

REPORT FOR CONSIDERATION AT PLANNING APPLICATION SUB-COMMITTEE**Reference No:** HGY/2008/0499**Ward:** Fortis Green**Date received:** 27/02/2008**Last amended date:** 08/05/08**Drawing number of plans:** PL.08.689.01 - 11 incl., 15 - 20 incl.**Address:** 150 Fortis Green N10 3PA

Proposal: Demolition of existing building and erection of part four / part five storey building comprising community clinic at ground floor level and 2 x one bed, 4 x two bed and 3 x three bed flats above with 9 car parking spaces, bicycle store, refuse space and private amenity space (AMENDED SCHEME).

Existing Use: Clinic**Proposed Use:** Clinic/residential**Applicant:** ATH Alpha Ltd**Ownership:** Private**PLANNING DESIGNATIONS**

Retrieved from GIS on 06/03/2008
Conservation Area
Road Network: C Road

Officer contact: Tara Jane Fisher**RECOMMENDATION**

GRANT PERMISSION subject to Section 106 agreement.

SITE AND SURROUNDINGS

The application site is located on Fortis Green, which is situated off Fortis Green Road. The site is located on the road that lies between East Finchley and Muswell Hill. Part of the site lies on Spring Lane, the site is also situated in the Muswell Hill Conservation Area. Presently the site is a two-storey detached redundant Health Clinic built in the early 70's. Adjacent to the site is Twyford Court a residential block comprising of three-storeys plus mansard roof. Opposite the site are more residential buildings named 'The Gables' that comprises of three-storeys. To the rear of the site is Firemans cottages that are single family dwelling houses comprising of three-storeys.

PLANNING HISTORY

HGY/2007/2278 - Demolition of existing building and erection of a part four/part five storey building comprising of clinic at ground floor level, 6 x 3 bed and 3 x 2 bed flats with 10 parking spaces, bicycle store, refuse and private amenity space – Refused on the 24/01/2008 and is the subject of appeal as yet not determined.

DETAILS OF PROPOSAL

The proposal is for the demolition of the existing clinic building and erection of a four storey building with community clinic on the ground floor and 2 x 1 bed, 4 x 2 bed and 3 x 3 bed. The proposal also includes 9 off-street car parking spaces, a bicycle store and 180m² of private amenity space and 90m² private space on the roof.

The proposed building comprises of a clinic and lobby area on the ground floor, on the first floor there are 4 units, 2 x 1 bed, 1 x 2 bed and 1 x 3 bed flats.

The proposed second floor will have three units 1 x 3 bed, 2 x 2 bed and the third floor two more units 1 x 3 bed and 1 x 2 bed. The proposed building will have two entrances on the ground floor, one for the residential units and one for the clinic. The proposed materials will be red brick to match the local brickwork with double glazed aluminium framed windows, with some stone detailing and façade.

CONSULTATION

Transportation Group

Haringey Design Team

Ward Councillor

Muswell Hill & Fortis Green CAAC

Muswell Hill & Fortis Green Residents Association

London Fire Brigade

Building Control

The Cottage, Charles Clore House, Flat 1-26 (c) Woodside, Flat 1-33 (c) Twyford Court, 1-9, 14-32 (c) Firemans Cottage, Fortis Green.

74-86 (e) Twyford Road

63-75 (o) Twyford Avenue

Flat 1-35 (c) Jubilee Court, Spring Lane

1-7 (o), 5a, 7a Tetherdown

Highgate Councillor Centre, Tetherdown

Flat 1-18 (c) Leaside Mansions, Flat 1-16 (c) The Gables, Fairport, Flat 1-26 (c), Fortis Court, Fortis Green.

