

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

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| 1. APPLICATION DETAILS | |
| Reference No: HGY/2015/2325 | Ward: Tottenham Green |
| <p>Address: Marcus Garvey Library Tottenham Green Leisure Centre 1 Philip Lane N15 4JA</p> <p>Proposal: Installation of a new entrance door to the south elevation of Marcus Garvey Library along with the associated external works</p> <p>Applicant: Mr Anthony Cawley, Fusion Lifestyle</p> <p>Ownership: Council</p> <p>Case Officer Contact: Robbie McNaugher</p> | |
| <p>Date received: 10/08/2015</p> <p>Drawing number of plans: 2450,1002,2001,2201,2021,2211, 1001</p> | |
| <p>1.1 This application has been brought to committee because the Council is the landowner and due to the level of local objection to the application</p> | |
| <p>1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION</p> <ul style="list-style-type: none"> • The proposal will not have any material adverse impact upon the continued community use • The proposal would not harm the setting of nearby listed buildings or to the character and appearance of the conservation area • There would be no harm to neighbouring amenity. • The proposal is in accordance with the development plan | |

2. RECOMMENDATION

That the Committee resolve to GRANT planning permission and that the Head of Development Management is delegated to issue the planning permission and impose conditions and informatives as set out below.

Conditions

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Tree protection plan
- 4) Landscaping works to external area

Informatives

- 1) NPPF
- 2) Hours of construction

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

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| TABLE OF CONTENTS | |
| 3.0 | PROPOSED DEVELOPMENT AND SITE LOCATION DETAILS |
| 4.0 | CONSULTATION RESPONSE |
| 5.0 | LOCAL REPRESENTATIONS |
| 6.0 | CONSULTATION |
| 7.0 | MATERIAL PLANNING CONSIDERATIONS |
| 8.0 | RECOMMENDATION |
| 9.0 | APPENDICES: Appendix 1: Consultation Responses Appendix 2 : Plans and images |

3.0 PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Proposed development

3.1.1 This is an application for the enlargement of existing openings in the side elevation of the building and the installation of a new revolving doorway and associated glazed curtain walling, together with construction of a new access ramp to either side serving the existing children's garden area and separately, as a means of escape to the west within the fence line and to the north utilising the existing fire escape gate.

3.1.2 The area to the south, including the Library Garden, is to be developed further in conjunction with the Tottenham Regeneration Scheme, however, these works do not form part of this Application. The fencing to the south of the Library is to remain until proposals for the area to the south of the Library have been fully developed and linked in with the external area to the south of the Library. The further works to the area to the South will require a future application. The existing main entrance is to be retained.

3.2 Site and Surroundings

3.2.1 Marcus Garvey Library is located within the South East corner of Tottenham Green Leisure Centre, which in turn is located adjacent to the Bernie Grant Arts Centre and within close proximity of Tottenham Green and Tottenham Town Hall.

3.2.2 The site abuts the Tottenham Green Conservation Area and the neighbouring Grade II listed former school building and Town Hall are Grade II Listed.

3.4 Relevant Planning and Enforcement history

HGY/2005/1598 GTD 18-10-05 Tottenham Green Leisure Centre, 1 Philip Lane London Removal of existing revolving doors and installation of new double automatic swing doors.

HGY/2008/0040 GTD 18-02-08 Outside Tottenham Green Leisure Centre, 1 Philip Lane Tottenham London Display of name plate advertising planter sponsorship and Haringey Council name plate

HGY/2015/1483 REF 10-07-15 Tottenham Green Leisure Centre 1 Philip Lane London Display of 7 x non-illuminated hanging signs

HGY/2015/2113 GTD 11-09-15 Tottenham Green Leisure Centre 1 Philip Lane London Display of 4 x non-illuminated hanging signs

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

LBH Conservation Officer
Tottenham CAAC

The following responses were received :

LBH Conservation Officer - The proposal would not have any impact on the setting of the conservation area or the setting of listed buildings.

5. LOCAL REPRESENTATIONS

5.1 The following were consulted:

2 letters were sent to neighbouring properties, a site notice was erected close to the site and an advert placed in the local press.

