

## REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

### 1. APPLICATION DETAILS

**Reference No:** HGY/2015/3813

**Ward:** Fortis Green

**Address:** 109 Fortis Green N2 9HR

**Proposal:** Demolition of existing structures and redevelopment of the site to provide 9 residential units (Use Class C3) comprising 5 x residential flats and 4 mews houses, and 200sqm of flexible retail / office unit (Use Class A1 / A3 / B1) including basement car parking and other associated works

**Applicant:** K A Investments And Development Company

**Ownership:** Private

**Case Officer Contact:** Valerie Okeiyi

**Site Visit Date:** 16/02/2016

**Date received:** 21/12/2015 **Last amended date:** 21/04/2016

**Drawing number of plans:**

E 01, 02, 03, 04, A1 00, 01, 02 Rev A , 03, 04, 05, 06, A2 01, 02, 03, 04, 05, 06, 07, 08  
A3 01, B1 01, A4 01, 02, DP 01

- Design and Access Statement prepared by Chassay + Last Architects dated December 2015
- Phase 1 and 2 Geo-Environmental Assessment Report prepared by BWB Consultancy dated October 2014
- Basement Impact Assessment prepared by Symmetrys Limited Consultancy dated December 2015
- Basement Impact Assessment Appendix D: Structural Calculations prepared by Symmetrys Limited Consulting Structural Engineers dated December 2015
- Arboricultural Impact Assessment prepared by Landmark Trees dated December 2015
- Statement of Community Involvement prepared by DP9 December 2015
- Sustainable Drainage Strategy prepared by Price & Myers dated December 2015
- Heritage Document prepared by Heritage Collective dated December 2015
- Sustainability Statement prepared by Price & Myers dated December 2015

- Transport Statement prepared by Transport Dynamics dated December 2015
- Energy Strategy Report prepared by Price and Myers dated December 2015
- Planning Statement prepared by DP9 dated December 2015
- Daylight, Sunlight & Overshadowing Report prepared by Point 2 Surveyors LLP dated December 2015

**1.1** This application is being reported to Planning Committee as it is a major planning application and is required to be reported to committee under the current delegation scheme.

**1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The proposed development is acceptable because the scheme optimises the potential of the site for a high quality mixed use development taking account of the character of the surrounding area.
- The loss of the existing car wash/valeting service and MOT/Car Repair Centre is acceptable as it will be replaced by good quality residential accommodation, whilst contributing to the Borough's housing targets and the flexible commercial floorspace proposed would add to the vitality and vibrancy of this section of Fortis Green.
- The proposed development would create employment which replaces existing jobs.
- The proposed development would enhance the character and appearance of this part of the conservation area and does not cause harm.
- In terms of impact on the residential amenity of neighbouring properties the proposal is acceptable and would not cause unacceptable overlooking or loss of privacy or sense of enclosure or affect daylight/ sunlight.
- The residential accommodation would be of an acceptable layout and standard meeting the necessary internal floorspace standards and providing external amenity space.
- The scheme will have no adverse impact on the surrounding highway network or on car parking conditions in the area.

**2. RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission and that the Head of Development Management is authorised to issue the planning permission and impose conditions and informatives subject to the signing of a section 106 Legal Agreement providing for the obligation set out in the Heads of Terms below.
- 2.2 That the section 106 legal agreement referred to in resolution (2.1) above is to be completed no later than 30 June 2016 or within such extended time as the Head of Development Management or the Assistant Director Planning shall in her/his sole discretion allow; and
- 2.3 That, following completion of the agreement(s) referred to in resolution (2.1) within the time period provided for in resolution (2.2) above, planning permission be granted in accordance with the Planning Application subject to the attachment of the conditions.

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Precise details of materials
- 4) Boundary treatment
- 5) Details of levels
- 6) Refuse
- 7) Sustainability
- 8) Energy
- 9) Soft and hard Landscaping
- 10) Construction Management Plan/Construction Logistics Plan
- 11) Traffic Management Scheme
- 12) Contaminated Land
- 13) Air Quality and Dust Management
- 14) Combustion and energy plant
- 15) Privacy Screen
- 16) Obscure glazing
- 17) Central Satellite System
- 18) Drainage
- 19) Kitchen extract
- 20) Restriction on permitted development

### **Informatives**

- 1) Co-operation
- 2) Hours of construction
- 3) Party Wall Act
- 4) Street Numbering
- 5) Asbestos
- 6) CIL
- 7) London Fire Brigade
- 8) Surface Water Drainage

- 9) Thames Water

**Section 106 Heads of Terms:**

- 1) A review mechanism should the development not be commenced within 18 months of the date of the grant of planning permission
- 2) Monitoring per travel plan contribution of £3000
- 3) Car Club membership (two years membership and £50 credit
- 4) A transport and highways contribution of £15,007
- 5) Carbon off set contribution if required

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

2.5 That, in the absence of the agreement referred to in resolution (2.1) above being completed within the time period provided for in resolution (2.2) above, the planning permission be refused for the following reasons:

(i) In the absence of a review mechanism should the development not be commenced within 18 months of the date of the grant of planning permission, the proposal would have an unacceptable impact on affordable housing provision within the Borough. As such, the proposal would be contrary to Local Plan policy SP2 and London Plan policy 3.12.

(ii) In the absence of a financial contribution towards highways works, travel plan monitoring and car club funding, the proposal would have an unacceptable impact on the highway and fail to provide a sustainable mode of travel. As such, the proposal would be contrary to Local Plan policy SP7, saved UDP policy UD3 and London Plan policies 6.9, 6.11 and 6.13.

2.6 In the event that the Planning Application is refused for the reasons set out in resolution (2.5) above, the Head of Development Management (in consultation with the Chair of Planning sub-committee) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:

- (i) There has not been any material change in circumstances in the relevant planning considerations, and
- (ii) The further application for planning permission is submitted to and approved by the Assistant Director within a period of not more than 12 months from the date of the said refusal, and
- (iii) The relevant parties shall have previously entered into the agreement contemplated in resolution (1) above to secure the obligations specified therein.

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## **3.0 PROPOSED DEVELOPMENT AND LOCATION DETAILS**

### **Proposed development**

- 3.1 This is an application for the demolition of the existing structures and redevelopment of the site to provide a three storey residential block fronting Fortis Green. The main building is to provide 209 sqm of flexible retail/office unit at basement and ground floor level and 5 residential units at first, second and third floor level. The proposal also includes 4 three storey mews houses to the rear including a basement level.
- 3.2 The main block fronting the street frontage would comprise a front and rear gable/dormer and rear balconies and is to be predominately faced in variegated brown brick with plain clay roof tiles, hardwood double glazed windows, dormer windows with lead detailing, decorative brick panel, metal coping and metal powder-coated balcony/timber railings. The mews houses to the rear to have private rear and front gardens and would be predominantly faced in brick and include powder coated composite windows within recessed openings, powder coated composite windows and doors with projecting windows with externally fixed horizontal timber privacy louvres, bi-folding doors, privacy screens, balcony with glass balustrade and opaque glass windows.
- 3.3 The proposal also includes basement level car parking for 8 cars accessed via a vehicle ramp from street level. A separate commercial and residential entrance is also proposed at street level as well as a separate entrance to the private courtyard, and entrance to the flats above including soft and hard landscaping and associated works.

### **Site and Surroundings**

- 3.4 The site is currently occupied by two single storey buildings located to the front and rear which are in use as a car wash, valet service and MOT Centre which received planning permission in May 2004 (HGY/2004/0603). Historically, the site was occupied by a brewery and formed part of the Fortis Green Village Centre, comprising of the police station, two public houses and a number of other services. This area is characterised by suburban and quiet residential streets with Edwardian terraces and Arts and Crafts style houses. Directly to the rear of the site is a short row of terrace houses fronting Annington Road. To the east is a former office building (no. 111 – 113 Fortis Green that has been converted into flats on the ground floor. It is important to note that the front part of the ground floor was recently granted a lawful development certificate for an existing use under planning reference HGY/2016/0804 and planning permission was granted for the conversion of the rear ground floor ancillary commercial storage area into single one bed studio flat under planning reference HGY/2016/1914. The upper floors of this building is in residential use which was allowed under appeal

(APP/Y5420/A/04/1168823). Adjacent to the former office building is the former Muswell Hill Police Station (115 Fortis Green) where planning permission was granted under planning reference HGY/2015/1576 for the conversion of former Police Station building to form 9no. residential units. Planning permission was also granted under planning reference HGY/2015/1696 for the site rear of the Muswell Hill Police Station (115 Fortis Green) to demolish the existing single story outbuildings and redevelop the site to provide 3 x three storey dwelling houses. To the west is a single storey structure occupied by Majestic Wines, and beyond this, is no. 105 which is the Clissold Arms, a public house that is locally listed. Directly north is The Alexandra Public House which is also locally listed. Adjacent to this is a row of Victorian cottages.

