheme presents management and maintenance difficulties for Registered Social Landlords (RSLs).

- 6.9 An objection has been raised that the mobility and the needs of those with disabilities have not been taken into account. In terms of layout all the flats are single level so living space, bedrooms, WCs are all provided at one level. While the building does not have an internal lift this is not a requirement under Part M of Building Regulations for a building of this size. Level access to the building will be achieved and in addition the main entrance door width and hallways will be of an acceptable width. The disabled car parking bay is also within an acceptable reach of the building. In terms of the previous scheme the Inspector said that he had little evidence before him to conclude the scheme would be harmful in that regard.
- 6.10 Overall the proposal will provide an acceptable standard and layout of accommodation for its future occupants in line with Policy 3.5 of the London Plan 2011 and the Mayor's Housing SPG.

Design & form

- 6.11 Policy 3.5 of the London Plan seeks to enhance the quality of local places taking into account local character and density. Policy SP11 of Haringey's Local Plan (2013) and saved policy UD3 of the Haringey Unitary Development Plan (UDP) (2006) include similar requirements. Policies 7.4 and 7.6 of the London Plan also require that design takes into account context.
- 6.12 As outlined above the Inspector made a number of observations on the design of the previous scheme and the character of the surrounding area. In relation to the design of the proposal the Inspector had concern about the 3-storey flat-roofed building form, its modern and relatively basic design, its substantial footprint, its height and positioning close to the front of the Colina Mews boundary. In terms of how the scheme relates to its surrounding the Inspector also made a number of observations. The Inspector considered the existing visual condition of the site to be poor; the buildings in Colina Mews to be of varied quality and the form and character of the area to be undoubtedly mixed. The Inspector did however identify that the nearby buildings in Park Road, Green Lanes and Haringay Road "are generally of a more traditional and distinctive Victorian style, typically involving such features as stock bricks, stucco render, string courses, sash windows, and pitched roofs". On this same point the Inspector had concerns that the scheme did not respond to or connect to the more traditional character.
- 6.13 In response to the appeal decision the current scheme, also for 9 flats, has been amended incorporating the following changes:
- En-suite shower /wc units have been omitted, and therefore, the gross internal area of each flat has been reduced, however, the gross internal areas are equal to or above the minimum required by the London Plan floorspace standards.

- As a consequence of the above the overall footprint of the building has now been reduced. The distance between the proposed north elevation and the rear of the Park Road dwellings is now 20 metres.
- The floor to ceiling heights have been reduced to 2.4 metres with the overall height of the building being approximately 8.5 / 8.6 metres high and some 400mm lower than the refused scheme.
- In response to the Inspector's comments on the design a more traditional approach has been adopted. The ground and first floors are clad in fair faced brickwork with the second floor facade being set back and clad in lead. The brickwork and the lead are separated by a continuous moulded cornice that will incorporate the rain water gutter. The changes reduce the bulk and size of the building making it more akin to a two-storey building with accommodation in the roof, more sympathetic to the scale of neighbouring buildings.
- The building is now set back 3m from the boundary with Colina Mews in order to address concerns about its proximity to this site's frontage.

6.14 It is important to point out that the Inspectors comments above did not advocate a mock or pastiche of an earlier architectural style but rather a greater need to respond or connect with the more traditional character. Officers consider that this has now been achieved by clearly having a two-storey form to the building and having the second floor accommodation contained within a roof form. Many of the more traditional residential buildings in the area have such an arrangement. The ridgeline of the proposal is now in line with that of properties on Park Road. The front elevation would have a more consistent fenestration pattern more sympathetic in size to that of surrounding buildings in comparison to the previously submitted scheme.

6.15 For the reasons outlined above the siting, design and form of the building is considered to be acceptable and would harmonise with the character and appearance of the area. As such the proposal is considered to be in accordance with NPPF (2012) chapter 7, policies 7.4 and 7.6 of the London Plan and UD3 'General Principles' and SP11.

Impact on amenity of adjoining occupiers

6.16 London Plan 2011 Policies 7.6 and 7.15 and saved UDP 2006 Policies UD3 and ENV6 require that development must not cause unacceptable harm to the amenity of surrounding land and buildings and the residential amenity of adjoining occupants in terms of loss of daylight, sunlight, privacy and overlooking.

6.17 In order to address the concern about harm caused to "the living conditions of neighbouring occupiers with regard to overlooking and loss of privacy" a number of changes have been incorporated into the scheme in comparison to the scheme previously considered. Specifically the following changes have been made:

- As a result of overall footprint of the building being reduced the distance between the proposed north elevation and the rear of the Park Road dwellings has increased to 20 metres.
- The building has been set back 3m from the boundary with Colina Mews in order to address privacy and overlooking issues in relation to houses fronting Harringay Road. There is also an increase in the separating distances with the Harringay Road properties in comparison to the previous scheme (i.e. with No 77 Harringay Road it is now 21m).
- This set back now allows for planting of trees along the frontage which will also help to partly screen views and minimise overlooking.
- The fenestration on the side of the building facing both Park Road and Harringay Road has changed which will also help further minimise overlooking. In relation to the houses fronting Park Road, bay windows will be introduced whereby the glass of the windows directly facing the rear of Park Road properties are obscured with the sloping side of the bay in clear glass. The bay windows will provide sufficient ventilation, sunlight and daylight to the rooms in question to comply with Building Regulations.
- The windows on the front elevation serving the second floor are recessed opening into balconies which will have a glazed screen up to the height of 1500mm to prevent overlooking from these rooms into the gardens of properties on Harringay Road.

6.18 While SPD 'Housing' 2008 is now longer a formally adopted document the standard for two storey development it advocated is met here. It is accepted that in relation to windows at roof level a 30 metre distance is not met. Such a requirement to have a 30 metre distance between 3 storey facing buildings is however not prescribed policy but rather guidance. Such a requirement would also not be typically required in relation to accommodation within a roof and where neighbouring buildings are not 3 storey.

