

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2006/2434

Ward: Harringay

Date received: 12/12/2006

Last amended date: N/A

Drawing number of plans: 359/01, 359/02, 359/03, 359/04, 359/05, 359/06 & 359/07

Address: Site Adjacent 2 Seymour Road N8

Proposal: Demolition of existing garages and erection of 2 x 2 storey three bedroom houses with rooms at roof level.

Existing Use: Vacant

Proposed Use: Residential

Applicant: Myth Ltd

Ownership: Private

THIS APPLICATION WAS DEFERRED FROM THE 11 JUNE 2007 PLANNING APPLICATIONS SUB COMMITTEE FOR A DAYLIGHT AND SUNLIGHT ASSESSMENT TO BE CARRIED OUT. A DAYLIGHT AND SUNLIGHT ASSESSMENT HAS BEEN CARRIED OUT BY THE APPLICANTS AND SHOWS THAT THE PROPOSED DEVELOPMENT WOULD NOT CAUSE ANY SIGNIFICANT LOSS OF DAYLIGHT OR SUNLIGHT TO EXISTING PROPERTIES.

LOCAL RESIDENTS WERE SENT THE DAYLIGHT REPORT AS REQUESTED BUT SO FAR NO RESPONSE HAS BEEN RECEIVED. THIS MATTER IS THEREFORE RETURNED TO THE PLANNING COMMITTEE FOR FURTHER CONSIDERATION AND DECISION.

DAYLIGHT & SUNLIGHT REPORT ATTACHED AS APPENDIX.

PLANNING DESIGNATIONS

Borough Road

Officer contact: Oliver Christian

RECOMMENDATION

GRANT PERMISSION subject to conditions

SITE AND SURROUNDINGS

The site sits at the rear of properties on Wightman Road and adjoins No.2 Seymour Road.

The site is known as Land Adjacent to No. 2 Seymour Road on the south side of Seymour Road, to the rear of properties on Wightman Road. The site is within an area commonly known as the ladder, which is both a Controlled Parking Zone and a Restricted Conversion Area.

The rear boundaries of 148 and 150 Wightman Road abut the site to the east. The garden of No 146 abuts the property to the rear.

The site is partially occupied by a block of five garages currently used as a workshop and is accessed from the existing crossover on Seymour Road.

The site is not within a designated conservation area.

PLANNING HISTORY

The application site was originally within the curtilage of Nos. 148 and 150 Wightman Road. These properties were respectively converted into four flats in the early seventies following planning applications. A condition in respect of the planning approval at 150 Wightman Road required that four spaces be provided and maintained within the curtilage of the property (i.e. within the current application site). The erection of five garages was allowed on the site following an appeal in 1974 for resident parking. The garages are currently used as workshop. The remainder of the site was covered in concrete and used for parking by residents. Planning permission was granted in 2003 for the erection of a two-storey house to replace the garages.

CHRONOLOGICALLY

21/06/1961 - Refusal - OLD/1961/1094 - Erection of building for religious purposes in rear garden with access to Seymour Road.

07/01/1971 - Conditional Consent - OLD/1971/1317 - Erection of two storey rear extension at 148 Wightman Road and conversion into four self-contained flats

24/05/1972 – Conditional Consent – OLD/1972/1681 – Erection of two storey rear extension at 150 Wightman Road and conversion into four self-contained flats. One of the conditions (Condition 3) is as follows

“Adequate turning space and four parking spaces in accordance with the standard adopted by the Local Planning Authority shall be constructed with the curtilage of the building to the satisfaction of and in accordance with details to be submitted to and approved by the Local Planning Authority and shall be retained to the satisfaction of the Local Planning Authority”

It should be noted that in 1972 part of the site was within the boundary of No. 148 and 150 Wightman Road – Planning permission 1972/1681 was granted for conversion of the aforementioned property into a number of flats with a condition that detail of parking layout be submitted to the Council. This condition was not complied with and in 2006 a Breach of Condition was incorrectly served – This, subsequently had to be withdrawn as the compliance period for the condition had passed.

