

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2008/0462

Ward: Northumberland Park

Date received: 22/02/2008

Last amended date: N / A

Drawing number of plans: 01 Rev D & photographs.

Address: 7 Orchard Place N17

Proposal: Redevelopment of site to provide 3 storey building comprising 2 x three bed and 4 x two bed self-contained flats with 3 no car parking spaces.

Existing Use: B1

Proposed Use: Residential

Applicant: Mr Graham Collins

Ownership: Private

PLANNING DESIGNATIONS

Road Network: Borough Road

Officer Contact: Valerie Okeiyi

RECOMMENDATION

GRANT PERMISSION subject to conditions and Section 106 Legal Agreement

SITE AND SURROUNDINGS

The application site is situated at 7 Orchard Place outside the conservation area. The site is currently a two storey builders office with a single storey extension to the rear, adjacent to a yard for car repairs etc and the railway line to the west and a row of 3 storey residential houses to the east. To the rear of the site are very tall conifer trees (15m).

PLANNING HISTORY

Planning-**HGY/2005/2295**-REF-31-01-06-7 Orchard Place London -
Redevelopment to provide 3 storey building comprising 6 x 2 bed flats with 4 parking spaces and amenity space.

Planning-**HGY/2006/0247**-REF-04-04-06-7 Orchard Place London -
Redevelopment of site to provide 3 storey building comprising 6 x two bed flats with 4 parking spaces and amenity space.

DETAILS OF PROPOSAL

The proposal is a resubmission for the demolition of the existing builders officers and redevelopment of the site to provide a 3 storey building comprising 2 x 3 bed flats on the ground floor and 4 x two bed self contained flats on the first and first and second floor constructed in roof tiles and facing brickwork, with 3 parking space. The amendments involved in the revised scheme involves the alteration of the dwelling mix, 3 car parking spaces and evidence submitted to show that the site has been advertised on the market for employment use over a period of 18 months.

CONSULTATION

Transportation Group
Cleaving
Building Control
Thames Water
Network Rail
Ward Councillors
5 Orchard Place
1 - 12 (c) Nursery Court, Nursery Street
1 - 8 (c) Williams House, Orchard Place
37 - 50 (c) Tenterden Road
66 - 88 (e) Church Road
London Fire Brigade

RESPONSES

Councillor John Bevans

Objects for the same reasons as the previous planning application.

My concerns re this application are loss of employment use, there is a huge demand for units such as this in Tottenham.

Provision of sufficient amenity space as per the UDP / SPG standards.
The suitability of this site for residential use giving the nuisance that could be caused by the adjacent railway line.

Overlooking and daylight issues to adjacent properties

Network Rail

No objection

London Fire Brigade

They are satisfied

Thames water

No objection

Waste management

No objection subject to condition

Transportation

There are some concerns with this development proposal and these are:

(1) The proposed car parking arrangement would lead to excessive loss of on-street parking provision and increased pedestrian/vehicular conflict. We would suggest that the car parking spaces are accessed via a vehicular access linking to Orchard place, perhaps through the access annotated "yard" on the attached site plan.

(2) Lack of cycle parking. We would ask that four cycle racks with storage be provided.

Consequently, the highways and transportation authority would not support this application in its current form.

RELEVANT PLANNING POLICY

UD3 General Principles

UD4 Quality Design

HSG 1 New Housing Developments

HSG 2 Change of Use to Residential

DES 1.10 Overdevelopment

M10 Parking for Development

UD2 Sustainable Design and Construction

SPG 1 Design Guidance

SPG 3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes

ANALYSIS / ASSESSMENT OF THE APPLICATION

The main issues are considered to be (1) Principle of residential at the site (2) Layout (3) Design and appearance of the proposal (4) Impact on residential properties (5) Parking (6) Sustainability (7) Section 106 Head of Terms

1. Principle of residential at the site

The proposal is to redevelop the site and erect a 3 storey residential dwelling comprising 2 x 3 bed flats and 4 x 2 bed flats.