5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 57
Objecting: 57
Supporting: 0
Others:

5.3 The following Councillor made representations:

- Cllr Clive Carter

5.4 The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Impact on library services through disruption
- Concerns with the impact on the children's garden area and child safety
- Concerns with the safety and quality of the access
- Impact on the Bernie Grant Arts Centre and other neighbouring uses
- Impact on the tree
- Equalities and human rights issues

5.5 The following issues raised are not material planning considerations:

- Lack of consultation (Officer note: the appropriate consultation has been carried out for the development operations comprised within the application in accordance with the Council's Statement of Community Involvement. Consultation on the internal changes and future patterns of use/occupancy of the library are not relevant to the consideration of this application as they are not works that amount to development under the Town and Country Planning Act).
- Loss of library space and relocation of office space (Officer note: this proposal does not give rise to a material change of use requiring planning permission).
- The Council has not been transparent in the application (Officer note: the behaviour of the applicant is not a material planning consideration)
- Concerns with the Council's regeneration proposals for Tottenham (Officer note: these are not part of the consideration of this application)

6 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of the development
2. Design and appearance impact on the conservation area and listed buildings
3. The impact on the amenity of adjoining occupiers

6.2 Principle of the development

6.2.1 The proposal has prompted considerable local interests, focusing on the proposed operational changes to the use of the building. Officers are satisfied that the proposed works and the other planned changes to occupancy of the building do not amount to a “material change of use” which would require planning permission. Accordingly, the application falls to be considered on the basis of the submitted plans only. These show the construction of a new ramped exit into the existing children’s garden area. This will take up some of the existing garden area but the facility will remain and will not be alongside a public access as suggested in several objections. The garden area does not appear to be well used at this present time. Officers consider that the potential impact upon this existing amenity can however be mitigated through the requirement, by condition, for a scheme to be implemented that replaces/reinstates the amenity lost.

6.2.2 Local Plan (2013) Policy SP16; Community Facilities’ supports appropriate improvement and enhancements, and where possible, protection of community facilities and services for Haringey’s communities. This policy promotes the efficient use of community facilities and the provision of multi-purpose community facilities which these works will facilitate. Whilst recognising that the physical works will change patterns of use in the children’s garden area, the overall impact on the garden area and the use of the community facility from the works of development proposed is considered to be neutral.

6.2.3 The proposed doorway will provide an accessible escape route from the rear of the building to the west along the rear of the leisure centre and north to an existing fire exit gate. There are future plans for this to become an entranceway with access from Town Hall Approach. This would require other works to take place around the building and the garden area. Such works may have a further impact upon the enjoyment of the children’s garden area. It is understood that these works would form part of a wider public realm project which would make this a more visible and attractive entrance to the building for those approaching from the south. The Council intends to consult on these proposals before a design is finalised and they will require consent. An Assessment of the impact of the works on the use and utility of the children’s garden area will need to take place at that time.

6.2.3 The principle of undertaking works to improve access and egress to the building is accordingly considered to be acceptable and consistent with the broad objectives of the local plan of ensuring the continued use of community

buildings. The proposal will reduce the size of the children's garden area but the imposition of a condition requiring improvements to the remaining garden area will reduce the impact on the facilities provided within this area.

6.3 Design and appearance and Conservation Area and Listed Building Impact

- 6.3.1 London Plan Policies 7.4 'Local Character' and 7.6 'Architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Haringey Local Plan Policy SP11 'Design' and Saved UDP Policy UD3 'General Principles' continue this approach.
- 6.3.2 The existing southern elevation to the building is of limited architectural merit and the proposals will introduce a new glazed element incorporating a revolving doorway and flanking windows together with new pedestrian railings to the proposed ramp that provides access to the children's garden area and the alternative means of escape. The existing palisade fence impedes visibility of the ground floor elevation of the building from Town hall Approach and subject to care in implementation, these proposals would not harm the architectural unity or appearance of the building.
- 6.3.3 The site is located close to the boundary with the Tottenham Green Conservation Area, due the modest scale of the works, officers consider that the alterations to the building elevations and the external works would not have an impact on the setting of the Conservation Area or affect the setting of the nearby Listed Buildings. The Conservation Officer sets out that no harm is caused to the Conservation or Listed Buildings through this proposal.
- 6.3.4 London Plan policies 6.1 and 7.2 and Local Plan SP11 seek the highest standards of access in all buildings and places by securing step-free access where this is appropriate and practicable.
- 6.3.5 The proposal provides a secondary step free egress for the library and step free access into the library and is supported