RESPONSES

Transportation Group - This development proposal is sited on the Fortis Green Road bus route, which offers some 26 buses per hour (two-way), for frequent bus connections to East Finchley tube station and, within a short walking distance of Muswell Hill Broadway where an additional 44 buses per hour (two-way) can be boarded for regular connections to Highgate tube station. We have subsequently considered that the majority of the prospective residents/patrons/staff of this development would use sustainable travel modes for their journeys to and from the site. In addition, our interrogation with TRAVL database suggests that based on comparative sites (Crown Dale Medical Centre-SE19, Days Lane Dental Surgery-DA15 and Torrington Park Health Centre), the clinic aspect of this development proposal, some 123sqm GFA, would only generate 7 vehicle movements in and out of the site, during the critical morning peak hour. Similarly, the residential part (859 sqm GFA) of the proposed development has been predicted to generate 3 combined vehicle movements, in and out of this development, in the same period. It is therefore deemed that this level of vehicular trips (10 overall, in the morning peak hour) would not have any significant adverse impact on the existing traffic or indeed car parking demand at this location. Moreover, notwithstanding that this site has not been identified within the Council's UDP as that renowned to have car parking pressure, the applicant has proposed 9 car parking spaces and 10 bicycle racks which is enclosed within a secure shelter, with the access to the car parking area taken from Spring Lane, as detailed on Plan No.PL.08.689.015A. There is also parking control immediately east of this site, indicated by "Pay & Display" parking bays with 2hours limited stay and operating from Monday to Saturday between 0930hrs and 1700hrs. However, there is the concern that the applicant has not explored the possibility of encouraging delivery vehicles to enter the cul-de-sac, Spring Lane, travel past the proposed access towards the northern periphery of this road and ultimately reverse onto the circulatory area of the car park, to service this development. Our preliminary vehicle swept path analysis test had shown that, with improvement to the turning radii of the proposed access, a 10metre-long rigid vehicle can complete this manoeuvre successfully. We also observed that the footway section on the other side of this stretch of Fortis Green is sub-standard with uneven surface, due to the damage ensuing from the recurring utility works in this area, over time.

Waste Management - This proposed development will require storage facilities for the following domestic refuse and recycling containers: 2 x 1100 litre refuse bins, 1 x 1100 recycling bin. I can see no provision for the waste and recycling storage for the clinic, this must be kept separate from the domestic as it is considered a commercial facility.

Building Regulations – The proposals have been checked for compliance of Regulations B5 access for the fire service, and would confirm that it appears acceptable.

Fire Brigade – is satisfied with the proposal.

Council's Scientific Officer – Condition to provide a site investigation report, risk assessment & details of any remediation required.

Cllr Martin Newton, 18 Local Residents, and Muswell Hill & Fortis Green Residents Association object on the following grounds:

- Too Large for the plot size, including height and bulk
- Block out light to properties at the rear
- Existing parking already a problem
- Out of character with the street and character and appearance of Conservation Area
- Loss of privacy to adjoining properties particularly to the rear
- No architectural merit
- No affordable housing
- Lack of amenity space
- Materials out of keeping with the area

RELEVANT PLANNING POLICY

UD3 General Principles

UD4 Quality Design

HSG1 New Housing Developments

HSG4 Affordable Housing

HSG9 Density Standards

M10 Parking for Development

CSV5 Alterations & Extensions in Conservation Areas

CW2 Protecting Existing Community Facilities

SPG1a Design Guidance

SPG3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes

SPG8a Waste & Recycling

SPG2 Conservation & Archaeology

ANALYSIS/ASSESSMENT OF THE APPLICATION

The proposal is for the demolition of the existing two storey clinic and the erection of a four storey block comprising of one clinic and 9 self-contained flats with 9 associated car parking spaces to the rear. The site lies within the Muswell Hill Conservation Area, so consideration needs to be given to the affect on the character and appearance of the Conservation Area. This proposal will be assessed on the following:

- Principle of Mix use
- Density/dwelling Mix
- Design
- Impact on the Conservation Area
- Impact on the surrounding properties
- Parking and Congestion
- Sustainable communities
- Comments on residents objections

1. Principle of Mixed use

The existing use on the site is a clinic, within Class D1. Policy CW2 Protecting Existing Community Facilities of the Unitary Development Plan states that the change of use or demolition of a community facility will only be granted planning permission if the facility is derelict or out of use and no other community group are willing to or are able to use it and if alternative accommodation is provided.