6.19 In this case the roof accommodation is served by recessed window/ door openings opening into spaces surrounded by obscure glazed screens on the front and rear elevation with a limited number of rooflights on the side elevations. This arrangement together with the 20m separating distance will minimise overlooking and material harm to the living conditions of neighbouring occupiers.

6.20 While the Inspector raised concerns about the use of obscured glazing all of the rooms that will have elements of obscure glazing will also benefit from clear glazing.

6.21 While the impact on daylight and sunlight was not raised as an issue in the appeal decision the situation as per the previous scheme has not changed. The increased separating distance between the proposal and neighbouring properties on Park Road and Harringay Road serves to ensure that the building does not breach the recommended 25 degree angle test in terms of impact on daylight and sunlight to neighbouring buildings. The building continues to be carefully sited in relation to Colina House opposite to keep clear of the main three storey form of the building, therefore minimising its impact in terms of loss of daylight/ sunlight and overshadowing.

- 6.22 With regard to the building overshadowing neighbouring gardens, due to the building being set in from the various boundaries in question any such impact would be negligible with no material overshadowing.
- 6.23 The potential noise emanating from the use of this site for residential purposes would not create levels of noise and disturbance over and above that of a typical residential use in an urban area or background noise.
- 6.24 Overall the proposed development has taken careful consideration in terms of its layout, form and design to ensure that the privacy and amenity of neighbouring occupiers will not be adversely affected. As such the proposal is considered to be in accordance with London Plan 2011 Policy 7.6 policy UD3 of the UDP.

Parking and highway safety

- 6.25 Saved policy M10 'Parking for development' seeks to ensure that proposed developments do not adversely affect the free flow of traffic around the site and that they do not result in a material impact on existing parking levels.
- 6.26 The application site has a PTAL rating of 5 and is within walking distance of a number of bus routes and Turnpike Lane Underground Station. It is envisaged that many of the future occupants of this development are likely to use sustainable travel modes for the majority of their journeys to and from the site. Other than the 5 car parking spaces and one disabled car parking space to be provided on site the scheme will be a 'car-capped development', meaning the development will be limited to this parking provision with no access to on-street parking. This will be secured via a S106 agreement.
- 6.27 The site is accessed directly from Colina Mews which measures approximately 7m in width and does not have any segregated footway provision. According to guidance contained within the 'Manual for Streets' a minimum width of 4.1m is required to enable two cars to pass each other. The Council's Transportation Team consider that due to the low level of traffic using this road and the operation of a one-way system on the adjoining Colina Road, the anticipated occurrences where two vehicles will need to pass each other will be infrequent. However, in order to improve safety and to generally encourage journeys by foot and bicycle the applicant will be required to contribute to a scheme to upgrade the existing five lamp columns on Colina Mews. In addition a redundant vehicle access to the site will need to be closed with some minor repair to the carriageway.
- 6.28 Access within the site for emergency vehicle and service vehicles is considered acceptable. The scheme meets the minimum 3.7m width for fire appliance access and has a sufficient turning space within the site for vehicles to manoeuvre.
- 6.29 Concerns have been raised about there being no foot path along Colina Mews, however in this instance the physically segregated of facilities is not required as

the flows of cyclists or pedestrians will be low. It is considered that the proposed development will generate less vehicular traffic than that associated with the site's current use. As such the scheme is considered acceptable in terms of highways safety and in addition the scheme will have no adverse impact on the surrounding highway network or on car parking demand with the area.

Sustainability

- 6.30 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. This approach is continued in Local Plan 2013 Policy SP4, which requires residential developments to achieve Code for Sustainable Homes Level 4. This is equivalent to a 25% reduction in emissions over a Building Regulations 2010 baseline.
- 6.31 A condition will be imposed requiring the development to meet 'Code for Sustainable Homes Level 4'. Overall the proposed scheme is considered to be of sustainable design and represents a beneficial use of a previously developed land in an area of high accessibility.

Waste Management

- 6.32 Saved policy UD7 Waste Storage of the UDP (2006) states that the Council will require all development to include appropriate provision for the storage of waste and recyclable material.
- 6.33 The siting of waste storage facilities have been clearly indicated on the plans submitted and would satisfy the requirement in terms of a suitable collection point. The bins will be enclosed and a condition is to be imposed asking for further such detail. The proposed development is in compliance with the above policies.

Planning Obligations

- 6.34 Section 106 of the Town and Country Planning Act 1990 allows the Local Planning Authority (LPA) to seek financial contributions to mitigate the impacts of a development. Below are the agreed Heads of Terms:
- A sum of £1,000.00 towards the amendment of the relevant traffic management order(s) (TMO) controlling on-street parking in the vicinity of the site to reflect that the 9 new residential units to front onto Colina Mews shall be designated 'car capped' and therefore no residents therein will be entitled to apply for a residents parking permit under the terms of this Traffic Management Order(s) (TMO);
 - A contribution of £27,280.00 towards educational facilities within the Borough according to the formula set out in Policy UD8 and Supplementary Planning Guidance 10c of the Haringey Unitary Development Plan July 2006;
 - A sum of £13,500.00 towards the upgrading of the existing street lighting along Colina Mews;

- A sum of £4,000.00 for the relocation of the existing on-street controlled parking bays forming part of the Wood Green Outer Controlled Parking Zone further south along the site's roadside boundary;
 - A contribution of £246,960.00 towards affordable housing provision in lieu of onsite provision, in line with policy SP2 and Planning Obligation SPD (20114);
 - The developer to pay an administration / monitoring cost of £1,000.00 in connection with this Section 106 agreement.
- 6.35 The development will be liable for the Mayor's Community Infrastructure Levy (CIL). The development creates 735 sq. m of floor space with the levy charged at £35 per sq.m resulting in a liability of £25,725.00.