6.4 Impact on the amenity of adjoining occupiers

- 6.4.1 London Plan Policies 7.6 and 7.15 and Saved UDP Policies UD3 and ENV6 require development proposals to have no significant adverse impacts on the amenity of surrounding development.
- 6.4.2 Due to the scale and location of the proposals they would not impact on any neighbouring properties. The doorway facilitates potentially greater use of the space at the side of the building for access and egress. The buildings opposite the proposed works comprise Bernie Grants Arts Centre. This is a public building separated from the site by a public thoroughfare. Use of this route is unrestricted during the daytime and evenings. The commercial/leisure use of the Bernie grant Arts Centre would not be undermined by the use of the new doorway. The nearest residential, properties are located some 50m to the

south. The amenity of these residents would not be materially impacted by the proposed works.

6.5 Impact on the protected tree

- 6.5.1 Under Saved UDP Policy OS17 'Tree Protection, Tree Masses and Spines' the Council will seek to protect and improve the contribution of trees to local character. London Plan Policy 7.4 'Trees and Woodlands' states that existing trees of value should be retained and any loss as the result of development should be replaced.
- 6.5.2 The proposal involves works within the root protection area of a high quality Cypress tree within the site. An arboricultural survey has been carried out and makes recommendations for the protection of the tree. A method statement is required to ensure that the works would not harm the tree, this can be dealt with by condition.

6.6 Conclusion

- 6.6.1 The proposals have generated considerable local interest – some of which has focused on the implications for the use of the building and its existing amenities. The planning application is for only those works that amount to development described above. The assessment of those works of development has concluded that they will not have any material adverse impact upon the continued community use of the building, the appearance of the building and associated impacts upon the nearby conservation area and heritage assets or upon the amenities of wider uses and residents. Potential for change in the pattern and intensity of use of the new doorway have been recognised. Consideration of that impact will be the subject of further engagement and consultation prior to a further application being submitted for the works that will be required to enable that change to take place.
- 6.6.2 The proposals currently before the Local Planning Authority are accordingly considered to be consistent with the development plan for the area and should be approved.
- 6.6.3 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 CIL

- 7.1 There would be no increase in internal floor area. and therefore the proposal is not liable for the Major or Haringey's CIL charge.

8.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s) 2450,1002,2001,2201,2021,2211, 1001

Subject to the following condition(s)

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 following approved plans and specifications:

2450,1002,2001,2201,2021,2211, 1001

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

3. Prior to the commencement of any development hereby approved and before any equipment, machinery or materials are brought onto the site for the purposes of the development hereby approved, details of the measures for the protection of the cypress tree to comply with BS 5837: 2012 - Trees in relation to design, demolition and construction – Recommendations shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved and the protection shall be installed prior to the commencement of any development hereby approved and maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: In order to ensure the safety and well being of the tree on the site during construction works that are to remain after building works are completed consistent with London Plan Policy 7.21, Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan.

4. No development shall commence until a scheme for new landscaping works within the external area in the vicinity of the new ramp and children's garden area (including the timescale for planting and installation) has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in accordance with the approved details.

Reason: In order to mitigate the impact of the proposed works on the children's garden area consistent with, Policy SP16 of the Haringey Local Plan 2013.

Informatives:

INFORMATIVE 1: The NPPF

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

INFORMATIVE 2: 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.