The loss of the former clinic is regrettable. There is no evidence that the Primary Care Trust had marketed the site for use as a community facility for other community uses, before selling it for development. Nevertheless the scheme does incorporate at ground level, space for a clinic use of about 123m², with its own separate entrance. Although it is understood there is no specific occupier for this element at this stage. The floorspace would enable another health or community user to occupy the ground floor and to that extent goes some way towards meeting policy CW2.

2. Density/Dwelling Mix

As this is a mixed use development of clinic plus housing the site area for the development (of 860m²) has to be apportioned between residential and non-residential uses. The area for residential density proposes is 774m², with 31 habitable rooms (as larger rooms count as 2 habitable rooms). Given this the density for development is 400.5hrh. This is acceptable within the context of the Unitary Development Plan and the London Plan where densities that range from 200-450hrh are acceptable.

The dwelling mix is for 3 x 3 bedroom flats, 2 x 1 bedroom flats and 4 x 2 bedroom flats. SPG 3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes states that for private market housing there is a short fall of 1 and 2 bedroom properties and recommends that a dwelling mix of 37% 1 bed and two bed and 33% 3 and 4 bedroom apartments. The previous scheme was heavily skewed on larger units, some of which were very large in floorspace. However this scheme incorporates smaller units consisting of 1 and 2 bedroom units. This goes some way to overcoming previous issues and is more in line with SPG3a.

This mix of units still retains some larger units but incorporates smaller ones too. The proposal is for 9 units in total and does not provide any affordable housing as it is below the threshold for affordable. Ideally it would be preferred to have some aspect of affordable housing, however the size of each individual unit has been reduced along with the volume of the building. Given that the thrust of local residents concerns about the previous schemes on the site related to height and bulk of development, it would be counter-productive to require there to be 10 or more units in order to obtain a proportion of affordable housing, because this would result in a larger building.

3. Design

In comparison with the earlier scheme, which was refused in January 2008, the proposal has been amended to be a four storey block, rather than five storeys, therefore reducing the overall height. To the rear of the building the bulk has been reduced to look three-storey in nature. The proposed block (13 metres in height) would be 0.8 metres higher than the top of the mansard roof to Twyford Court to the west, and 2.2 metres lower than the top parapet line of Charles Clore House to the East; it will thus be "transitional" between the two adjacent buildings on the Fortis Green frontage. The other residential properties in the immediate vicinity are primarily three-storey in nature. The majority of these dwellings have pitched roofs, or have their top floors set within a mansard roof. The reduction in height means the proposal has less of an impact on the adjoining properties and will look less bulky when viewed from the streetscene than was the case with application HGY/2007/2278.

The proposed footprint has also been scaled down and is now more in proportion with the plot size. The proposed building is set back from the street and in line with Twyford Court, and set away from all boundaries, apart from a small proportion of the block abutting the boundary to the West. This was raised as an issue previously but attempts have been made to scale down this bulk on this boundary. These changes mean that it will have a lesser impact on the side access street than the previous scheme.

The proposed design is now more in keeping with the area, the level of glazing on all elevations has been reduced with more brickwork incorporated. The brickwork will be red in colour to fit into the

character of the area. The windows will be double glazed aluminium with stone façade on the ground floor level with some stone detailing on the upper levels. The proposed materials now make the proposal more a residential block and less 'commercial' in appearance than the previous scheme.

The plot will be bounded on the north by shrubbery and vegetation behind the 2.25m side wall, which will be retained. As the building is set back from the street there is an opportunity to have soft landscaping at the front of building. There is also a larger private amenity space (180m²) to the rear providing more soft landscaping to the plot. The increase in amenity space to the rear is more in line with the relevant SPG. The amenity space at the rear is no longer in conflict with the car parking spaces, whereas previously the car parking spaces were sub divided and was positioned to interfere with the open space. In addition there is a roof-top amenity space of 90m², accessed by the main internal staircase.

The proposal provides an area for refuse that is enclosed for the residential; however a larger area should be provided for refuse and recycling, this can be dealt with by condition. Waste Management requires the clinic's waste to be stored separately, the plans do not indicate provisions for this, but would be required, again by condition.