Conclusion

- 6.36 The principle of a change of use to residential including the dwelling mix and density of the development is considered acceptable. The proposed residential accommodation in connection with this scheme would be of an acceptable layout and standard meeting the necessary internal floorspace standards and providing external amenity space.
- 6.37 The position, scale, mass, detail and alignment of the proposed building is considered acceptable harmonising with its surroundings and the character and appearance of the area. In terms of impact on the residential amenities of neighbouring properties the proposal is considered acceptable and would not cause unacceptable overlooking or loss of privacy. The scheme is also considered acceptable in terms of highways safety and in addition the scheme will have no adverse impact on the surrounding highway network or on car parking demand in the area.
- 6.38 A S106 agreement would secure an affordable housing contribution in addition to other contributions to mitigate impacts of the development.
- 6.39 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.

7.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions

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 ensure the development is carried out in accordance with the approved details and in the interests of amenity

3. A sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the Local Planning Authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The sample panel shall be retained on site until the work has been completed. Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.

Window and balcony details including reveal depths for windows, cill and headers shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with such approved details.

Reason: To ensure a satisfactory appearance for the development and in the interest of the visual amenity of the area.

4. Before the development hereby permitted is occupied details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins and/or other refuse storage containers shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

5. A landscaping scheme for the treatment of the surroundings of the proposed development including the planting of trees, hedging and shrubs in addition to an associated maintenance regime shall be submitted to, approved in writing by the Local Planning Authority. The landscaping shall be completed within 12 months, or by the end of the first planting season, after the completion of the development to the satisfaction of the Local Planning Authority.

Any trees, or plants which die within a period of 5 years from the completion of the development; are removed, or become seriously damaged, or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

6. Details including the type, specification and location of external lighting shall be submitted to, and approved in writing by the Local Planning Authority, before the residential units are occupied and thereafter carried out in accordance with the approved details.

Reason: To prevent adverse light pollution to neighbouring properties

7. No development shall take place until details of the type and location of secure and covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until a minimum of 10 no. 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: 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.

8. Before the 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.

(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.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

9. 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

10. 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 any 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: Reason: In order to protect the visual amenities 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.

11. The building hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 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.

12. The applicant/developer are required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the Local Planning Authority's approval three months prior to construction work commencing on site.

Reason: To safeguard pedestrians, reduce congestion and mitigate any obstruction to the flow of traffic on the local Highways network.

13. No development shall be carried out until such time as the person carrying out the work is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: In the interests of residential amenity.

Informatives

a) *CIL*

The applicant 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 £25,725.00. (735 sq.m 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.

b) *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.

c) *Street numbering*

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

d) *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.