Appendix 1 Consultation Responses from internal and external agencies

| No. | Stakeholder | Question/Comment | Response |
|-----|--------------------------|--|--|
| | LBH Conservation | <p>Marcus Garvey Library is a modern building adjacent to the Tottenham Green Conservation Area. It backs on to the listed buildings within the Green. The building does not have a street frontage as it looks on to a car parking space along Philip Lane. of</p> <p>The proposed works would involve insertion of revolving doors within the main building and some additional works at the ground floor level. These would not have any impact on the setting of the conservation area or the setting of listed buildings. As such there would be no objections to the works from a conservation view point.</p> | Noted |
| | Neighbouring Properties: | <ul style="list-style-type: none"> • The proposed construction works would mean safeguarding issues for children using the library • The new entrance will cause disruption in what should be a quiet area • • The Council failed to consult on the change of use of the library • The door will cause disruption to the Bernie Grant Arts Centre (BRAC) | <p>In line with practice at our other library sites, the children’s library will be accessed via a small latched gate. The Library Service has an Unattended Children Policy which states that children under 8 should be supervised by a parent/carer at all times. It is not, and has never been, the library’s duty to supervise children</p> <p>The new entrance is part of proposals to change the internal layout of the library with customer service areas on the ground floor and quiet areas on the first floor</p> <p>As set out in para 6.2.1 planning permission was not required for the internal changes to the library</p> |

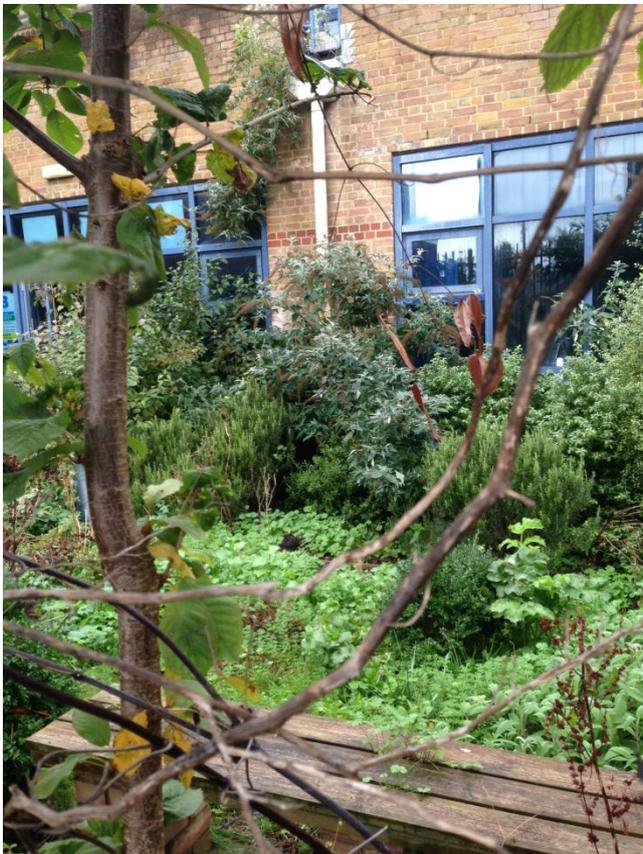
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| | | <ul style="list-style-type: none"> • The proposal will remove the children's garden • Equalities and human rights concerns • The access will mean wheelchair users have to travel further to access the library • The location of the entrance is unsafe • The library space should not be reduced • The library is an important community asset • It is not appropriate to have offices in this location • The increase traffic will impact on neighbours and the library • The access road is inadequate • Concerns with Council regeneration plans | <p>This proposal is purely for an accessible escape from the building so does not impact on BGAC. Wider proposals for the public realm are being development in consultation with BGAC.</p> <p>As set out in para 6.2.3 the proposal will result in a small reduction in the area of children's garden to provide level access from the library.</p> <p>The proposal will not disadvantage any group with a protected characteristics and will provide level access for wheelchair users.</p> <p>The current proposal is not for an additional entrance</p> |

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| | | <ul style="list-style-type: none"> • The future plans for the door are unclear • The proposed entrance rails could be climbed on • The proposal would impact on the lifespan of the tree • The applicant is fusion which is not a transparent approach by the council | <p>The internal alterations are not part of this proposal, however as set out in par 6.2.1 the library facilities are not reduced but consolidated.</p> <p>As set out in para 6.2.1 the offices are considered to be ancillary to the main library use</p> <p>This proposal is not considered to result in a significant increase in traffic</p> <p>The current proposal would not impact on the existing access road.</p> <p>The wider regeneration plans for the area are not being considered in this application.</p> |