Overall the design is more sympathetic to the character and appearance of the area, the changes in the design means that the building is lower in height, less bulky and has more of a residential feel to it. The impact of the development is less emphasised than the previous proposal as the height has been reduced. The building still comes within 4 metres of the front boundary; however the detailing and forward projection of the windows on the upper levels has been set back to have less of a bulk on this elevation.

4. Impact on the Conservation Area

The site lies within the Muswell Hill Conservation Area. The proposal includes the demolition of the existing two-storey clinic, on Conservation grounds there is no objection to this. The existing building is a flat roofed 2-storey, 1960's slab block set towards the rear of the site which is of no architectural merit and makes no positive contribution to the streetscene.

There have been a number of issues arising in terms of the effect on the Conservation Area from the local residents. The proposed materials as stated before are acceptable and with the reduced level of glazing does not have such a detrimental affect on the Conservation Area.

The proposed building has windows that are lined up through all floors and have the same proportions, this is reflected on the front and rear elevations. With the increase in green space and soft landscaping the plot has a more open nature and greener frontage that is a characteristic of the area.

5. Impact on the surrounding properties

In terms of overlooking the windows have been placed so as not to directly overlook other properties. Therefore in terms of overlooking and loss of privacy the impact is minimal. The four-storey building with its new height and scale reduces some of the previous issues and the over bearing bulk. The degree of over shadowing to the properties at the rear, in particular the town houses and Firemans cottages is lessened. When viewed from the rear the proportion of the development closest to the rear boundary will only appear three-storey. This bulk was reduced keeping in mind the properties to the rear.

In addition the visual appearance when viewed from these properties will not be as detrimental. The proposal has been designed to not affect the privacy, outlook and amenities of any surrounding properties.

6. Parking and Congestion

Many of the letters of objection received raised issues with the parking and additional congestion created. Transportation have been consulted and with regard to the residential aspect 9 off-street car parking spaces is adequate for the amount of units. There is also a provision for 10 bicycles to be housed in a bicycle store on the ground floor with sliding gates for added security.

The site lies on the fringes of a restricted conversion area so it has been determined that there are no high levels of parking pressures. In addition the site is in close proximity to Muswell Hill shopping centre and local transport links. Therefore the amount of car parking spaces and traffic generated can not form a reason for refusal.

7. Sustainability and Energy Conservation

With the amount of glazing on the previous scheme there was a concern with solar gain, this issue has been removed. The applicants have submitted a scheme which they feel satisfies the tests of sustainable redevelopment in providing social economic and environmental benefits. The proposal will incorporate green or brown roofs to the top floors and will include energy efficient condensing boilers. It is also envisaged that the collection of rainwater will be used for watering the gardens. The scheme is not sufficiently large to warrant a renewable energy installation.

8. Comments on Neighbouring objections

18 Local residents plus two interested parties objected to this proposal on various grounds these issues have been looked at and addressed. However many of the issues raised with the previous refusal have been changed or amended. The main amendments are to do with the height and bulk of the building and the design. The issues that previously had an impact on the adjoining properties have been altered to have little or no impact on the privacy and amenities of surrounding properties. The design changes mean that the proposal is more in keeping with the adjoining properties and more in keeping with the characteristics of the Muswell Hill Conservation Area.

SUMMARY AND CONCLUSION

To conclude, the proposal for the four-storey block with 9 residential units and clinic on ground floor is acceptable. The proposal should be approved on the grounds that it provides a block with suitable dwelling mixes providing a range of units from one bedroom flats up to 3 bedroom flats and is within an acceptable density range. The proposed four/three storey block has little impact on the residential amenities of any surrounding property and has a design that is practical within the context of the Muswell Hill Conservation Area. The proposal provides adequate car-parking with private amenity space and a separate area for the provisions of refuse. In addition the proposal provides 123m² of clinic floorspace that goes some way to retaining the existing community health facility compliant with policies UD3 General Principles, UD4 Quality Design, CSV5 Alterations and Extensions in Conservation Areas, HSG1 New Housing Developments, CW2 Protecting Existing Communities, SPG3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes and SPG2 Conservation & Archaeology of the Haringey Unitary Development Plan.

