

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2007/1557

Ward: Seven Sisters

Date received: 26/07/2007

Last amended date: N/A

Drawing number of plans: 12/7/01 to 07

Address: 12 Overbury Road N15

Proposal: Demolition of existing building and erection of four storey building comprising of 2 x B1 (light industrial) units and residential above comprising of 2 x 1 bed flats, 4 x 2 bed flats, and 2 x 3 bed flats

Existing Use: Light Industrial

Proposed Use: Mixed use

Applicant: Provewell Ltd

Ownership: Private

PLANNING DESIGNATIONS

Road Network: Borough Road

Officer Contact: Oliver Christian

RECOMMENDATION

GRANT PERMISSION subject to conditions and subject to section 106 Legal Agreement

SITE AND SURROUNDINGS

The site is 12 Overbury Road, N15 in the Seven Sisters ward.

The property is a two storey building currently in part light industrial use:

The building is situated at the rear of office/light industrial building at 1-19 Tewkesbury Road, forming a complete rectangular block.

The site is not within a designated Defined Employment Area.

PLANNING HISTORY

No relevant planning history

DETAILS OF PROPOSAL

This application seeks planning permission for demolition of the existing building and erection of a storey extension building with commercial/light industrial floor space on ground and first floors with residential use on the upper floors.

CONSULTATION

London Underground
Building Control
Waste Management
Ward Councillors
Haringey Council – Transportation Team
Owner/Occupier: 10, 12, Overbury Road, N15
1 – 19 Twekesbury Road, N15

RESPONSES

London Underground Limited – As the Victoria line tunnels are some distance from the application site, London Underground Ltd has no comment to make on the application.

Haringey Council – Transportation Team

The applicant is required to contribute £5,000 toward footway improvements within the immediate locality also the applicant must contribute a sum of £700 (Seven hundred pounds) towards the amendment of the Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development (£5,700).

No objection on transportation or highway grounds

RELEVANT PLANNING POLICY

National Policy Background

Planning Policy Statement- 3 Housing

The principal national policy guidance relating to residential development is contained in Planning Policy Guidance Note 3: Housing. This PPG provides guidance on a range of issues relating to the provision of housing. Circular 6/98 *Planning and Affordable Housing* will continue to apply, within the framework of policy set out in this guidance.

PPS3 states that Local Planning authorities should:

- Provide sufficient housing land but give priority to re-using previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of greenfield sites;
- Promote improved quality of developments which in their design, layout and allocation of space create a sense of community; and
- Introduce greater flexibility in the application of parking standards, which the government expects to be significantly lower than at present.

Planning Policy Statement 13 Transport

Planning Policy Statement 13 Transport aims to:

- Promote more sustainable transport choices for people and for moving freight.
- Promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling.
- Reduce the need to travel especially by car.

The London Plan

The London Plan was adopted in February 2004 by the Greater London Authority and forms the Spatial Development Strategy for Greater London. It contains key policies covering housing, transport, design and sustainability in the capital. It replaces Regional Planning Guidance Note 3 - Regional Planning Guidance for London.

The London Plan also sets out density targets for residential development in London. Various ranges are specified. Of particular relevance to this site - urban sites close to transport corridors with a low accessibility index proposed for flatted development may have a range of 300-450 hrh.

Local Policy Background

Unitary Development Plan

EMP4: Non Employment Generating Uses

Require that there is no demand for the site to be used in its existing form – evidence of unsuccessful marketing of the site – outside of a DEA – retain or increase the number of job on the site.

UD3: General Principles

Require that new development has no adverse impact on residential amenity in terms of overlooking, loss of privacy – complement the character of the local area.

UD4: Quality Design

Encourages and supports good and appropriate design, which is sustainable, improves the quality of the existing environment also reinforces a sense of place and creates civic pride.

UD6: Mixed Use Developments

Where appropriate developments should include a mix of uses in order to ensure sustainable development – aiming to make the optimal use of land whilst still maintaining a decent environment.

UD7: Waste Storage

Requires that all developments to include appropriate provision for the storage and collection of waste and recyclable material.

HSG 4: Affordable Housing

Housing developments capable of providing 10 or more units will be required to include a proportion of affordable housing to meet an overall Borough target of 50%.

HSG8: Density Standards

Reflects the advice in the London Plan also increased densities.

HSG9: Dwelling Mix

Require that the dwelling mix meets Council's housing requirements.

M10: Car Parking for Development

Assess the appropriateness of proposed off street car parking for developments.

ENV9: Mitigating Climate Change: Energy Efficiency

Seeks to reduce CO2 emission by efficient design.

ENV10: Mitigating Climate Change: Renewable Energy

Seeks efficient design to lower total energy consumption.

Supplementary Guidance

SPG1a - Design Guidance
SPG3a – Density / Dwelling mix
SPG 4 - Access for all
SPG5 - Safety by Design
SPG8a - Waste and recycling
SPG9 - Sustainability Statement
SPG10c - Education needs generated by new housing development
SPG7a – Parking Standards
SPG10a - The negotiation, management and monitoring of planning obligations

ANALYSIS / ASSESSMENT OF THE APPLICATION

The main issues created by the proposal are:

- i) The principal of the residential use of the land
- ii) Density
- iii) Size, bulk and design
- iv) Privacy and overlooking
- v) Waste management access and parking
- vi) Sustainability
- vii) Contributions

Each of these issues is discussed below.