3.5 The site is located in close proximity to the Muswell Hill Town Centre and it is situated within the Fortis Green Conservation Area.

### 3.6 **Relevant Planning history**

HGY/2004/0603 - Change of use from petrol station to vehicle hand washing and valeting service – Granted 10/05/2004

HGY/2004/2471 – Approval Of Details pursuant to Condition 5 (materials) attached to planning permission reference HGY/2004/0603 for the change of use to vehicle hand washing & valeting service – Granted 05/01/2005

HGY/2004/0046 - Change of use from petrol station to vehicle hand washing/valeting service plus enclosure of sides under existing roof – Refused 23/01/2004

### 3.7 **Planning Enforcement history**

BWU/2004/00809 – Possible unauthorised building works creating a large hole in the forecourt. Also a builders hoarders sign – Case closed 04/03/2005

BWC/2005/00738 – Complaint received about an unauthorised carwash on site – The case was investigated and planning records revealed that that planning permission was granted for the change of use from petrol station to vehicle hand washing and valeting service -Case closed 04/07/2007

UNW/2007/00723 – Unauthorised building erected to house a car wash business – Case closed 29/05/2008

## 4. CONSULTATION RESPONSE

4.1 Planning Committee Pre-application: the proposal was presented to the 29 October 2015 pre-application briefing meeting of the planning committee. The notes of the meeting are summarised as follows:

- *The committee had mixed views on the light brick presented. They were informed that there is a mixture of brick in the area. It was advised that the brick was checked with the QRP*
- *The traffic and parking needs to be reviewed especially as the police station recently received planning permission*
- *A query was raised on the proposed archway from Fortis Green and pedestrian access/pedestrian conflict*
- *Loss of employment/how many existing employees on site*
- *Query raised on affordable workspace*
- *Query raised about Homes for Haringey*

4.2 Haringey Development Management Forum was held on 15 October 2015 Residents made the following comments on the scheme following a short presentation by the developer's team:

- Overlooking/loss of privacy*
- Excavation*
- Construction process*
- Contamination from the former petrol station*
- Materials*
- Lorries egress and ingress*
- Traffic light system*
- Parking*
- Design and appearance*
- CPZ*
- Affordable housing provision*

4.3 The following were consulted regarding the application:

### *Internal*

- 1) LBH Head Of Carbon Management
- 2) LBH Housing Design & Major Projects
- 3) LBH Flood and Surface Water
- 4) LBH Cleansing
- 5) LBH Conservation Officer
- 6) LBH Emergency Planning and Business Continuity



- 7) LBH Building Control
- 8) LBH Transportation Group
- 9) LBH Pollution
- 10) LBH Food & Hygiene
- 11) LBH Planning Enforcement
- 12) LBH Housing Renewal
- 13) LBH Housing Design & Major Projects
- 14) LBH Arboricultural Officer
- 15) LBH Noise & Pollution
- 16) LBH Economic Regeneration

*External*

- 17) London Fire Brigade
- 18) Designing out Crime Officer
- 19) Transport for London
- 20) Environment Agency
- 21) Thames Water

4.4 The following responses were received:

Internal:

- 1) The Conservation Officer raises no objection to this application and has made the following comments;
  - The contribution of the existing buildings is considered to be negative and its proposed demolition would be acceptable;
  - The new development fronting Fortis Green is considered a significant improvement to the character and appearance of the conservation area and both the mews houses to the rear and main building would enhance the conservation area and would be acceptable;
  - The proposed works would not cause harm to the conservation area
  - Planning conditions for materials to be submitted for the Council's approval
  
- 2) Pollution: Officers raise no objection and recommends the following conditions/informative;
  - Contaminated Land;
  - Air Quality and dust management
  - Combustion and energy plant
  - Informative regarding asbestos

3) Building Control; Officers raise no objection and have made the following comments:

- The proposed basement is acceptable as it would not have an adverse affect on the neighbouring buildings and existing adjacent foundations and services

4) Carbon Management; Officers raise no objection and have made the following comments;

- The carbon management team would not object to this application subject to the imposition of the following;
- Planning conditions for the development to be constructed in strict accordance with the details of the submitted Energy Strategy report and shall achieve the agreed carbon reduction of 35% reduction beyond BR 2013;
- Planning condition to ensure the development is in strict accordance with the details of the submitted Sustainability statement and shall provide the following evidence;
  - o A Site Waste Management Plan (SWMP) including a pre-refurbishment audit to determine how to maximise the recovery of materials from the refurbishment for subsequent high-grade/value applications and demonstration that these have been delivered;
  - o Contractors will show the site has registered with the Considerate Constructors scheme and followed best practice;
  - o All concrete, bricks and slate will be BES:6001 certified to ensure responsible sourcing;
  - o All timber used in construction will be FSC certified.
  - o The development has included at least two park bays designated EV recharging points.
  - o The development will include wildlife attracting measures such as bird boxes and log piles

5) Transportation: Officers raise no objection and have made the following comments;

- The proposed development would not result in any significant impact on the transportation and highways network
- The level of parking provision for the residential element is acceptable;
- The flexible commercial aspect of the development is unlikely to generate any significant residual car parking demand
- The cycle parking provision is considered acceptable

- The highway and transportation authority would not object to this application subject to the imposition of the following;
  - S.278 obligations towards the reconstruction of the footways and the implementation of the new vehicular crossover
  - S.106 towards the reconstruction of the vehicular crossover and the reconstruction of the footways, towards consultation on the expansion of the CPZ, monitoring the travel plans and operation of car club scheme
  - Planning conditions for details of a traffic management scheme and details of a construction Management and Logistics plan
- 6) Cleansing (west); Officers raise no objection to the revised ground floor plan (FGH P A1 02A) and waste collection strategy
- 7) The design officer raises no objection and has made the following comments;
- The proposals are broadly acceptable and a good design response to a sensitive site.
  - Officers are satisfied that the proposed development would not result in any noticeable or significant loss of daylight to neighbouring properties or any noticeable or significant loss of sunlight to the external amenity space of the neighbouring properties.
- 8) The drainage engineer raises no objection to the surface water drainage proposals subject to condition.

External:

- 9) Thames Water – No objection and has made the following comments;
- With regards to sewerage and water infrastructure Thames Water has no objection;
  - With regards to surface water drainage where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required;
  - Thames Water would not object to this application subject to the imposition of the following:
  - Thames Water recommend an informative regarding a groundwater risk management permit and minimum pressure in the design of the proposed development.
- 10) Transport for London – No comment as the site is not on Transport for London Road Network or Strategic Road Network, nor will it have any strategic implications on TfL's transport network,
- 11) Environment Agency – No objection

## 5. LOCAL REPRESENTATIONS

5.1.1 The following were consulted:

147 Neighbouring properties  
2 Residents Association  
4 site notices were erected close to the site

5.1.2 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:13  
Objecting:13  
Supporting:0  
Others: 0

5.1.3 Muswell Hill & Fortis Green Association has made comments on the application as summarised below:

- Overdevelopment resulting in too much crammed on the site
- The design could be improved
- Concerns with the basement level of the mews houses
- Additional parking pressure although underground parking is proposed

5.1.4 The issues raised in representations that are material to the determination of the application are set out in Appendix 1 and summarised as follows:

- Scale of the development
- Parking pressure and congestion
- Pedestrian safety
- Lack of parking provision for the commercial element
- The parking proposed for the scheme is insufficient
- The area is already over-developed
- The proposed roofline would overshadow the former Alexandra Pub and Denmark terrace opposite
- Extent of basement development would cause structural problems
- Significant excavation
- Daylight/sunlight concerns to properties on Annington Road
- Loss of sunlight to the property opposite at Bomarsund
- Loss of light to 111a Fortis Green
- Out of character with the surrounding properties
- Overbearing due to its height and position on the pavement
- Overshadowing impact

- Overlooking/loss of light regardless of the privacy screens proposed

5.1.5 The following issues raised are not material planning considerations:

- Loss of a sky view
- Construction works undertaken during the months of November and December would be damaging to the trade of the adjacent Majestic Wine Warehouse
- Inaccuracies in the daylight/sunlight report where the house titled Bomarsund opposite the site is labelled as 6-7 Fortis Green and mis-classification of the property labelled as 94 Fortis Green as commercial rather than residential (Officers comment: the daylight/sunlight report has been updated to reflect this)

## **6 MATERIAL PLANNING CONSIDERATIONS**

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

1. Principle of demolition
2. Principle of the development
3. The impact of the proposed development on the character and appearance of the conservation area
4. The impact on the amenity of adjoining occupiers
5. Residential Mix and Quality of Accommodation
6. Parking and highway safety
7. Basement
8. Affordable Housing
9. Sustainability
10. Waste
11. Contamination
12. Floodrisk and Drainage
13. S106 Contribution

### **Principle of demolition**

6.1.1 The scheme proposes the redevelopment of the site, including the demolition of the existing low single storey buildings with large hard paved forecourts. The buildings are of no architectural merit and as such the buildings make a negative contribution to the conservation area, detracting from the street scene. As such the principle of demolition is considered to be acceptable subject to an appropriate replacement scheme

### **Principle of the development**

### *Residential Use*

- 6.2 The proposal provides 9 residential units. The principle of housing is supported by the National Planning Policy Framework (NPPF) 2012 chapter 6 Delivering a wide choice of quality homes, London Plan 2011 Policies 3.3 'Increasing Housing Supply' and 3.4 'Optimising Housing Potential'. It is also supported by Haringey Local Plan Policy SP2 'Housing'. The Haringey Local Plan 2013 sets out a target of 8,200 dwellings between 2011 and 2021 (820 per year). Under the new draft plan figure alterations to the London plan (FALP), the 2015 target is increased to 15,019 (1,502 per year). In addition the site is surrounded by residential uses and is within a broader residential context.
- 6.3 The proposed number of residential units on the site would therefore contribute to providing housing to assist in meeting this housing target.

### *Loss of Car Wash/MOT Centre*

- 6.4 The loss of the existing car wash and MOT centre is a planning consideration and Local Plan Policy SP8 makes it clear that there is a presumption to support local employment and small sized businesses that require employment land and space. It is also important to note that draft DPD Policy DM40 (B) states that the Council will only consider the loss of employment land or floorspace is acceptable, subject to the new development proposal providing the maximum amount of replacement employment floorspace possible, as determined having regard to viability. Although only limited weight can be afforded to draft DPD DM policies given its current status which is early in the adoption process.
- 6.5 Furthermore saved UDP Policy EMP4 encourages the redevelopment of unallocated employment sites providing that: the land or building is no longer suitable for business or industry use on environmental, amenity and transport grounds in the short, medium and long term; and the redevelopment or re-use of all employment generating land and premises would retain or increase the number of jobs permanently provided on the site, and result in wider regeneration benefits.
- 6.6 Although the above employment policies are not strictly related to the existing car wash/valet service (Use Class Sui Generis) as, in planning terms, as this use is not defined as an employment use in the same way as the uses that fall within the B Classes, the existing MOT/car repairs centre (Use Class B2) is protected by the above Policy and its loss is a fundamental planning consideration.
- 6.7 The applicant has confirmed that in relation to saved UDP Policy EMP4, the use of the land for a car wash and MOT/car repairs business is considered to no longer be appropriate or suitable on amenity grounds, given its location adjacent to residential properties and noise levels associated with the use. It is important

to note that the MOT/car repairs centre is currently vacant. Notwithstanding the above, Saved UDP Policy EMP6 states that the Council's preferred location for car repair, garage, car washes and other activities of a similar nature is within the Defined Employment Area. Given the site is located outside the Defined Employment Area, Officers consider the current use is inappropriate and its replacement with a more neighbourly use is considered appropriate in this instance.

#### *New flexible Office/Retail/Restaurant Use*

- 6.8 The scheme proposes flexible/retail/restaurant floorspace (Use Class B1/A1/A3) at basement and ground level and would comprise 209 sqm of floorspace and would create employment for approximately 11 to 17 members of staff, through a combination of full and part time roles. Accounting for the 3 people currently employed by the car wash and the 6 people that were previously employed by the MOT/car repairs, before it was vacated, this represents an increase of 2 to 8 FTE members of staff employed at the site. The proposed flexible use therefore satisfies the requirements of Policy EMP4, which requires the redevelopment of any employment generating land to retain or increase the number of jobs. There is also a requirement to replenish the existing level of employment floorspace. In this instance 315 sqm of employment floorspace is replaced by 209 sqm, where there is a loss of 106 sqm. Although there is a loss of employment floorspace, Officers consider the proposal to be acceptable for the reasons set out below.
- 6.9 The applicant has stated that a flexible commercial use is required for the space to be commercially attractive to a wide range of tenants, ensuring that the unit does not remain vacant for a sustained period of time. This position is supported by the applicants accompanying Marketing Report, prepared by Claridges, which concludes that whilst there is some demand for office floorspace within the area, this is limited and not guaranteed and stronger demand exists for retail and restaurant premises.
- 6.10 In this instance as there is a stronger demand for the retail and restaurant uses, the redevelopment of the site here would ensure an element of employment is re-provided. In addition although the retail unit here is outside the town centre designation, where local Plan Policy SP10 states that town centres are considered first for new retail development, a mixed-use development with flexible Office/Retail/Restaurant Use is considered acceptable. It is important to bear in mind that this section of Fortis Green while outside the confines of the town centre there are examples of parades here where there is commercial/ retail activity at ground floor level and as such is linked to the town centre.
- 6.11 In the event that the flexible floorspace is occupied for office use (B1), this would be supported by development plan policy. The provision of office space will help achieve the objectives of Local Plan SP8, as it will ensure the availability in this part of Fortis Green of flexible workspace that would be attractive to small sized

enterprises. Officers consider the new flexible commercial floorspace will enable the development to have an active frontage following a similar pattern of development in the area and add to the vitality and vibrancy of this section of Fortis Green in accordance with the above policies.

- 6.12 Therefore the principle of development is considered to be acceptable, subject to other detailed considerations.

### **Character and appearance of the conservation area and Design**

- 6.13 The Legal Position on impacts on heritage assets is as follows, and Section 72(1) of the Listed Buildings Act 1990 provides:

“In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” Among the provisions referred to in subsection (2) are “the planning Acts”.

- 6.14 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that "Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight” when the decision-maker carries out the balancing exercise.”
- 6.15 The Queen (on the application of The Forge Field Society) v Sevenoaks District Council says that the duties in Sections 66 and 72 of the Listed Buildings Act do not allow a Local Planning Authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. If there was any doubt about this before the decision in Barnwell, it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight. This does not mean that an authority’s assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgment. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognise, as the Court of Appeal emphasized in Barnwell, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one, but it is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. An authority can only properly strike the balance between harm to a heritage asset on the one hand



and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.