19/01/1973 – Refused – OLD/1973/1392 – Erection of two storey block comprising two bedroom flats. One of the Reasons for Refusal was as follows
“The proposed development would prevent the provision of adequate car parking spaces and amenity area for the occupants of the existing property, No. 150, Wightman Road, as stipulated in condition 3 of the permission dated 24th May 1972...”

13/07/1973 - Refusal - OLD/1973/1933 - Erection of 5 garages at rear.

29/11/1973 – Granted on Appeal – T/APP/4415/C/73/1133 – Erection of five garages. The inspector directed that a change of wording be made to Condition 3 of the 1972 approval replacing the words *“four parking spaces”* with the words *“space for the parking or garaging of four cars”*

05/08/1974 – Conditional Consent – HGY/2244/148-150/1 – Erection of five garages. One of the conditions (Condition 2) is as follows
“That the garages shall be used only for the garaging of private vehicles or purposes incidental to the enjoyment of a dwelling house or flats only, and shall not be used for any other purpose without the prior permission of the local planning authority”

This condition was not fully complied with.

24/06/2003 - Conditional Consent - HGY/2003/0881 - Erection of a 2 storey, 2 bed dwelling house.

24/11/2005 – Planning Permission was refused for an amendment to the 2003 permission to enlarge the dwelling house.

Reason 3 of the reason for refusal quite wrongly stated that the development would be in breach of condition 3 attached to the 1972/1681 permission that sought to retain parking spaces within the site.

DETAILS OF PROPOSAL

The current proposal seeks the demolition of existing garages and erection of 2 x 2 storey three bedroom houses with rooms at roof level as a continuation of the existing terrace.

The dwelling will be of a flat back terrace with no back addition and design to match the existing terrace.

The scheme also provides 2 off street car parking spaces and amenity areas in the form of rear gardens.

CONSULTATION

Local residents – 1 -10 (c) Seymour Road,
1 Warham Road,
144 – 152 (e) Wightman Road.
Transportation
Ladder safety community partnership
Conservation Team
Ward Councillors

RESPONSES

Haringey Council – Building Control

The drawings have been checked for compliance with Regulation B5 – access for the fire brigade and appear to be acceptable.

Transportation - Although this site is within the Council's Haringey Ladder Restricted Conversion Area (Policy HSG11), an area which suffers from heavy on-street parking pressure, there is a controlled parking zone in place albeit operating from 0800hrs to 1830hrs, Monday to Saturday. Also, notwithstanding that this proposed development is situated in an area with low public transport accessibility level, it is within a short walking distance of the bus route, Green Lanes which offers some 38buses per hour (two-way) for frequent bus connections to Turnpike Lane and Manor House tube stations. We have subsequently deemed that majority of the prospective residents of this development would use public transport for their journeys to and from the site. In addition, the applicant has proposed two car parking spaces within the curtilage of the development, as detailed on Plan No.359/03. It is therefore deemed that this proposed development would not have any significant impact on the existing traffic or indeed car parking demand at this location.

Consequently, there are no objections on transport and highway grounds.

Informative:

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

A signed petition and 2 Local residents – object on similar grounds as follows –

Objection 1 - The land was originally used for gardens, and has in recent years been used for parking and garages for the houses on Wightman Road adjacent to the site. The application seems to ignore these considerations (parking, space, privacy and greenery). The original permission for a single house adjacent to 2 Seymour Road was given after local objections - en bloc - 'failed to arrive', or in any event were not registered, at the Haringey planning office. The house built by the same developer at the top of Warham Road fails to blend in (different brickwork, no sash windows, no ornamentation) with surrounding houses, which, of course, were built as a single development over a century ago.