Principle of Residential Use

The subject site has been removed from the Defined Employment Area (DEA) as such Policy EMP4 is applicable.

The proposal provides commercial floor space on part of the ground floor that has the potential to create employment opportunity.

It is considered that the proposal will result in a sustainable mix of uses that will benefit the community complying with Policy UD 6 'Mixed Use Development'.

PPS3 and the London Plan encourage the residential development of brownfield sites. The pressure of land for new housing in the Borough means that brownfield sites such as this one are increasingly considered for housing development. In the Borough's tight urban fabric the opportunities for an acceptable form of this development are increasingly limited as the available sites decrease.

Density

Policy HSG 8: 'Density Standards' sets out the density range for the Borough. PPG3 recommends that more efficient use be made of land by maximising use of previously developed land. It recommends that Local Authorities "*avoid housing development which makes inefficient use of land and provide for more intensive housing development in and around existing centres and close to public transport nodes.*" The London Plan also sets higher densities for

development in urban areas. The London Plan recommends a density range of 300 - 450 hrh for flatted developments in urban areas with a low accessibility index rating such as this one.

The Unitary Development Plan sets a density range of 200 – 400 hrh. The densities allowed in the Unitary Development Plan reflect more closely with the densities set out in the London Plan.

The site displays the characteristics of an urban site with a low accessibility index as defined in the London Plan. As such, the Plan allows for a density of development up to 450 hrh. Applying the method of calculation set out in Supplementary Planning Guidance Note 23a Density, this mixed use scheme has a density of 454hrh based on a gross site area of 0.0535 hectares, which is in line with this requirement.

The ground and first floors have been laid out as commercial floor space. In line with guidance in Supplementary Planning Guidance Note.3a 'Standards for New Build Residential Development', a communal roof garden has been proposed.

Policy HSG 9 'Dwelling Mix' requires a mix of unit sizes to provide some family, (i.e. over 1-bed), units. This scheme proposes 2 x three bed, 2 x one bed and 4 x two bedroom flats, which generally meet the flat size and room size requirements of Supplementary Planning Guidance Note 3a 'Standards for New Build Residential Development'. The proposed development is below the threshold that requires an affordable housing contribution and as such the proposal complies with Policy HSG 4 'Affordable Housing'.

Size, Bulk and Design

Policies UD4 'Quality Design', SPG1a 'Design Guidance - Layout, Form, Rhythm and Massing' require that new buildings are of an acceptable standard of design and fit in with the surrounding area.

The building is four storeys in height incorporating commercial use on the ground and first floor, generally reflects the height of the nearby building and a number of industrial buildings within the vicinity.

The result is a contemporary building, which respect the constraints of the site and contrasts with the predominantly industrial buildings and workshops in the area.

The development will enhance the local area in this part of Overbury Road enlivening the street frontage by the provision of new entrances and overlooking windows.

The submitted scheme is acceptable in design policy terms and approval is recommended.

It is also considered that the neighbouring industrial estate will not have a significant negative impact on the future occupants of the site.

It is considered that the development will not have an adverse affect on any adjoining property. In fact it will have a positive regenerative impact on the streetscape and the amenity of the area.

Privacy and Overlooking

Policy UD3 'General Principles' - In respect of 'Privacy and Amenity of Neighbours' recognises this pressure and seeks to ensure an appropriate level of development for these sites which ensures that existing amenity is not harmed. In this case, the proposed development has been designed to fit in without compromising the Council's standards or having an unduly overbearing affect on the neighbouring properties.

It is considered that there will be no significant loss of sunlight and daylight to any adjoining property as a result of the development. The proposal will not be unacceptably detrimental to the amenity of adjacent users, residents and occupiers or the surrounding area in general.

Policy UD3 and SPG 3b 'Privacy and Overlooking' seeks to protect the existing privacy and amenity of neighbouring occupiers. In this case, the proposed buildings meet the requirements of Policy and will not therefore result in loss of privacy from overlooking.

Waste management, Access and Parking

The scheme proposes a car-free development, secure bicycle parking spaces within the site, which meets the standards and requirements for this type of development in this location and has been approved by Council's Transportation department.

The waste storage facility accommodates both residential and commercial waste in an easily accessible location.

The Council's Transportation Group was consulted and recommends that the proposal will not lead to adverse traffic conditions or congestion in the area and is satisfied that the scheme can be a car-free development.

Sustainability and Energy renewal

The applicant has completed the Council's sustainability checklist.

The individual units have been designed to meet a "very good" ecohomes rating which is in line with the requirement of ENV6a.

Space is provided in the refuse store for both commercial and residents recycling.

To encourage the use of bicycles secure cycle storage is proposed.