Although the change of use of the site to residential will mean the loss of office space there is evidence submitted to show that the building has been advertised on a regular basis since 2005. A specimen copy of the advert dated the 25th of April 2007 has also been submitted with the scheme.

The surrounding environment is residential in character. A site visit was carried out to show the proportions and proximity to the railway line and revealed that the adjoining Council flats and flats to the rear are of similar distances.

The previous application (HGY/2006/0247) was refused partly because of lack of evidence of a marketing exercise for the site as a commercial land use; - this evidence has now been submitted – and partly because of concerns about noise impact from the railway. Further examination of the surrounding area indicates a number of residential developments in close proximity to the railway; as the current proposal has a flank wall facing the railway, with bathrooms windows and just one ground floor bedroom facing the railway, it is considered that it would be difficult to sustain an objection based on proximity to the railway line alone.

The scheme has also been altered to provide two larger flats on the ground floor.

Overall it is considered that previous reasons for refusal have been overcome.

2. Layout

Policy HSG 10 states that all new residential developments, including conversions, should provide an appropriate mix of dwelling types and sizes. The proposal must also be assessed in terms of dwelling size and room size requirements in line with SPG 3a. The layout of the self contained units is as follows:

Flat 1 is a three bedroom flat on the ground floor (65sqm)

Flat 2 is a one bedroom flat on the ground floor (65sqm)

Flat 3 is a one bedroom flat on the ground floor (56 sqm)

Flat 4 is a one bedroom flat on the first floor (56 sqm)

Flat 5 is a one bedroom flat on the first floor (56 sqm)

Flat 6 is a one bedroom flat on the first floor (56 sqm)

Although there is a slight shortfall to the minimum floor areas set out in table 4 of SPG 3a the overall internal layout is satisfactory. The flats are also well lit and are of a good standard of accommodation.

3. Design and appearance of the proposal

Policy UD4 states that the Council will require development to be of a good design. The overall quality of the design of a proposal will be assessed and poorly designed schemes will be refused and a new development will often fill a gap and so needs to fit into its surrounding.

The proposed residential block provides sufficient amenity space to the rear and a very small front garden. The rear private amenity area is 272 sq. metres, which is well above the minimum standard for this number of flats (55 sq.metres).

Adjacent to the site is a two storey residential block (at a raised level relative to application site on northern side) and further east is a four storey block. The bulk of the proposed development has already been reduced in the previously refused application. The current applications differs slightly in that it will extend out further at the rear on the ground floor to provide further bedrooms.

Therefore overdevelopment will not be an issue and the proposal would relate satisfactorily to the scale and character of the existing adjacent block.

4. Impact on residential properties

Policy UD3 seeks to ensure that the amenities of adjacent occupiers and the area as a whole are not materially harmed and will not approve applications which have unacceptable effects on the amenities of residents.

As the overall bulk and scale of the development is satisfactory due to past amendments the proposed three storey residential block would have only minimal impact on the street scene and occupiers residing at Nursery Court, Nursery Road,.

5. Parking

Policy M10 states that applications will be assessed against the parking standards in Appendix 1 and proposals which do not have regards to these standards will normally be refused.

The previously refused application provided 4 car parking spaces, the amended proposal currently provides 3 car parking space. Although the transportation group object it is considered that this would be appropriate because the site has been used for car parking since the office use was in operation.

6. Sustainability

This is a relatively small scale apartment development so it is not feasible to incorporate renewable energy proposals. However, it will have to comply with the insulation requirements of the Building Regulations. Bedroom windows will be south-facing to improve solar gain.

The scheme will provide cycle racks to encourage cycling as a means of transport. There will be no constraints with regards to noise, fumes/light and land contamination, waste storage and recycling facilities will be provided. The scheme will result in a slightly reduced amount of hardstanding, and will allow for a greater area of planting and landscaping, so this will be beneficial for surface water run-off.

7. Section 106 Head of Terms

It is recommended that the applicant enters into an agreement with the Council in order to secure £40,420.85 educational contribution because of the expected child yield from the development. This figure is based on the guidance (formula) set out in SPG 10c Educational Needs Generated by New Housing Development.