8.0 APPENDICES:

Appendix 1: Drawings and Images



Site Location Plan



1. Entrance to Colina Mews from Park Road



2. Colina Mews- Application site to right



3. Colina Mews- Application site to left



4. View within the site

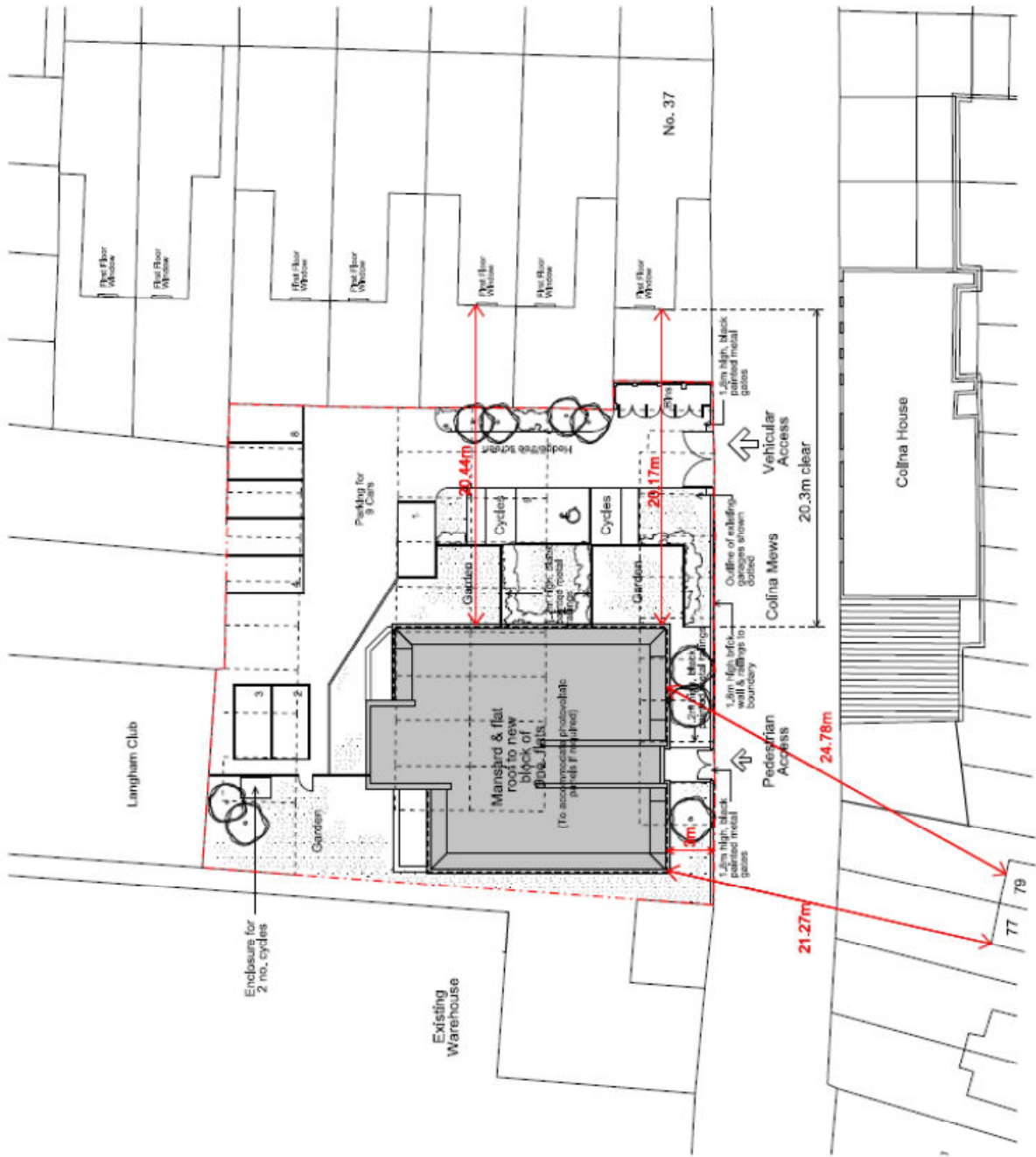


5. View within the site -Park Road properties in background



6. View within the site -Park Road properties in background

Site Photos



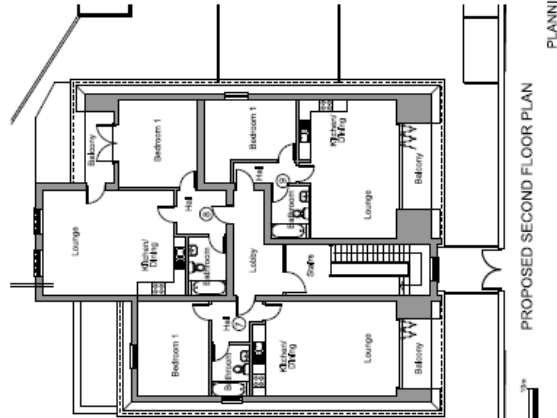
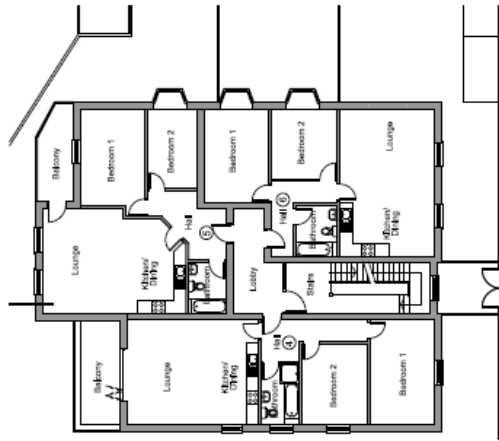
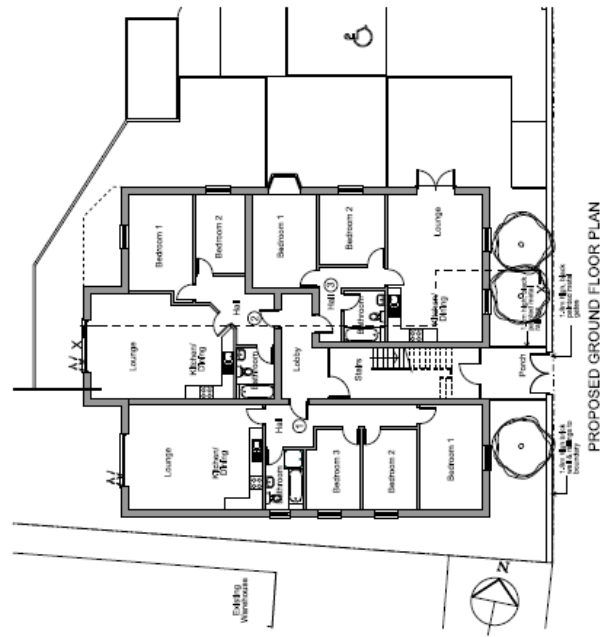
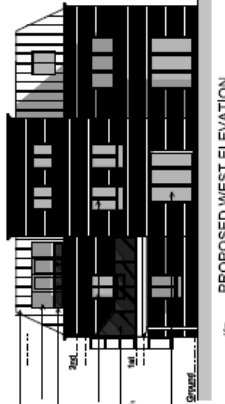
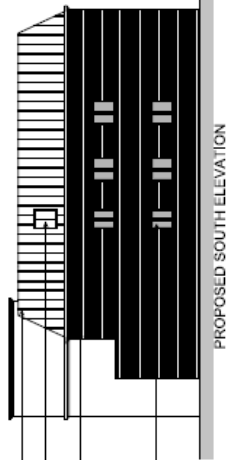
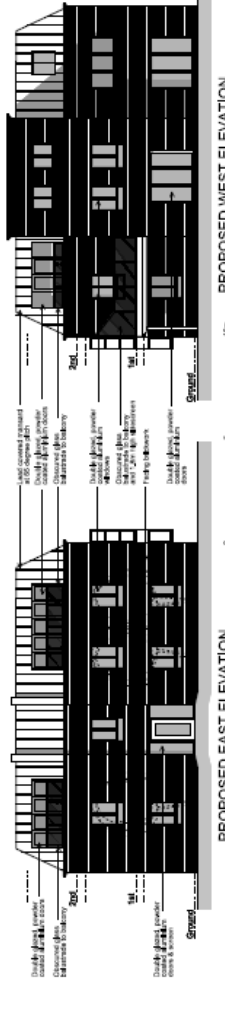
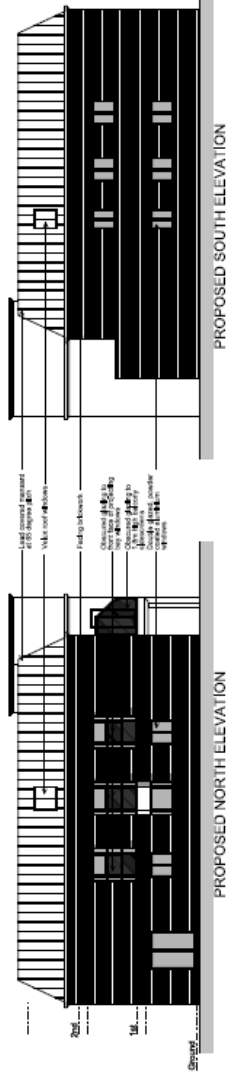
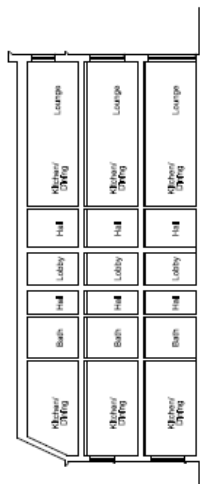
Site Layout Plan