- 6.16 In short, there is a requirement that the impact of the proposal on the heritage assets be very carefully considered, that is to say that any harm or benefit to each element needs to be assessed individually in order to assess and come to a conclusion on the overall heritage position. If the overall heritage assessment concludes that the proposal is harmful then that should be given "considerable importance and weight" in the final balancing exercise having regard to other material considerations which would need to carry greater weight in order to prevail.
- 6.17 Policy 7.8 of the London Plan (LP) (2015) requires that development affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale and architectural detail. Policy SP12 of the Haringey Local Plan (HLP) (2013) requires the conservation of the historic significance of Haringey's heritage assets. Saved policy CSV5 of the Haringey Unitary Development Plan (UDP) (2006) requires that alterations or extensions preserve or enhance the character of the Conservation Area. Draft DM Policy DM9 continues this approach.
- 6.18 Local Plan Policy SP11 states that all new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use. Development shall be of the highest standard of design that respects its local context and character and historic significance, to contribute to the creation and enhancement of Haringey's sense of place and identity which is supported by London Plan Policies 7.4 and 7.6. Draft DM Policy DM1 'Delivering High Quality Design' continues this approach and requires development proposals to relate positively to their locality.
- 6.19 Objections have been received on the issue of design, scale, siting, context and the proposal being out of keeping with the character of the area. In this instance given the specific character of the site which would benefit from a greater sense of enclosure with a more substantial building, closer to the pavement edge and also given the characteristics of some of the existing neighbouring buildings which make a positive contribution to the character of the location, particularly immediate neighbours at nos. 111-113, the former police station and short row of shops beyond, the proposed replacement building is considered acceptable here. Whilst other buildings such as the Clissold Arms and former Alexandra Public Houses and neighbouring cottages, retain a lower, less urban presence, they still benefit from a good sense of enclosure.
- 6.20 The proposed development is acceptable in terms of its height and massing as the eaves heights of the main street facing building, the most crucial height in defining its impact on context, exactly matches the former police station, and it

steps down in height following the ridge height of the immediate neighbour at nos. 111 – 113. The mews houses would be substantially smaller in scale to the main street facing building and as such will not be overly bulky or out of scale in relation to the site and its surroundings. Officers consider the main street facing building with 'mews type' houses behind, is supported, consistent with neighbouring patterns of development such as the immediate neighbours at 111-113, the former police station at no. 115 and Fortis Green Cottages, behind the Alexandra Public House opposite.

- 6.21 The design of the street facing main building is a modern reinterpretation of an Arts & Crafts style that achieves harmony and elegance whilst maintaining a sense of informality taking reference from the former Police Station, as well as the Grade II Listed "The Gables" and "Birchwood Mansions" further East along Fortis Green. The asymmetric composition places a prominent, projecting, 3 storey gable towards the western end of the street elevation, similar to that of the former police station but better composed in terms of its fenestration with a wide shopfront window at ground floor level to tiny paired arrow slit windows high in the gable. Rather than the proposal attempting to imitate elements of the Arts and Craft and decorative detail found in the 19<sup>th</sup> and early 20<sup>th</sup> century buildings, it provides a minimalist style approach appropriate for a modern building. Notwithstanding this, the decorative brick panels particularly at first floor level adds to the buildings architectural richness and improves its elevational composition. The 'mews type' houses to the rear which would not be highly visible from the street, is of a similar language using minimalist, modernist detailing with a strong gable ended design which takes reference from the traditional archetypes of residential design.
- 6.22 The ground floor shop front which enables the development to have an active frontage although modern in style unlike the traditional shopfronts on the street, it would be sympathetic to the new main building.
- 6.23 The use of high quality materials is considered to be the key to ensuring that the resulting appearance of this scheme is of high quality and therefore a condition will be imposed seeking details and samples of all materials to be agreed prior to commencement of the development.
- 6.24 Overall the proposed development is acceptable due to its high quality design, massing, form and choice of materials of the proposed development are acceptable and sensitive to the visual amenity and character of the area.
- 6.25 From a conservation point of view, in the context of the recent case on Barnwell Manor to ensure the development preserves or enhances the character and appearance of the conservation area, the proposed development would not cause any harm and would enhance the character and appearance of the street at this location and the wider conservation area. There are also heritage benefits

of redeveloping this site which at present does not contribute to the conservation area. As such the proposal is acceptable in this instance.

*Quality Review Panel*

6.26 Haringey's recently established Quality Review Panel (QRP) has considered the development proposals on 15<sup>th</sup> July 2015. The panel's comments are reproduced in full in the appendices.

QRP Comments	Response
<i>Site Layout</i>	
<p>Whilst the development proposes relatively dense development of the site, the panel think the layout of the apartment block and mews is successful</p> <p>The main challenge that the tight layout presents is the distance between windows where the mews houses face apartments across a courtyard</p> <p>The distance between facades is slightly less than the minimum overlooking distances recommended by Haringey policy. However, the panel think this can be addressed through detailed design of windows.</p> <p>Where frosted glass is proposed, it should be possible to provide high level clear glass at high level to give views of the sky.</p>	<p>The density of the development is appropriate for the site and meets the density levels in the density Matrix of the London Plan</p> <p>Further design changes were made to address the privacy concerns</p>
<i>Architecture</i>	
<p>The mews houses promise robust, well-proportioned architecture, drawing inspiration from the character of buildings in the surrounding area, in simplified form.</p> <p>The panel would encourage the architects to explore similarly contextual contemporary architecture for the mansion</p>	<p>Noted</p> <p>Noted. Rather than the proposal attempting to imitate elements of the Arts and Craft and decorative detail found in</p>

<p>block on Fortis Green, rather than the historic pastiche currently proposed.</p> <p>It is more likely that a simplified architecture will be delivered to a high quality on site</p> <p>The panel thinks a more generous, thoughtfully detailed entrance from Fortis Green could enhance both the architecture and the arrival experience for residents.</p> <p>One option would be to create a generous entrance hall, which celebrates the design of the apartment staircase, and also gives access to the courtyard.</p> <p>Careful integration of signage for the commercial unit will also be important to the quality of the development at street level on Fortis Green</p>	<p>the 19<sup>th</sup> and early 20<sup>th</sup> century buildings, it has been amended to provide a minimalist style approach interpretation of Arts and Crafts style in response to QRP comments.</p> <p>Noted. A more generous entrance is now proposed from Fortis Green, which enhance the architecture</p> <p>Noted</p>
<p><i>Landscape design</i></p>	
<p>The landscape design of the courtyard requires further thought, to maximise its quality and value for residents.</p> <p>This work should include explorations of ways in which the car park ramp can be screened from view, either by fully enclosing it, or screening it with a pergola.</p> <p>It may be that this relatively small space, providing access to 4 mews houses, as well as the apartments, would be most successful as a predominantly hard landscape.</p> <p>The panel also think the building line should follow the site boundary to the east, to avoid leaving a slither of planting that no one maintains.</p>	<p>Noted. The landscape design of the courtyard has been amended.</p> <p>The final details of the landscaping will be secured by condition.</p> <p>Noted. This has been addressed to avoid leaving a slither of planting that no one maintains</p>

<p><b>SUMMARY</b></p>	<p>The Quality Review Panel supports the layout and massing of development proposed for this site, providing apartments on Fortis Green, with commercial use at ground level and mews houses accessed via a shared courtyard. The panel also welcomes the simple, elegantly proportioned design of the Mews Houses, with textured brick providing subtle decoration. The apartments on Fortis Green are intended as a pastiche of nearby Arts and Crafts mansion blocks. The panel think a simpler approach would be more successful. There is also scope to improve the landscape design of the courtyard, and minimise the impact of the car park ramp. More detailed comments are provided below on the site layout, architecture and landscape design.</p>

### *Density*

- 6.27 The density of a proposed development is relevant to whether the amount of development proposed is appropriate for a site. This is also dependent on the sites location and accessibility to local transport services. Local Plan Policy SP2 states that new residential development proposals should meet the density levels in the density Matrix of the London Plan. Furthermore, objections have been received from local residents that the proposal would represent a gross overdevelopment on the site. The density proposed is considered to be in the 'urban' context and has a PTAL of 2, thus development should be within the density range of 200 to 450 habitable room per hectare (hr/ha). The proposed development in terms of units per hectare is 113 and in terms of habitable rooms is 425 hr/ha, which is consistent with the London Plan Density Matrix for urban locations with a PTAL of 2. Therefore, it is considered that the scheme does not constitute an overdevelopment on the site and the quantum of units proposed is acceptable in its local setting, subject to all other material planning considerations being met.

### **Impact on the amenity of adjoining occupiers**

- 6.28 The London Plan 2011 Policy 7.6 *Architecture* states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Saved Policy UD3 also requires development not to have a significant adverse impact on residential amenity in terms of loss of daylight, or sunlight, privacy

overlooking, aspect noise, pollution and of fume and smell nuisance. Draft DM Policy Policy DM1 'Delivering High Quality Design' continues this approach and requires developments to ensure a high standard of privacy and amenity for its users and neighbours.