RECOMMENDATION 1

The Sub-Committee is recommended to RESOLVE as follows :(1) That planning permission be granted in accordance with planning application no. HGY/2008/0499, subject to conditions as set below, and 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) and Section 16 of the Greater London Council (General Powers) Act 1974 in order to secure:

- (1.1) A contribution of £45,382. Towards educational facilities within the Borough (£21,390 for primary and £23,992 for secondary) according to the formula set out in Policy UD10 and Supplementary Planning Guidance 12 of the Haringey Unitary Development Plan July 2006. Plus 5% of this amount as recovery costs / administration / monitoring which equates to £2,269. This gives a total amount for the contribution of £47,651.

RECOMMENDATION 2

That the Agreements referred to in Resolution (1) above is to be completed no later than 07/07/08 or within such extended time as the Council's Assistant Director (Planning, Environmental Policy and Performance) shall in his sole discretion allow; and

RECOMMENDATION 3

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/2008/0499 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 emerging Haringey Unitary Development Plan.

Drawing No: s PL08.689. 01-06, 07b, 09b, 011b, 015b, 016b, 017b, 018b, 019b

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, in particular amended plans received 8th May 2008 PL.08.689.07, 09, 11, 15,16, 17, 18, 19B.
Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.
3. A detailed plan shall be submitted to and approved in writing to the Local Authority to show that a 10 metre-long servicing vehicle can reverse onto the proposed parking area from the Northern end of Spring Lane.
Reason: In order to ensure that the majority of the servicing to this development is contained within the site.
4. A detailed scheme for the provision of storage facilities for separate refuse for ground floor clinic/community use and residential shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the work for the following domestic refuse and recycling containers: 2 x 1100 litre refuse bins, 1 x 1100 recycling bin.
In order to protect the amenities of the locality.
5. 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.
6. 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.

7. Notwithstanding the details of landscaping referred to in the application, a scheme for the landscaping and treatment of the surroundings of the proposed development to include detailed drawings of:
 - a. Those new trees and shrubs to be planted together with a schedule of species shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. Such an approved scheme of planting, seeding or turfing comprised in the approved details of landscaping shall be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner). Any trees or plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority.
Reason: In order for the Local Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area.
8. 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 individual 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.
In order to prevent the proliferation of satellite dishes on the development.
9. The car parking spaces shown on the approved drawings shall be marked out on the site to the satisfaction of the Local Planning Authority, and these spaces shall thereafter be kept continuously available for car parking and shall not be used for any other purpose without the prior permission in writing of the Local Planning Authority.
Reason: In order to ensure that adequate provision for car parking is made within the site.
10. The ground floor clinic/community use shall be permanently retained as such.
Reason: In order to compensate for the loss of the existing clinic/community use on the site.

REASONS FOR APPROVAL

The proposal should be approved on the grounds that it provides a block with suitable dwelling mixes providing a range of units from one bedroom flats up to 3 bedroom flats and is within an acceptable density range. The proposed four/three storey block has little impact on the residential amenities of any surrounding property and has a design that is practical within the context of the Muswell Hill Conservation Area. The proposal provides adequate car-parking with private amenity space and a separate area for the provisions of refuse. In addition the proposal provides 123m² of clinic floorspace that goes some way to retaining the existing community health facility compliant with policies UD3 General Principles, UD4 Quality Design, CSV5 Alterations and Extensions in Conservation Areas, HSG1 New Housing Developments, CW2 Protecting Existing Communities, SPG3a Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes and SPG2 Conservation & Archaeology of the Haringey Unitary Development Plan.

NAMING/NUMBERING

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.

CROSSOVER COSTS

INFORMATIVE: The necessary works to construct the crossover will be carried out by the Assistant Director Street Scene at the applicants expense once all the necessary internal site works have

been completed. The applicant should telephone 020 8489 1316 to obtain a cost estimate and to arrange for the works to be carried out.