Schedule of Glass Interval Areas

Room	Area (sqm)	Area (sqft)	Area (sqm)	Area (sqft)	Area (sqm)	Area (sqft)
Living Room	12.5	135	12.5	135	12.5	135
Dining Room	10.0	108	10.0	108	10.0	108
Kitchen	8.0	86	8.0	86	8.0	86
Bedroom 1	12.0	130	12.0	130	12.0	130
Bedroom 2	10.0	108	10.0	108	10.0	108
Bedroom 3	10.0	108	10.0	108	10.0	108
Bathroom	5.0	54	5.0	54	5.0	54
W.C.	2.0	22	2.0	22	2.0	22
Storage	1.0	11	1.0	11	1.0	11
Landscaping	1.0	11	1.0	11	1.0	11
Roof	1.0	11	1.0	11	1.0	11
Other	1.0	11	1.0	11	1.0	11
Total	60.5	655	60.5	655	60.5	655

Schedule of Floor Areas

Room	Area (sqm)	Area (sqft)	Area (sqm)	Area (sqft)	Area (sqm)	Area (sqft)
Living Room	12.5	135	12.5	135	12.5	135
Dining Room	10.0	108	10.0	108	10.0	108
Kitchen	8.0	86	8.0	86	8.0	86
Bedroom 1	12.0	130	12.0	130	12.0	130
Bedroom 2	10.0	108	10.0	108	10.0	108
Bedroom 3	10.0	108	10.0	108	10.0	108
Bathroom	5.0	54	5.0	54	5.0	54
W.C.	2.0	22	2.0	22	2.0	22
Storage	1.0	11	1.0	11	1.0	11
Landscaping	1.0	11	1.0	11	1.0	11
Roof	1.0	11	1.0	11	1.0	11
Total	60.5	655	60.5	655	60.5	655



Elevations & floor plans of current scheme

The Kevin Hinds Practice
ARCHITECTS - SPACE PLANNING - INTERIORS
Address: 1st Floor, 100, Waterworks, 1011 8th Avenue, 10100 68000, Tel: 01223 666477, Email: kevin@kevinhinds.co.uk

OFFICE OF THE DEPUTY PLANNING OFFICER
CITY OF SOUTHAMPTON
PLANNING
ADDRESS: THE REAR OF 500 GREEN LANE, SOUTHAMPTON, HANTS, RG1 2YB
Date: July 2014



PROPOSED EAST ELEVATION



Scale 1:100 @ A1

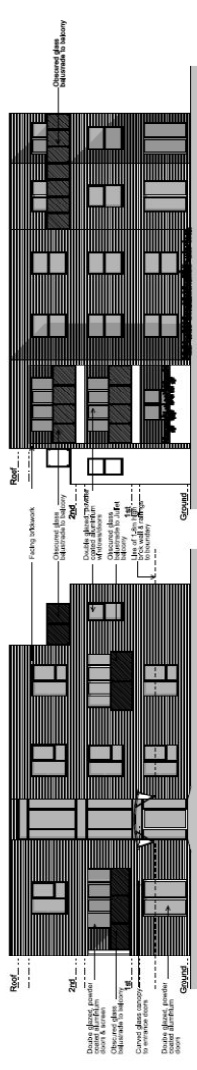
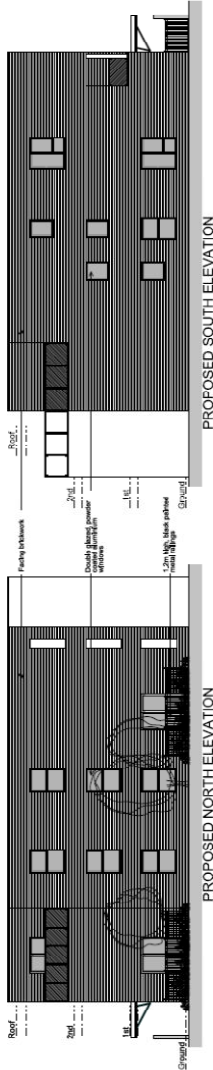
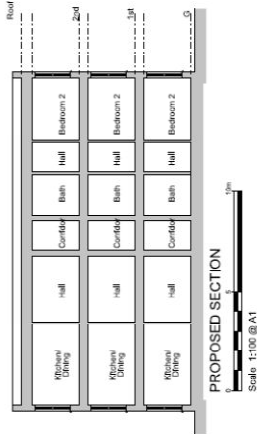
Front elevation of revised scheme



Visualisation of current scheme

Room	Area (sq.m)	Area (sq.ft)	Volume (cu.m)	Volume (cu.ft)
Living	18.0	194	18.0	637
Dining	12.0	130	12.0	424
Kitchen	10.0	107	10.0	353
Bedroom 1	12.0	130	12.0	424
Bedroom 2	12.0	130	12.0	424
Bedroom 3	12.0	130	12.0	424
Bath	5.0	54	5.0	177
Hall	3.0	32	3.0	106
Stairs	2.0	21	2.0	71
Porch	3.0	32	3.0	106
W.C.	2.0	21	2.0	71
Landscaping	10.0	107	10.0	353
Roof	10.0	107	10.0	353
Total	100.0	1070	100.0	3530