*Daylight, sunlight and overshadowing*

- 6.29 The applicant has submitted a Daylight, Sunlight Study in line with Building Research Establishment (BRE) 2011 guidelines, British Standard BS 8206:2008 Lightings for buildings and Planning Practice Guidance (2014) – Design. Daylight is measured by Vertical Sky Component (VSC) whereas the acceptable level of sunlight is calculated by Annual Probable Sunlight Hours (APSH), The BRE Report suggest a VSC of 27% or more should be achieved if a room is to be adequately day lit. In terms of sunlight, the acceptability criteria are greater than 25% for the whole year or more than 5% between 21<sup>st</sup> September and 21<sup>st</sup> March. Only the existing habitable rooms of the neighbouring buildings are considered for the purpose of the BRE calculation.
- 6.30 The applicants daylight and sunlight report provides analysis on the loss of daylight and sunlight to windows of neighbouring properties and loss of sunlight to gardens and open spaces to the proposal and neighbouring sites (dated April 2016). This analysis was updated in response to the comments received from local residents and a further detailed assessment of 111-113 Fortis Green was also included.
- 6.31 Specific concerns have been raised that the proposed development would have an adverse impact on the amenity to namely Bomarsund (94 Fortis Green and 6 and 7 Fortis Green Cottages), properties on Annington Road, 111A Fortis Green and 111-113 Fortis Green in terms of daylight/sunlight and overshadowing. A consultant has produced a daylight/sunlight report to support this objection. This revised study demonstrates that there would be some loss of daylight to the bedroom windows of the immediate neighbour at no. 111-113, to the window of the mews house behind at no. 111a and the former Alexandra Public House after implementing this scheme. As however explained below the reductions in daylight/sunlight to the windows in questions, are within levels deemed acceptable and that good levels of light will still be received.
- 6.32 Officers would highlight that the test here is whether as a result of the development there would be adverse infringements on the daylight/ sunlight or unacceptable increase in overshadowing taking into account BRE guidance
- 6.33 The immediate neighbour at 111-113 has six windows which are non habitable rooms, two are to large rooms with other windows where the total level of daylight would remain acceptable and the remaining 2 serve bedrooms on ground and first floor level. However they are large windows and the report demonstrates that their No Sky Line (NSL) values would remain acceptable.

- 6.34 The other property that was tested in both the original and revised studies, is no. 111A Fortis Green, the mews house behind 111- 113, to the south-east of the site, directly to the east of the proposed mews houses. Officers consider that the property is in a backland mews type of site that must expect to have compromised levels of daylight.
- 6.35 The former Alexandra Public House was assessed to not have any noticeable effect on its daylight as a result of the proposed development and this assessment remains unchanged in the updated report. The four windows affected would have a minor but noticeable loss of VSC, but they are not the only windows to serve these rooms; ; mean values of VSC across all windows for each room could show the proposals were acceptable
- 6.36 No other windows to properties close to the application site are assessed as having any noticeable or significant loss of daylight due to the proposed development, and no windows to neighbouring properties or neighbouring external amenity spaces are assessed as having any noticeable or significant loss of sunlight. This was the consistent result in both the 1st and 2<sup>nd</sup> report. Furthermore, regarding the additional windows tested to Bomarsund and Annington Road, officers are satisfied that they have shown these windows would also not experience an unacceptable loss of daylight or sunlight
- 6.37 In conclusion despite the concerns raised by the neighbours, taking account of the room arrangements to these properties existing levels of light to the windows in question it can be demonstrated that the development does not cause any breaches of BRE guidelines.
- 6.38 It is important to note that the daylight and sunlight results also demonstrates that the outdoor amenity area within the proposed development would receive levels of sunlight commensurate with neighbouring buildings.
- 6.39 The proposed development is therefore considered acceptable and within the guidelines of BRE.

#### *Privacy and overlooking*

- 6.40 Concerns have been raised that the proposed mews development would result in loss of privacy/overlooking issues in particularly to the properties on Annington Road which back onto the site. Officers consider however that given the 18m distance between the rear wall of the properties in question and that of the proposed mews houses, the proposed development would not cause any material loss of amenity, in terms of overlooking and loss of privacy. Given also

innovative design measures on the rear facade of the mews development is proposed, namely; privacy screens, windows with externally fixed horizontal timber privacy louvres and opaque glass windows, these measures will ensure that none of the windows face out directly onto the adjoining properties.

- 6.41 Within the development itself, there is a separation distance of 11.2m between the proposed main street facing building and rear mews houses, the provision of obscured glass and innovatively designed windows ensures that there is no direct loss of privacy/overlooking. This is considered acceptable for a mews style development.

#### *Noise and disturbance*

- 6.42 In terms of noise and disturbance due to the loss of the car wash/valeting service and MOT/Car Repair Centre, noise levels and air quality would be significantly improved.
- 6.43 To conclude the proposed development has taken careful consideration of its layout, form and design to ensure that the privacy and amenity of neighbouring occupiers will not be adversely affected. As such the proposal is considered to be in accordance with London Plan 2011 Policy 7.6 and policy UD3 of the UDP and draft DM Policy DM1.

#### **Residential Mix and Quality of Accommodation**

- 6.44 London Plan policy 3.8 highlights that new developments should offer a range of housing choices in terms of the mix of housing sizes and types. Local Plan policy SP2 states that high quality new residential development in Haringey will be provided by ensuring that new development provides a range of dwelling types and sizes to meet local housing requirements and draft DPD Policy DM11 reinforces this approach. London Plan policy 3.5 requires the design of all new housing developments to enhance the quality of local places and for the dwelling in particular to be of sufficient size and quality and draft DPD Policy DM12 reinforces this approach. The Mayor's Housing SPG sets out the space standards for new residential developments to ensure an acceptable level of living accommodation is offered.
- 6.45 The proposed development provides 2 x 1 bed/2 person, 2 x 2 bed/3 person and 5 x 3 bed/5 person units. Officers consider that the mix proposed is acceptable as it would include a range of 1, 2 and 3 bedroom units.
- 6.46 The size of each unit meets or exceeds the minimum standards as set out in table 3.3 of Policy 3.5 of the proposed minor alterations to the London Plan (MALP) 2016. The minimum standards prescribed for individual rooms also conform comfortably with these standards. All of the units are well proportioned and laid out with adequate levels of daylight/sunlight, and provide an acceptable



level of amenity for future occupiers of a development within an urban setting. Whilst some of the accommodation of the mews houses is at basement level, their living rooms would have sufficient external ventilation and light via the individual lightwells and private garden. It is accepted that given that the private garden is enclosed it would not receive a large amount of natural light due to both orientation and siting, however this area is both private and useable and is, on balance, considered acceptable. The first and second floor flats with the exception of the third floor flat of the main street facing building would benefit from private balconies. Both the occupiers of the flats and mews houses would also benefit from the private courtyard garden.

- 6.47 The overall layout and access arrangements to the scheme are also acceptable. The communal parts of the main street facing building is consistent throughout, and include a lift, providing access to all flats on all levels. Vehicles are all accommodated at basement level where the pedestrian entrance off the street would be clearly distinct from the vehicle access to the basement, avoiding pedestrian conflict with cars and the proposed refuse collection arrangement which has its own separate entrance. The entrance to the mews houses/flats of the street would be clearly distinct from the entrance to the commercial unit and the entrance to the flats on the upper floors to the rear is also separate. The refuse/recycling enclosure would have its own separate entrance. A secure cycle parking store is located either within the courtyard, basement or curtilage of the mews houses. The landscaping proposed between the blocks forms the frontage and approach to the mews houses, and a shared private communal garden for all the houses and flats. The landscaping allows the space to be divided up into areas clearly belonging to and providing additional privacy for the individual houses, and cleverly disguises the ramp down into the basement car park alongside a timber and wire pergolas providing a suitable setting for future occupants.
- 6.48 Overall the proposed scheme will provide an acceptable residential mix and provide an acceptable standard and layout of accommodation for its future occupants in accordance with London policy 3.8, policy 3.5, draft DPD Policy DM11, draft DPD Policy DM12, Local Plan Policy SP2 and The Mayor's Housing SPG.