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| | | | <p>As set out in para 6.2.2 this proposal is to utilise the door as an accessible emergency exit and to provide access to the children's garden but there are wider proposals however these are not part of the current proposal.</p> <p>The Library Service has an Unattended Children Policy which states that children under 8 should be supervised by a parent/carer at all times.</p> <p>As set out in para 6.5.2 the proposal would not impact on the lifespan of the tree subject to a condition for tree protection measures</p> <p>The Council are the freeholder and Fusion are the leaseholder of the building and therefore applied for the works but the application is being considered by the</p> |

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| | | | planning sub-committee for transparency. |

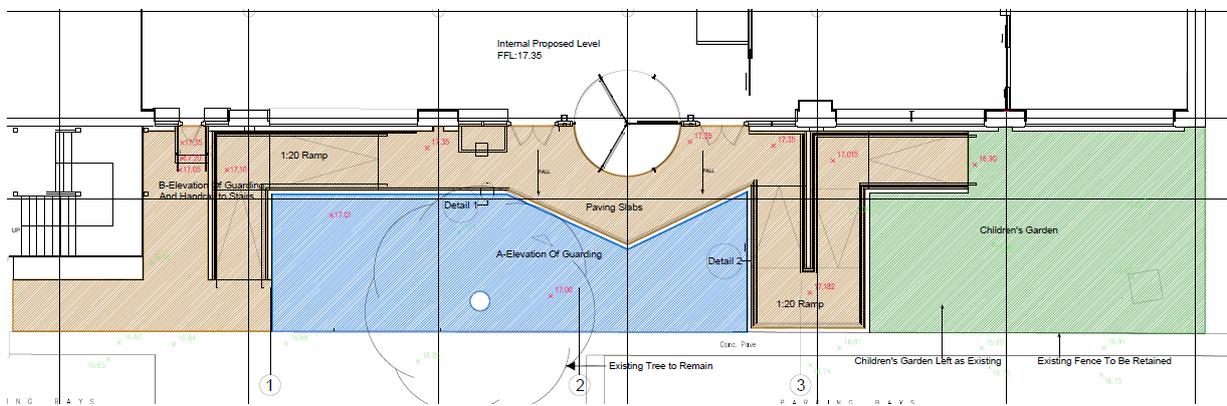
Existing door and garden area



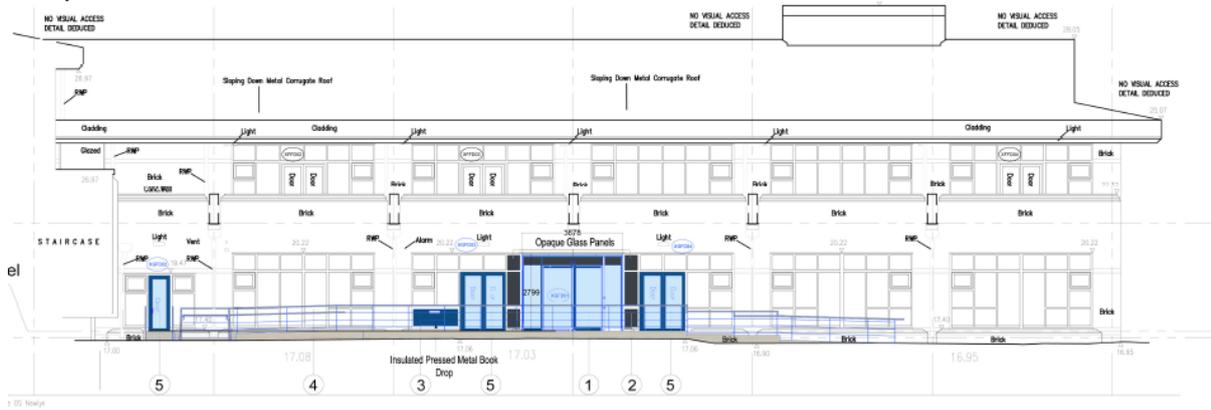
Existing layout



Proposed external works plan



Proposed elevation



Proposed ground floor plan