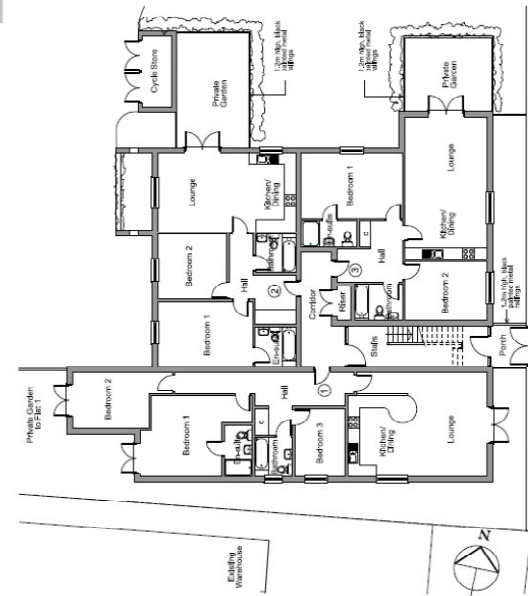
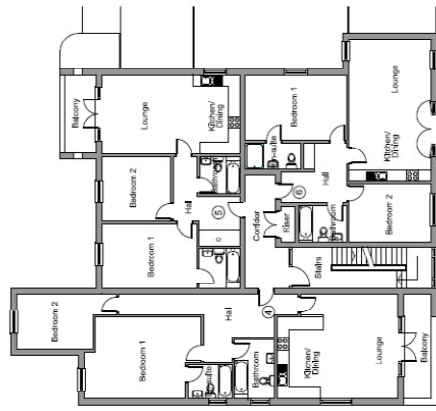
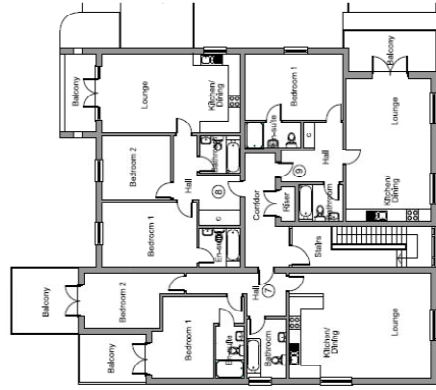
Total Gross Floor Area = 100.0 sq.m
 Total Gross Floor Area = 1070 sq.ft
 Total Gross Volume = 100.0 cu.m
 Total Gross Volume = 3530 cu.ft
 Total Gross Floor Area = 100.0 sq.m
 Total Gross Floor Area = 1070 sq.ft
 Total Gross Volume = 100.0 cu.m
 Total Gross Volume = 3530 cu.ft



PROPOSED WEST ELEVATION

PROPOSED EAST ELEVATION

PROPOSED SECTION



PROPOSED SECOND FLOOR PLAN

PROPOSED FIRST FLOOR PLAN

PROPOSED GROUND FLOOR PLAN

THE KEVIN HINDS PRACTICE
 ARCHITECTS AND INTERIORS
 1102 @A1
 0852-300410

THE KEVIN HINDS PRACTICE
 ARCHITECTS AND INTERIORS

CITY & COUNTY DEVELOPMENTS LTD.
 1102 @A1
 0852-300410

PLANNING
 NUMBER: THE SHAW OF
 GARDEN LANE
 HARROLD ROAD
 1102 @A1
 0852-300410

DATE: May 2013
 SCALE: 1:100 @A1
 REF: 0852-300410

Elevations & floor plans of previously refused scheme

Appendix 2: Comment on Consultation Responses

Comments	Response
Loss of natural light / sunlight to properties on Park Road, Haringey Park and in Colina House.	Addressed in para. 6.21
Overlooking and loss of privacy to Haringey Park and Park Road properties.	Addressed in para. 6.17
Scheme will dwarf neighbouring houses.	Building is now more akin to a two-storey building with accommodation in the roof, more sympathetic to the scale of neighbouring buildings. Ridgeline of the proposal is now in line with that of properties on Park Road.
Overlooking from balconies. Balconies should be designed and positioned so that neighbours privacy is not encroached on.	Privacy screens will be incorporated on side of balconies to minimise overlooking/ loss of privacy.
The scheme does not specify exactly how much of the windows will be obscured.	Glass of the windows directly facing the rear of Park Road properties will be obscured with the sloping side of the bay in clear.
Unreasonable overshadowing and loss of outlook.	Addressed in para. 6.17
Distance between proposal and Park Road properties inadequate and should rather be 30m.	Addressed in para. 6.17 & 6.18.
Impact on residents of Haringay Road and Colina Mews have not been adequately addressed despite the greater number and closer proximity to the building.	Addressed in para. 6.17 & 6.18
Trees proposed on the north boundary with Park Road will substantially overhang the rear gardens of the Park Road residences and further contribute to the loss of light.	The species and size of planting can be discussed with neighbouring residents before discharging condition 5.
Concerns about the location of the bins in relation to 39 Park Road.	The bins will be enclosed to minimise odour and safeguard visual amenity.
Area is already congested.	Principle of housing is considered acceptable.
No benefit to local residents.	Visual quality of the site will improve.
Concern that there is no footpath on the Mews which is the proposed main access point and entrance to the application site.	As per para. 6.29 - the physically segregated of facilities is not required as the flows of cyclists or pedestrians will be low.
Increased traffic on what is really an access alleyway.	It is considered that the proposed development will generate less vehicular traffic than that associated

Comments	Response
<p>Concern about safety.</p> <p>Noise pollution of traffic (deliveries for the Langham Club) as well as people and their vehicles using the Mews will be detrimental to the area.</p> <p>The proposed development is too high, and does not appropriately address the scale and massing of its context.</p> <p>The development should be in keeping with existing/ majority of building heights/ 2x storeys.</p> <p>Concern about the building height in relation to the street.</p> <p>The proposal would not enhance the appearance of the area.</p> <p>New homes are less than 2m from the boundary with Colina Mews and unreasonably close.</p> <p>Building should be set back further from Colina Mews.</p> <p>Mature tree planting should be included in the scheme along the site boundary fronting Colina Mews to improve streetscene and mitigate overlooking.</p> <p>No precedent for this proposal to be designed with windows so close to the adjacent houses; in fact the street elevation on the west side of Colina Mews facing the houses on Harringay Road is completely blank.</p> <p>Ground and first floor private living spaces in the proposed building would be completely overlooked by pedestrian and vehicular traffic.</p> <p>Provision of one disabled parking space and having level access into the building does not fully address accessibility requirements.</p>	<p>with the site's current use.</p> <p>Access for emergency vehicle and service vehicles, pedestrians and vulnerable users have been taken into account.</p> <p>The potential noise emanating from the use of this site for residential purposes with deliveries to the Langham Club would not create levels of noise and disturbance over and above those already created in connection with the existing use of the site or background noise.</p> <p>Addressed in para. 6.13.</p> <p>Addressed in para. 6.13 & 6.14.</p> <p>The building is now set back 3m from the boundary with Colina Mews.</p> <p>The design and form of the building is considered to be acceptable and would harmonise with the character and appearance of the area.</p> <p>As above.</p> <p>As above.</p> <p>This set back now allows for planting of trees along the frontage.</p> <p>The separating distances in question are acceptable, particularly in an urban area.</p> <p>Similar to housing stock in the area the frontages of the building here will be set in from the street boundary and will have front boundary walls, railings and vegetation and associated blinds/ curtains internally to provide the necessary privacy and security.</p> <p>Level of provision considered to be acceptable.</p>