### **Parking and highway safety**

- 6.49 Local Plan (2013) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This approach is continued in Draft DM Policies DM31 and DM32.

- 6.50 The proposal includes 8 off-street parking spaces at basement level and 19 cycle parking spaces located either within the courtyard, basement or curtilage of the mews houses. Parking and congestion has been cited as a concern from neighbouring properties, the Council's Transportation Team has assessed the proposal and is satisfied with the level of parking provision for the residential element, alongside the cycle parking and flexible commercial aspect of the development which is unlikely to generate any significant residual car parking demand.
- 6.51 Notwithstanding the above provision, it is considered that the proposed development would not have any adverse impact on the surrounding highway network or significant increase on car parking demand in this location.
- 6.56 Details of a traffic management scheme and details of a Construction Management and Logistics Plan would be conditioned consistent with policy and the developer has agreed to secure towards £3000 per travel plan monitoring and offer free car club membership to all residents of the development for a period of the at least the first three years and include £50 car club credit for each unit, this will be secured by a S106 contribution. The developer has also agreed to secure £15,007 towards the reconstruction of the vehicular crossover and the reconstruction of the footways, towards consultation on the expansion of the CPZ

### **Basement**

- 6.57 Policy SP11 of Haringey's Local Plan requires that new development should ensure that impacts on natural resources, among other things, are minimised by adopting sustainable construction techniques. Saved Policy UD3 requires that there should be no significant adverse impact on other surrounding uses.
- 6.58 Draft DPD Policy DM18 ('Residential Basement Development and Light Wells') requires basement development to demonstrate that a proposal will not adversely affect the structural stability of the application building and neighbouring buildings; does not increase flood risk to the property and nearby properties; avoids harm to the established character of the surrounding area; will not adversely impact the amenity of adjoining properties or the local natural and historic environment.
- 6.59 The scheme proposes excavation to provide a basement level to accommodate commercial floorspace, a basement car park and accommodation to serve the mews houses. Objections have been received on the issue of the basement development, Officers however consider the basement development to be acceptable as the Council's Building Control Officers have assessed the submitted Basement Impact Assessment prepared by Symmetrys Ltd Consulting Structural Engineers and are satisfied that the shallow basement which is about 3.5-4m below ground would not result in any structural problems. Furthermore, the ground falls to the south but is away from water courses and the fully

enclosed box structure whilst being close to neighbouring buildings would not be adversely affected by the proposal with minimal disturbance to existing adjacent foundations and services.

- 6.60 The structural integrity of the basements/ buildings would need to satisfy the modern day building regulations and separate permission would be required under Building Regulations. In addition the necessary party-wall agreements with adjoining owners would need to be in place prior to commencement of works on site.
- 6.61 The purpose of the Building Control/ Building Regulations is to ensure that the engineering design is professional and competent, the construction work is undertaken in a skilful and proficient manner and that the sequence of works on site (including temporary works) are properly planned and carried out. In terms of the Party Wall Act any developer/ property owner wishing to excavate a basement must notify the adjoining owner with a description of the works and details of whether/how the neighbouring structures will be strengthened or safe guarded (i.e. when within 3m of a neighbouring structure and extends deeper than that structure's foundations; or within 6m of the neighbouring structure and to a depth below a line drawn down at 45 degrees from the underside of that structure). An adjoining owner can dispute the works and has the right to, amongst other things to require reasonable measures to be taken to protect their property from damage that is foreseeable.

### **Affordable Housing**

- 6.62 In line with London Plan policies s 3.9, 3.10, 3.11, 3.12 and 3.13, Local Plan Policy aims to provide affordable housing by:
- Achieving 20% affordable units on sites of 1 - 9 net units in line with Local Plan Policy SP2
  - Using a residual land value approach, with the difference in value of providing an affordable unit included, in order to establish a robust per unit contribution that reflects both the 20% requirement in the policy, and availability of the borough in line with the newly adopted Planning Obligations SPD (2014)
- 6.63 There is provision in the Council's adopted Planning Obligations SPD (2014) to allow for an off-site contribution on sites for 1 – 9 units where it would not be practicable to provide on-site affordable housing.
- 6.64 In November 2014, a ministerial statement directed all councils in England not to apply affordable housing contributions or any other tariff style contributions for sites of 10 homes or less. The reason given was to support small-scale housebuilders. A judicial review of this decision by West Berkshire District Council and Reading Borough Council v Department for Communities and Local

Government [2015] EWHC 2222 (Admin) (31 July 2015), concluded that Local Authorities are legally permitted to return to implementing local policies setting thresholds for affordable housing requirements on proposed developments. However this decision was challenged and a court of appeal decision in May 2016 sets out that the issuing of the ministerial statement was not unlawful such is now back in force and prevents the seeking of affordable housing on sites of 10 units or less that have a floorspace of less than a 1000 sqm.

- 6.65 The applicant has submitted an economic viability assessment which sets out that the development cannot afford to provide any contribution towards affordable housing. An independent assessment of the viability assessment commissioned by the Council has verified this. This is principally because the residual value generated by the scheme falls below the benchmark land value (ie existing).
- 6.66 The applicant has accepted that a review mechanism be included in the S106, should the development not commence within 18 months of permission being granted. While it is acknowledged that there would be no contribution towards affordable housing, on balance, given the imposition of a review mechanism, it is considered acceptable.

### **Sustainability**

- 6.67 The NPPF and London Plan Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10 and 5.11, as well as Policy SP4 of Haringey's Local Plan and SPG 'Sustainable Design & Construction' set out the sustainable objectives in order to tackle climate change. Chapter 5 of the London Plan requires all new homes to meet Level 4 of the Code for Sustainable Homes. Notwithstanding the above policy context, recent Government announcements have meant that Local Planning Authorities can no longer require developers to achieve the minimum Code requirements as this has now been absorbed within Building Regulations.
- 6.68 Details have been provided with the application to demonstrate that the scheme would achieve a minimum 35% reduction in carbon emission, through the use of passive design, renewable energy technologies (solar photovoltaic panels) and energy efficient measures, which have resulted in an improvement in the proposed energy performance of the building, compared to current (2013) Building Regulations, This is in line with London Plan Policy. A condition to ensure the units are constructed to meet London Plan Policy 5.2 is recommended, and would ensure the proposal accords with the above policies.
- 6.69 A further condition has been recommended by the Council's Commercial Environmental Health Officer requiring the submission of details regarding the gas boiler details and ensuring these are efficient and accord with the London Plan's NOx emission standards.

### **Waste**

- 6.70 It is considered that the details included with the application are sufficient to demonstrate that refuse and recycling can be adequately stored on the site.

### **Contamination**

- 6.71 There has been some investigation below ground on site. The proposal has been viewed by the Council's Pollution Officer who raises no objection to the scheme, however, requires that conditions are included with regards to site investigation and remediation should it be required.
- 6.72 Therefore, the proposal, subject to a thorough site investigation and appropriate remediation, where required, is considered to be acceptable and appropriate for a residential development and is in general accordance with Policy 5.21 of the London Plan 2015 and Saved Policy UD3 of the Haringey Unitary Development Plan.

### **Floodrisk and Drainage**

- 6.73 Local Plan Policy SP5 and London Plan Policy 5.12 seek to address current and future flood issues and minimise risks in a sustainable and cost effective way.
- 6.75 London Plan Policy 5.13 sets out the drainage hierarchy for Sustainable Drainage Systems (SUDS) so greenfield run-off rates are achieved and that surface water run-off is managed as close to its source as possible:
1. store rainwater for later use;
  2. use infiltration techniques, such as porous surfaces in non-clay areas;
  3. attenuate rainwater in ponds or open water features for gradual release;
  - 4 attenuate rainwater by storing in tanks or sealed water features for gradual release;
  - 5 discharge rainwater direct to a watercourse;
  - 6 discharge rainwater to a surface water sewer/drain; and
  - 7 discharge rainwater to the combined sewer
- 6.76 They also require drainage to be designed and implemented in ways that deliver other policy objectives, including water use efficiency and quality, biodiversity, amenity and recreation. Further guidance on implementing Policy 5.13 is provided in the Major's Sustainable Design and Construction SPG (2014) including how to design a suitable SUDS scheme for a site. The SPG advises that if greenfield runoff rates are not proposed, developers will be expected to clearly demonstrate how all opportunities to minimise final site runoff, as close to greenfield rate as practical, have been taken. This should be done using calculations and drawings appropriate to the scale of the application. On previously developed sites, runoff rates should not be more than three times the calculated greenfield rate. The SPG also advises that drainage designs incorporating SUDS measures should include details of how each SUDS feature,

and the scheme as a whole, will be managed and maintained throughout its lifetime.