Contributions

Education - Supplementary Planning Guidance Note 12 'Education Needs Generated by New Housing Development' requires the applicant enter into a legal agreement with the Council to provide a financial contribution towards the impact of the development on local education provision. The Guidance recognises that all, new development, with 5 or more units with children bed spaces are likely to have an impact. The Guidance sets out a formula for assessing the contribution based on figures provided by the Department of Education and Science of the cost of school places. This report recommends that a contribution is required for this development through a legal agreement should planning permission be granted. The applicant is required to contribute a sum of £40,420.

Footway improvements within the vicinity – The applicant is required to contribute £5,000 toward footway improvements within the immediate locality also the applicant must contribute a sum of £700 (Seven hundred pounds) towards the amendment of the Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development (£5,700).

Administrative recovery charges – £1,500.

SUMMARY AND CONCLUSION

The proposed development accords with Council Policy EMP4 'Non Employment Generating Uses'. The site is not within a DEA and the proposed development incorporates commercial use on the lower floors with the potential to create new employment on the site.

The location of the proposed building on the site means neighbouring occupiers will not suffer loss of amenity regarding additional overlooking, loss of sunlight or daylight as the distances between the proposed building and the existing properties surrounding the site meet the Council's guidelines. The design approach is modern, adequate amenity space is provided and the scheme will be car-free.

The proposed development is of a type and scale which is appropriate to this location. Mixed use is proposed that raises the density proposed but not such that the scheme fails to meet the relevant policy requirements – additionally the proposal is in line with general national policy and guidance which encourages Local Planning Authorities to approve higher density schemes in locations such as this.

The proposal has been assessed against and found to comply with policy UD4 "Quality Design", UD3 "General Principles" and SPG3a Density, dwelling mix and floor space minima of the Haringey Unitary Development Plan.

On this basis, it is recommended that planning permission be GRANTED.

RECOMMENDATION 1

That planning permission is granted in accordance with planning application no. HGY/2007/1557, subject to a pre-condition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under Section 106 of the Town & Country Planning Act 1990 (As Amended).

This report also recommends that under the guidance contained in SPG 12, the applicant enter into an Agreement under Section 106 and Section 16 of the recently adopted Greater London Plan to make a contribution of £ toward local education facilities, £15,700 toward footway improvements and Traffic Management Order within the vicinity, also administrative recovery costs of £1,500.

RECOMMENDATION 2

(1) That planning permission be granted in accordance with planning application reference number HGY/2007/1557 subject to a pre-condition that the applicant shall first have entered into an Agreement with the Council under Section 106 of the Town and Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974] in order to secure: Education contribution of £40,420 also £5700 toward footway improvements and a Traffic Management Order within the vicinity and recovery / administrative costs of £1,500.

(2). That, following completion of the Agreement referred to in resolution (1) planning permission be granted in accordance with planning application reference number HGY/2007/1557 & applicant's drawing No's: 12/7/01 to 07 - subject to the following conditions:

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

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

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

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

3. 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. The proposed development shall have a central dish/aerial system for receiving all broadcasts for all the residential units created, details of such a scheme shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property and the approved scheme shall be implemented and permanently retained thereafter.

Reason: In order to protect the visual amenities of the neighbourhood.

6. That not more than 8 separate residential units shall be constructed on the site.

Reason: In order to avoid overdevelopment of the site.

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

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

8. No development shall take place until site investigation detailing previous and existing land uses, potential land contamination, risk estimation and remediation work if required have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: In order for the Local Planning Authority to ensure the site is contamination free.

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

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

10. That 8 cycle spaces shall be provided for the exclusive use of the proposed development details of which shall be submitted to and approved by the Local Planning Authority and thereafter such agreed scheme shall be implemented prior to the occupation of the proposed development and permanently retained to the satisfaction of the Local Planning Authority.

Reason: In order to ensure a satisfactory standard of provision for cycle storage for the proposed development.

11. That the shutters to be provided to the ground floor office units shall be the open lattice type details of which shall be submitted to and approved by the Local Planning Authority prior to the commencement of the works. Such agreed scheme shall be implemented and permanently retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to ensure a satisfactory appearance to the proposed development when completed.

12. That the ground floor commercial units shall be limited to office use only B1 (a) and shall not be used for any other purpose without the prior consent in writing of the Local Planning Authority.

Reason: In order to ensure that the ground floor use is compatible with the residential use above and is not used for industrial purposes.

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: No residents will be entitled to apply for a residents parking permit under the terms of the relevant Traffic Management Order controlling on-street parking in the vicinity of the development.

INFORMATIVE: The applicant is advised to contact the Crime Prevention Officer, Tottenham Police Station, 398 High Road, London N17 9JA (tel. 020 8345 0934) regarding crime prevention information that may assist the security of the proposed development hereby authorised.

REASONS FOR APPROVAL

The proposal complies with Policies UD2 'Sustainable Design and Construction', UD3 'General Principles', UD4 'Quality Design', UD5 'Mixed Use Development', HSG9 'Density Standards', EMP4 'Non Employment Generating Uses', EMP5 'Promoting Employment Uses', M9 'Car Free Development' of the Haringey Unitary Development Plan and appropriate Supplementary Planning Guidance.