Comments	Response
<p>Proposed disabled parking space is still some distance (approximately 30 metres) from the front door.</p> <p>The mobility needs of pedestrians, cyclists and people with difficulties have not been taken into account.</p> <p>Loss of garages currently used/ car mechanic business/ employment on site.</p> <p>Increase in noise pollution.</p> <p>Additional strain on the area's infrastructure.</p> <p>Scheme does not meet Council guidance on sustainable development.</p> <p>Dwelling mix not in accordance with guidance.</p> <p>Proposed development would not make any contribution towards the supply of affordable housing in the Borough.</p> <p>A contribution should be sought to make the pedestrian access properly safe.</p> <p>Uncoordinated development on this site will add to the constraints affecting the viability of delivering housing on the neighbouring 0.55 hectare site, identified in Haringey's Draft Sites Allocation Development Plan Document (Jan 2014).</p>	<p>Space is adequately located within the curtilage of the site for ease of access.</p> <p>Addressed in para. 6.9</p> <p>Addressed in para. 6.1.</p> <p>Addressed in para. 6.23.</p> <p>Infrastructure in area can meet need. Financial contributions to mitigate the external impacts of a development to be secured.</p> <p>Addressed in para. 6.30 & 6.31.</p> <p>Addressed in para. 6.7</p> <p>Addressed in para. 6.9</p> <p>A contribution is sought for upgrading of the existing street lighting along Colina Mews.</p> <p>Comment addressed in previous appeal decision/ para. 3.19.</p>

Appendix 3: Appeal Decision

Appeal Decision

Site visit made on 28 April 2014

by **Peter Rose BA MRTPI DMS MCMI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 May 2014

Appeal Ref: APP/Y5420/A/14/2213748

Langham Social Club, 600 Green Lanes, London N8 0RY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by County and City Developments Ltd against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2013/1119, dated 30 May 2013, was refused by notice dated 18 October 2013.
 - The development proposed is a three and two storey block comprising 1 no. 3 bedroom flat; 1 no. 1 bedroom flat and 7 no. 2 bed flats.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal is accompanied by revised drawings. The drawings have not been publicised as part of the planning application and are relevant to concerns previously raised by local residents. In these circumstances, I propose to consider the appeal on the basis of the drawings which formed the basis of the Council's decision as to do otherwise could prejudice the interests of third parties.
3. A signed copy of a unilateral undertaking has also been submitted dated 6 May 2014 and, having reviewed its content, I am satisfied that no interests would be prejudiced by considering the appeal on that basis. The Council has also been given an opportunity to comment on its content.
4. I have taken into account the government's Planning Practice Guidance (the Guidance), issued on 6 March 2014, in reaching my decision.

Main Issues

5. The main issues are the effect of the proposed development upon:
 - (a) the character and appearance of the host site and the surrounding area;
 - (b) the supply of affordable housing in the Borough;
 - (c) the living conditions of neighbouring occupiers with particular regard to overlooking and loss of privacy;
 - (d) the living conditions of future occupiers with regard to provision of amenity space.

www.planningportal.gov.uk/planninginspectorate

Reasons

Character and appearance

6. The appeal site comprises a collection of lock-up garages and lies to the rear of premises occupied by the Langham Social Club (the Club). The Club premises are an impressive 3-storey building with a main frontage to Green Lanes. The appeal site is accessed from Colina Mews and faces Colina House, a building converted to residential use. The site is adjacent to traditional terraced housing in Park Road to the north and faces the rear of houses in Harringay Road to the east. To the south is a large warehouse building. Colina Mews itself is generally an area of mixed use.
7. Buildings in Colina Mews are of varied quality and form. Nearby buildings in Park Road, Green Lanes and Harringay Road, however, are generally of a more traditional and distinctive Victorian style, typically involving such features as stock bricks, stucco render, string courses, sash windows, and pitched roofs, and are mainly residential in character.
8. The proposal would involve a predominantly 3-storey flat-roofed building of a modern and relatively basic design. The building would be of a substantial footprint, height and bulk, would be positioned close to the front of the Colina Mews boundary, and would occupy a significant part of this frontage. The combined effect of the forward position and its substantial form would be to introduce an unduly dominant and intrusive feature.
9. This impact would be exacerbated by the proposed design. The development would not take the opportunity available to provide a quality scheme drawing upon the distinctiveness of the setting and relating appropriately to the scale, form, detailing and other vernacular characteristics of its wider surroundings, including the Club's own premises. I acknowledge that the contextual character is undoubtedly mixed, the existing visual condition of the site is poor, and the aesthetic qualities of Colina Mews itself are limited. Nevertheless, the development would appear as an incongruous feature which would fail to make a significant response or connection to the more traditional character of the surrounding area, or to take the substantial opportunity available to contribute positively to it.
10. I therefore conclude that the proposed development would be harmful to the character and appearance of both the host site and the surrounding area. Accordingly, the development would be contrary to Policy SP11 of the London Borough of Haringey Local Plan: Strategic Policies March 2013 (the Local Plan), contrary to Saved Policy UD3 of the Council's Unitary Development Plan 2006 (the UDP), to the Council's Supplementary Planning Guidance SPG1a Design Guidance and Design Statements September 2003 (the SPG), and to Policies 7.4 and 7.6 of the London Plan. These seek, amongst other matters, to ensure that development complements the character of the local area, enriches the local environment, and creates places and buildings that are of a high quality. I find these policies broadly consistent with the National Planning Policy Framework (the Framework) which places great importance upon high quality design and local distinctiveness. The Framework also advises that permission should be refused for schemes which fail to take the opportunities available for improving the character and quality of an area and the way it functions.