- 6.77 The applicant has provided details of their proposed provisions for reducing surface water run-off in accordance with policy requirements. The Council's Drainage Engineer has assessed the proposal and is satisfied subject to conditions requiring a SUDS scheme be submitted for approval to ensure these provisions are implemented.
- 6.78 The proposal will therefore provide sustainable drainage and will not increase flood risk in accordance with London Plan (2011) Policy 5.13 'Sustainable drainage' and Local Plan (2013) Policy SP5 'Water Management and Flooding

### **S106 Contribution**

- 6.79 This application will be subject to a S106 legal agreement and the applicant has agreed to the following heads of terms:
- i. £3000 per travel plan monitoring and two years free membership to a local Car Club and £50 free credit per unit
  - ii. £15,007 secured by a S106 towards the reconstruction of the vehicular crossover and the reconstruction of the footways, towards consultation on the expansion of the CPZ
  - iii. A review mechanism should the development not be commenced within 18 months of the date of the grant of permission.
  - iv. Carbon off set contribution if required

### **Conclusion**

- 6.80 The proposed development is acceptable because the scheme optimises the potential of the site for a high quality mixed use development taking account of the character of the surrounding area. The loss of the existing car wash/valeting service and MOT/Car Repair Centre is acceptable as it will be replaced by good quality residential accommodation, whilst contributing to the Borough's housing targets and the flexible commercial floorspace proposed would add to the vitality and vibrancy of this section of Fortis Green. The proposed development would create employment which replaces existing jobs. The proposed development would enhance the character and appearance of this part of the conservation area and therefore does not cause harm. In terms of impact on the residential amenity of neighbouring properties the proposal is acceptable and would not cause unacceptable overlooking or loss of privacy or sense of enclosure or affect daylight/ sunlight. The residential accommodation would be of an acceptable layout and standard meeting the necessary internal floorspace standards and providing external amenity space. The scheme will have no adverse impact on the surrounding highway network or on car parking conditions in the area.

6.81 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.

## 6.82 CIL

Based on the information given on the plans, the Mayoral CIL charge will be £59,145.625 (1,375 sqm x £35 x 1.229) and the Haringey CIL charge will be £384,051.25 (1,375 sqm x £265 x 1.054). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

## 8.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions and subject to sec. 106 Legal Agreement

Applicant's drawing No.(s)

E 01, 02, 03, 04, A1 00, 01, 02 Rev A, 03, 04, 05, 06, A2 01, 02, 03, 04, 05, 06, 07, 08  
A3 01, B1 01, A4 01, 02, DP 01

- Design and Access Statement prepared by Chassay + Last Architects dated December 2015
- Phase 1 and 2 Geo-Environmental Assessment Report prepared by BWB Consultancy dated October 2014
- Basement Impact Assessment prepared by Symmetrys Limited Consultancy dated December 2015
- Basement Impact Assessment Appendix D: Structural Calculations prepared by Symmetrys Limited Consulting Structural Engineers dated December 2015
- Arboricultural Impact Assessment prepared by Landmark Trees dated December 2015
- Statement of Community Involvement prepared by DP9 December 2015
- Sustainable Drainage Strategy prepared by Price & Myers dated December 2015
- Heritage Document prepared by Heritage Collective dated December 2015
- Sustainability Statement prepared by Price & Myers dated December 2015
- Transport Statement prepared by Transport Dynamics dated December 2015
- Energy Strategy Report prepared by Price and Myers dated December 2015
- Planning Statement prepared by DP9 dated December 2015
- Daylight, Sunlight & Overshadowing Report prepared by Point 2 Surveyors LLP dated December 2015

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 accordance with the following approved plans and specifications:

E 01, 02, 03, 04, A1 00, 01, 02 Rev A, 03, 04, 05, 06, A2 01, 02, 03, 04, 05, 06, 07, 08 A3 01, B1 01, A4 01, 02, DP 01

- Design and Access Statement prepared by Chassay + Last Architects dated December 2015
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- Energy Strategy Report prepared by Price and Myers dated December 2015
- Planning Statement prepared by DP9 dated December 2015
- Daylight, Sunlight & Overshadowing Report prepared by Point 2 Surveyors LLP dated December 2015

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

3. Samples of all materials to be used in conjunction with the proposed development for all the external surfaces of buildings hereby approved, areas of hard landscaping and boundary walls shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced.



Samples should include type and shade of cladding, window frames and balcony frames, sample panels or brick types and a roofing material sample combined with a schedule of the exact product references. The development shall thereafter be implemented in accordance with the approved samples.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

4. Details of the proposed boundary treatment shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The approved boundary treatment shall thereafter be installed prior to occupation of the new residential unit.

Reason: In the interest of the visual amenity of the area and residential amenities of neighbouring occupiers

5. The 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. No development shall take place until a detailed scheme for the provision of refuse and waste storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented and permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Saved Policy UD7 of the Haringey Unitary Development Plan 2006 and Policy 5.17 of the London Plan 2011.

7. The development shall then be constructed in strict accordance of the details set out in "Energy Strategy Report of 109 Fortis Green", date drafted - 12 April 2016, by Price and Myers. so approved, and shall achieve the agreed carbon reduction of 35% reduction beyond BR 2013. Design aspects includes:

- o U-values of 0.13 W/m<sup>2</sup>K on all external walls;
- o U-values of 1.2 W/m<sup>2</sup>K on all windows;
- o U-values of 0.13 W/m<sup>2</sup>K on the residential roofs;
- o Air Tightness of 3 m<sup>3</sup>/m<sup>2</sup>/h.

- A communal gas heating system has been proposed for the building containing the commercial unit and flats. This will serve all hot water and heating needs. The houses will all be heated with high efficiency gas boilers.

- Solar PV will be installed delivering 6.6kWp of power. This will be through 22no.s High Efficiency panels at an angle of 45 deg, SE facing.

All of this equipment and materials shall be maintained as such thereafter. Confirmation that these have been installed must be submitted to the local authority upon completion on site for approval and the applicant must allow for site access if required to verify delivery.

Should the agreed target not be able to be achieved on site through energy measures as set out in the afore mentioned strategy, then any shortfall should be offset at the cost of £2,700 per tonne of carbon plus a 10% management fee.

Reason: To comply with London Plan Policy 5.2. and local plan policy SP:04

8. The development shall then be constructed in strict accordance of the details set out in “Energy Strategy Report of 109 Fortis Green”, date drafted - 12 April 2016, by Price and Myers so approved, and shall provide evidence of the following to the local planning authority at least 6 months of completion on site for approval:

- A Site Waste Management Plan (SWMP) including a pre-refurbishment audit to determine how to maximise the recovery of materials from the refurbishment for subsequent high-grade/value applications and demonstration that these have been delivered;
- Contractors will show the site has registered with the Considerate Constructors scheme and followed best practice;
- All concrete, bricks and slate will be BES:6001 certified to ensure responsible sourcing;
- All timber used in construction will be FSC certified.
- The development has included at least two park bays designated EV recharging points.
- The development will include wildlife attracting measures such as bird boxes and log piles.

In the event that the development fails to deliver the required measures, a full schedule and costings of remedial works shall be submitted for our written approval. Thereafter the schedule of remedial works must be implemented on site within 3 months of the local authorities approval of the schedule, or the full costs and management fees given to the Council for offsite remedial actions.

Reasons: In the interest of addressing climate change and to secure sustainable development in accordance with London Plan (2011) policies 5.1, 5.2,5.3 and 5.9 and policy SP:04 of the Local Plan.

9. No development above ground shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.). Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

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 retained thereafter.

Reason: In order for the Local Planning 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 consistent with Policy 7.21 of the London Local Plan 2015, Policy SP11 of the Haringey Local Plan 2013 and Policy UD3 of the Haringey Unitary Development Plan 2006.