I object to the application on the following grounds:

1. The development would affect the privacy of the surrounding properties (breaching standards set out in Supplementary Planning Guidance 3b in terms of distance and field of vision). It would result in loss of light and amenity for those properties.
2. The proposal would breach existing planning approval (OLD/1972/1681) for the provision of parking places for the converted flats at 148 and 150 Wightman Road. Many properties at the top of Seymour Rd and in Wightman Rd are already converted into flats, which, means that there are often too few parking places for existing residents.
3. The area at the top of Seymour Road and Wightman Road is densely populated as a result of the conversion of houses into flats, and is arguably already overdeveloped. Some flats are let out to multiple tenants. Additional housing will put additional pressure on utilities in the area.

Objection 2 –

- The proposed development would cause a considerable loss of privacy to my property. The windows to the rear of the development, on all floors, would overlook the windows in the rear of my flat. This includes overlooking my bathroom. This would breach the standards set out in Supplementary Planning Guidance 3b both in terms of the distance from my windows (i.e. less than 20 metres) and also in terms of the field of vision arc set out in the document. The same problem will occur with the first floor flat above me.

- The impact of the development in terms of overlooking existing windows at 2 Seymour Road is not reflected in the planning drawings available on the Council's website. In particular, the drawing of the existing and proposed flank elevations do not show the rear extension at 2 Seymour Road, and therefore the position of the windows. Inaccurate drawings will not allow the planning committee to make a properly informed decision.
- The development also fails to meet this planning standard for the flats on adjoining properties on Wightman Road. They would suffer a considerable loss of privacy, as well as light and amenity if the development were to go ahead. It would lead to an increased sense of enclosure for all existing properties in the area.
- The proposal would breach existing planning approval (OLD/1972/1681) for the provision of parking places for the converted flats at 148 and 150 Wightman Road. Parking is a particularly important issue at the top of Seymour Road as there are several houses converted into flats, and the area is also used for parking by residents of Wightman Road. For the record, the developer has already gated off the space covered by this application, and is blocking residents of 148 and 150 Wightman Road from using it for parking. He is instead using it for storage and parking of a skip lorry and storage of skips. I would argue that this is already in breach of the existing planning approval and should be addressed.
- The area at the top of Seymour Road and Wightman Road is already densely populated as a result of the conversion of a number of houses to flats, and is arguably already overdeveloped. Additional housing will therefore put additional pressure on utilities in the area.
- In terms of the actual design of the proposed developments:
 - The design shows that the back door of the left hand property is literally next door to my bedroom, and bedroom window. This will potentially cause noise and disruption. In addition, siting the kitchen/diner next to my bedroom will potentially again cause disturbance from use
 - The drawings available on the Council's website wrongly identify the existing walls between the development and my flat at 2 Seymour Road. The walls are in fact on my property, and any reduction in their height would have to be agreed by me
 - The design does not meet many of the criteria set out in Supplementary Planning Guidance 3a, for example on minimum garden space, the provision of recycling and storage space, or the features set out in the Lifetime Homes standards (e.g. the parking space cannot be widened to 3.6 metres)
 - There is no provision for the use of renewable energy technologies or any attempt beyond those required by Building Regulations to provide a sustainable living environment

RELEVANT PLANNING POLICY

Haringey Unitary Development Plan

UD3	General Principles
UD4	Quality Design
UD7	Waste Storage
M10	Parking for Development
SPG3a	Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions

ANALYSIS / ASSESSMENT OF THE APPLICATION

Principle of Residential Use

The principle of the change of use of this site to residential has already been established by the planning approval dated 25/06/2003. This application must necessarily be assessed solely on the planning merits of the current scheme.

The proposal must be assessed against Unitary Development Plan policy relating to the design, size, layout, privacy and amenity, parking and waste management.

Design

Firstly the proposal must also be assessed from a design perspective. Policy UD4 "Quality Design" states that proposals for development will be expected to be of high design quality and positively address issues of enclosure, urban grain, building lines, form rhythm and massing, height and scale, architectural style, detailing and materials. The surrounding area of Seymour Road and Wightman Road consists primarily of uniform 2/3-storey Victorian terrace dwellings.

The proposed terraced dwelling houses are of a traditional style building matching the existing terrace.