Affordable housing

11. Policy SP2 of the Local Plan dating from March 2013 requires a development of 9 flats to provide 20% affordable housing on site or to make a financial contribution to that effect. No such provision is made by the scheme. Further, Policy 3.12 of the London Plan requires the maximum reasonable amount of affordable housing to be sought. The Framework also encourages local planning authorities to deliver a wide choice of quality homes in accordance with local need.
12. I acknowledge that the scheme seeks to provide financial benefits for the Club by transferring ownership of three of the proposed flats to the organisation, and thereby providing a future income stream. I note that the Club is a non-profit-making organisation and its continuing operation will no doubt be of benefit to parts of the local community. Precisely what those public benefits would be in relation to the income stream and how they would be sustained is unclear from the evidence before me. I also note the financial viability assessment undertaken by the Council which concluded that the existing viability of the scheme is marginal and that there is no scope within the current scheme for affordable housing.
13. In effect, the scheme would provide benefits for the Club and its continuing operation in lieu of affordable housing. If those benefits were not forthcoming, because ownership of three of the flats was not transferred to the Club or because the Club sold one or more of them within the first five years, the appellant's unilateral undertaking makes provision for payment of a financial contribution towards affordable housing instead. Nevertheless, the Borough's need for affordable housing is clear. Policy SP2 makes no provision for community or other benefits as an alternative to delivery of affordable housing and the scheme would therefore appear significantly harmful in failing to meet that acknowledged housing need. Whilst the Guidance identifies the need for flexibility in matters relating to viability, the proposal would not contribute any affordable housing units or make any similar alternative contribution. Although the Framework also places emphasis upon ensuring viability and deliverability of development, the scheme would be at expense of affordable housing and would mitigate against the various policies seeking to meet those specific local housing needs.
14. I further note that the proposed housing mix would also not meet the requirements of the Council's Housing Supplementary Planning Document (the SPD) which dates from 2008. Even so, the Framework expects requirements relating to housing supply to be accompanied by up-to-date details of the Borough's current housing land availability and these have not been provided. Notwithstanding the mix, I acknowledge that the units proposed would still add to the local housing stock.
15. The proposed development would not make any contribution towards the supply of affordable housing in the Borough. Accordingly, the proposed development would be contrary to Policy SP2 of the Local Plan and to Policy 3.12 of the London Plan. These seek, amongst other matters, to ensure an appropriate provision of affordable housing in new developments.

Overlooking and loss of privacy

16. The scheme would involve windows in the habitable rooms of the proposed flats facing the existing rear of residential properties in Park Road. These would be positioned at a distance below the minimum privacy standards recommended by the SPD. To a lesser extent, the rear of properties in Harringay Road would also be overlooked.
17. I acknowledge that such impacts might be mitigated, to some extent, by requirements for obscured glazing. Such windows would make important contributions to the living conditions of future occupiers of the proposed units, however, and obscured glazing would thereby run the risk of significantly detracting from their living environment, and could also have implications for the external appearance of the building.
18. I therefore conclude that the proposed development would be harmful to the living conditions of neighbouring occupiers with regard to overlooking and loss of privacy. Accordingly, the development would be contrary to Policy SP11 of the Local Plan, to Saved Policy UD3 of the UDP, and to the SPD and SPG. These seek, amongst other matters, to ensure that development is of high quality, is sensitive to the local area and has no significant adverse impact on residential amenity. A core principle of the Framework is also to seek a good standard of amenity for existing and future occupants of buildings and the proposal as it relates to the neighbouring occupiers would be inconsistent with that aim.

Provision of amenity space

19. The scheme would provide some form of external space to all but one of the units, in the form of either balconies or small garden areas. Flat 6 would only be served by a Juliette balcony. As a 2-bedroom unit, Flat 6 would have the potential for family occupation and the absence of space would detract from the living conditions of that unit. Nevertheless, the remaining units all appear to be reasonably served and I consider the deficiency to Flat 6 would not render the overall living conditions within the scheme to be so harmful as to justify withholding planning permission on that basis.
20. It is therefore concluded that the proposed development would not significantly harm the living conditions of future occupiers with regard to provision of amenity space. Accordingly, the development would not be contrary to Policy SP11 of the Local Plan, to Saved Policy UD3 of the UDP, to the SPD or SPG, or to Policies 3.5, 7.4 and 7.6 of the London Plan. These seek, amongst other matters, to ensure that development provides high quality indoor and outdoor spaces.

Other Matters

21. I note that the Council does not wish to contest its previous objection regarding access arrangements for people with disabilities. I have little evidence before me to conclude the scheme would be harmful in that regard.
22. The unilateral undertaking submitted covers a number of matters, including contributions to education, transport and street works, and arrangements for car-free development, and contingencies in relation to the transfer of the flats. As the development is unacceptable for other reasons and the undertaking

would not offset that harm, it is not necessary for this decision to address the unilateral undertaking any further.

23. I have noted an objection to the loss of business premises and also various concerns regarding implications for traffic, daylight and sunlight, and noise. Concerns are also raised regarding the proximity of the proposed building to the adjacent warehouse premises to the south. The Council raises no objection in those respects and, on the basis of the evidence before me, these are not considerations which weigh heavily against the proposed development. Whilst concerns are raised regarding the possible implications for any possible future development proposals of the adjacent warehouse, I have to base my decision on the existing considerations and the current circumstances presented.
24. None of the other matters raised are of such significance, either individually or collectively, that they would outweigh the considerations that have led to my conclusions on the main issues.

Conclusion

25. For the above reasons, and with regard to all other matters raised, I conclude the appeal should be dismissed.

Peter Rose

INSPECTOR