Recovery Costs

As part of the S106, it is recommended that a financial contribution is required from this development through a legal agreement in order to secure a contribution towards recover costs. This has been calculated at 5% and therefore increases to £2021; so the overall total for the Section 106 is £42,441.

SUMMARY AND CONCLUSION

To conclude it is felt that the previous reasons for refusal have been addressed for the following reasons; it is felt that residential is appropriate on the site as other existing residential buildings are in close proximity to the yard and the railway line. Also evidence has been submitted with the scheme to show that the site has been advertised on the market for employment use over a period of 18 months, the overall layout is satisfactory, the proposal would relate satisfactorily to the scale and character of the existing adjacent block, there would be no adverse impact on the neighbouring properties, there is sufficient car parking on the site and. As such the proposal is in accordance with policies UD3 General Principles, UD4 Quality Design, UD2 Sustainable Design and Construction, HSG 1 New Housing Developments, HSG 2 Change of Use to Residential,, M10 Parking for Development and the Councils SPG 1 Design Guidance and SPG 3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes. It is therefore appropriate to recommend that planning permission be GRANTED.

RECOMMENDATION 1

(1) That Planning Permission be granted in accordance with planning application reference number HGY/2008/0462, subject to a pre-condition that Peter Ottery and [the owner (s)] of the application site shall have first entered into an Agreement of Agreements 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 £40,420 as an Educational Contribution, and £2,021 as recovery costs; i.e. a total of £42,441.

(1.1) That the Agreements referred to in Resolution (1) above is to be completed no later than the extended time as the Council's Assistant Director (Planning Policy and Development) shall in her sole discretion allow; and

(1.2) That in the absence of the Agreements referred to in Resolution (1) above being completed within the time period provided for in Resolution (2) above, the planning application reference number HGY/2008/0462 be refused for the following reason:

The proposal fails to provide an Education Contribution in accordance with the requirements set out in Supplementary Planning Guidance 12 'Educational Needs Generated by New Housing Development' attached to the Haringey Unitary Development Plan.

RECOMMENDATION 2

That, following completion of the Agreement referred to in Resolution (1) within the time period provided for in Resolution (2) above, planning permission be granted in accordance with planning application reference number HGY/2008/0462

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. A scheme for the treatment of the surroundings of the proposed development including the planting of trees and/or shrubs shall be submitted to, approved in writing by the Local Planning Authority, and implemented in accordance with the approved details.

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

5. That details of all levels on the site in relation to the surrounding area be submitted and approved by the Local Planning Authority.

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

6. A suitable soundproofing scheme to provide effective resistance to the transmission of airborne sound from the adjacent railway shall be submitted to, approved in writing by, and implemented in accordance with the requirements of the Local Planning Authority for all compartment floors and party walls prior to the occupation of the premises.

Reason: In order to ensure that the proposed conversion does not give rise to an unacceptable loss of amenity for occupiers within the property as a result of inadequate soundproofing.

7. 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.

8. 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.

9. 6 cycle racks should be provided, and shall be enclosed within a secure shelter.

Reason: to encourage cycling as a means of transport.

10. Notwithstanding the provisions of Article 4 (1) and Part 25 of Schedule 2 of the 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 / arial 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: In order to prevent the proliferation of satellite dishes on the development.

REASONS FOR APPROVAL

It is felt that the previous reasons for refusal have been addressed for the following reasons; it is felt that residential is appropriate on the site as other existing residential buildings are in close proximity to the yard and the railway line. Also evidence has been submitted with the scheme to show that the site has been advertised on the market for employment use over a period of 18 months, the overall layout is satisfactory, the proposal would relate satisfactorily to the scale and character of the existing adjacent block, there would be no adverse impact on the neighbouring properties, there is sufficient car parking on the site and. As such the proposal is in accordance with Policies UD3 'General Principles', UD4 'Quality Design', HSG 1 'New Housing Developments', HSG 2 'Change of Use to Residential', M10 'Parking for Development' and the Councils SPG 1 'Design Guidance' and SPG 3a 'Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes' of the Haringey Unitary Development Plan.