It is considered that the proposed dwellings will not look out of character next to the adjoining 2-storey dwellings of traditional design. On this basis, it is considered the proposal does not contravene Policy UD4.

Amenity

Policy UD3 General Principles seek to protect the privacy and amenity of neighbouring residents. The location of the dwelling house on this site as part of the existing terrace would have no impact on the morning sunlight/daylight access to the adjoining and neighbouring gardens.

In terms of privacy and overlooking there are windows located on the rear of the proposed house. There are no facing windows in the side elevation of the proposed development and as such will not result in issues of overlooking or loss of privacy.

On this basis, the proposal is considered not to contravene Policy UD3.

Overall, the proposed dwelling houses are in keeping with the surrounding pattern of development. The height, scale and bulk is not deemed excessive. The proposed scheme is considered to result in an appropriate form of development for the site and has no detriment on the character of the area or the amenity of neighbouring residents.

The proposed house has no rear extension but follows a similar building line to that of the adjoining property.

Layout and Space Standard

The proposed layout and internal size requirements of the properties will be assessed against policy SPG3a. Both Houses 1 & 2 following and identical foot print -The rooms have the following approximate floor areas:

Ground floor – Kitchen 17.00m², Living room 12.5m².

First floor – bedroom 1 - 14.00m², bedroom 2 – 10.5m². Bathroom .5.04m².

Second floor – bedroom 3 – 16.00m².

The room sizes are found to be in line with the requirements set out in SPG 2.3 and SPG3a.

Waste Management

The council will require all development to include appropriate provision for the storage and collection of waste and recyclable materials. The plans submitted with this scheme provides full details of refuse / recycling storage and collection being located in the front garden. As such the scheme submitted is in line with Policy UD7.

The Building Control team has been consulted and found that access for LFEPA Fire fighting purposes considered acceptable.

Car Parking

The car parking for the site would be accessible from the existing vehicle crossover on Seymour Road. There would be adequate space for two on-site car parking spaces. The Transportation team has been consulted on this application and do not object on highway and transportation grounds. As such the proposal is found to be acceptable in relation to Policy M10.

Sustainability

The applicant has submitted a completed sustainability checklist.

The new dwellings will be built to 'lifetime homes' standard and benefit from energy efficient lighting and heating – internal and external storage areas will be provided for refuse and recycling.

SUMMARY AND CONCLUSION

The proposal has been assessed against and found to accord with the aims of Policies M10 Parking Standards, M7 waste Management, UD3 General Principles and UD4 Quality Design also Supplementary Planning Guidance 3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes of the Haringey Unitary Development Plan.

The proposed 2-storey dwellings would be in of keeping with surrounding pattern of development. Overall the proposal is deemed to be appropriate for the site and the location. It is considered that the development would have no adverse impact on the visual amenity and outlook from neighbouring properties.

It would therefore be appropriate to recommend that planning permission be granted.

RECOMMENDATION

GRANT PERMISSION

Registered No: HGY/2006/2434

Applicant's drawing No: (s) 359/01, 359/02, 359/03, 359/04, 359/05, 359/06 & 359/07

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

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

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

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

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

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

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

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

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

6. That the parking spaces shown on the approved drawings shall be constructed to the satisfaction of the Local Planning Authority and shall be permanently retained and used in connection with the dwellings forming part of the development.

Reason: In order to ensure that the approved standards of provision of parking spaces is maintained.

7. Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning General Permitted Development Order 1995, no enlargement, improvement or other alteration of any of the dwellings hereby approved in the form of development falling within Classes A to H shall be carried out without the submission of a particular planning application to the Local Planning Authority for its determination.

Reason: To avoid overdevelopment of the site.

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

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

REASONS FOR APPROVAL

The proposal has been assessed against and found to accord with the aims of Policies M10 'Parking Standards', M7 'Waste Management', UD2 'Sustainable Design and Construction', UD3 'General Principles' and UD4 'Quality Design' also Supplementary Planning Guidance 3a 'Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes' of the Haringey Unitary Development Plan.