10. The applicant/developer are required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the local authority's approval 3 months (three months) prior to construction work commencing on site. The Plans should provide details on how construction work (inc. demolition) would be undertaken in a manner that disruption to traffic and pedestrians on Fortis Green Road, Fortis Green Avenue and the roads surrounding the site is minimised. It is also requested that construction vehicle movements should be carefully planned and coordinated to avoid the AM and PM peak periods.

Reason: To minimise the impact of the proposed development to the local highways network during the construction phase of the development.

11. The applicant will be required to provide details of the traffic management scheme to facilitate access to the basement car parking; in addition the applicant will be required to provide details on how access will be controlled to the car park which must be by remote control.

Reason: To provide safe and quick access to the basement car park and to minimise any potential queuing on the public highways.

12. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

- 13 Prior to installation, details of the Ultra Low NOx boilers for space heating and domestic hot water are to be forwarded to the Local Planning Authority. The boilers to be provided for space heating and domestic hot water shall have dry NOx emissions not exceeding 20 mg/kWh.

Reason: To protect local air quality.

- 14 Prior to commencement of the development, details of the CHP must be submitted to evidence that the unit to be installed complies with the emissions standards as set out in the GLA SPG Sustainable Design and Construction for Band B.

Reason: To Comply with Policy 7.14 of the London Plan and the GLA SPG Sustainable Design and Construction.

- 15 No works shall be carried out on the site until a detailed Air Quality and Dust Management Plan (AQDMP), detailing the management of demolition and construction dust, has been submitted and approved by the LPA. The plan shall be in accordance with the GLA SPG Dust and Emissions Control and shall also include a Dust Risk Assessment.

Reason: To Comply with Policy 7.14 of the London Plan

- 17 Before the development hereby permitted is commenced a plan showing a 1.8 metre high privacy screen along the side of the balcony shall be submitted to and approved in writing by the Planning Authority. Development shall be carried out in accordance with the approved details prior to the first use of the BALCONY AREA and the screening shall be retained in perpetuity unless otherwise agreed in writing by the Planning Authority.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 General Principles of the Haringey Unitary Development Plan 2006.

18. Before the first occupation of the development hereby permitted, windows in the proposed south elevation Block B (Houses) and proposed North elevation Block B (houses) shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening and fixed shut. The window shall be permanently retained in that condition thereafter.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 General Principles of the Haringey Unitary Development Plan 2006.

19. 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

20. No development hereby approved in relation to the below elements shall commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: The development may lead to sewerage flooding, to ensure that sufficient capacity is made available to cope with the new development, and in order to avoid adverse environmental impact upon the community.

21. Prior to the implementation of the permission, details of any extract fans or flues shall be submitted to and approved by the Local Planning Authority prior to commencement of use”.

Reason: In order to ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order with or without modification) no extensions or enlargement of the dwellings

hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and to prevent overdevelopment of the site by controlling proposed extensions and alterations consistent with Policy 7.4 of the London Plan 2015 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

**Informatives:**

INFORMATIVE : 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 : CIL

Based on the information given on the plans, the Mayoral CIL charge will be £59,145.625 (1,375 sqm x £35 x 1.166) and the Haringey CIL charge will be ££384,051.25 (1,375 sqm x £265). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

INFORMATIVE :

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.

INFORMATIVE : Party Wall Act: The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

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

INFORMATIVE: Prior to demolition or refurbishment of existing buildings, an asbestos survey should be carried out to identify the location and type of

asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out

INFORMATIVE : The London Fire Brigade strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier. .

INFORMATIVE :

With regards to surface water drainage, it is the responsibility of a developer to make proper provision for drainage to ground, water course, or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

INFORMATIVE : Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

## Appendix 1 Consultation Responses from internal and external agencies

Stakeholder	Question/Comment	Response
<b>INTERNAL</b>		
<b>Transportation</b>	<p>The proposed site is located in an area with a low public transport accessibility level (PTAL 2) on Fortis Green (the A504) which links Fortis Green to Muswell Hill. The site is located on the border of the Muswell Hill Restricted Conversion area which is immediately to the east of the site. The Muswell Hill Restricted Conversion Area is an area which has been identified by the Councils saved UDP Policy HSG 11 as suffering from High Parking pressures. The site is also located on the edge of the Fortis Green Controlled Parking Zone (CPZ) which is to the west of the site, the Fortis Green CPZ operates Monday to Friday between the hours of 11am and 1pm, the primary purpose of the CPZ is to restrict commuter parking. The area to the east of the of the Fortis Green CPZ which includes that immediate area surrounding the site suffers from displaced commuter parking which has increased the on street car parking pressure.</p> <p>In assessing the impact of this development we have considered that the following regional and local policies apply: London Plan 2015 POLICY 6.13 PARKING The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use, hence maximum car parking standards as set out in Table 6.2 in the Parking Addendum to this chapter should be the basis for considering planning applications.</p> <p>6.42 Parking policy, whether in terms of levels of provision or regulation of on- or off-street parking, can have significant effects in influencing transport choices and addressing congestion. 6.42 also states "Transport Assessments and Travel Plans for major</p>	<p>Conditions recommended, informatives included, and S106 obligations sought as requested</p>



Stakeholder	Question/Comment	Response
	<p>developments should give details of propose measures to improve non-car based access, reduce parking and mitigate adverse transport impacts. They will be a key factor in helping boroughs assess development proposals and resultant levels of car parking.</p> <p>Table 6.1 also states “Sustainable residential travel should be encouraged through the promotion of car free development, the use of car clubs, flexible working and active travel (walking and cycling)</p> <p>Local Plan SP1 sets out the Councils aspiration for growth in the Borough to meet and exceed the target of providing 8,200 homes by 2011-2021 (820 homes per annum), “SP1 states the Council will focus growth in the most suitable location, and manage it to make sure that the Council delivers the opportunities and benefits and achieve strong, healthy and sustainable communities for the whole of the Borough.</p> <p>SP4 Sets out Haringey’s aspiration for an environmentally sustainable borough and elaborates on the Council’s overall strategy for managing growth in Haringey with respect to Transport which includes “encourage development to use sustainable modes of travel by minimising car parking provision in new development; to increase cycle parking and encourage modal shift through travel planning and designing public realm to support non-car use.</p> <p>SP7 Transport (Delivering Regeneration and Access) seeks to located development in location with good access to public transport and so better integrate transport and land use planning. Adopting maximum car parking standards and “car-free” housing where feasible. 4.4.18 making private car more sustainable “for journeys where more sustainable travel option are not practical, car clubs and car share offer a alternative to privately owned cars.</p>	

Stakeholder	Question/Comment	Response
	<p>Saved UDP Policy M9, Car-Free Residential developments: This policy sets out the requirements for a carfree development, this is a development where the entire development will not have access to on street or off street car parking with the exception of disable car parking spaces which are normally require to be provided off street and is only for the use of wheel car units within the proposed development.</p> <p>The site is currently used as a car repair/ MOT car wash and valeting service of some 209 square metres, the applicant is proposing to redevelop the site to provide 9 residential units including (2x1 bed 2x 2bed and 5x 3 bed) and 209 square meters of (A1, A3, B1) with 8 car parking spaces in the basement of the proposed development.</p> <p>The applicant has provided trip generation forecast based on site obtained from the TAVL trip generation forecast database based on these site (Watson Hose &amp; Havilland House and Winchester Mew) based on the above sites the residential aspect of the development would generate a total of 9 in/out persons trips (3 in/out car trips) during the AM peak hour and 8 in/out persons trips (2 in/out car trips) during the PM peak hour. The existing site generates a total of 50-60 vehicular trips on a weekday and 65-75 trips on a Saturday and Sunday. We have considered that the residential aspect of the development will generate fewer trips when compared to the existing car repairs/ car wash. As the site is not located in the restricted conversion area maximum car parking standard applies, as such the car parking provision of 8 car parking spaces for 9 residential units is considered acceptable give the high car parking demand in the area surrounding the site, it is to be noted that the Council is in the process of consulting on the implementation of a new controlled parking zone (CPZ) in the area surrounding the site, in relation to the nearby St Luke's hospital development. The area</p>	

Stakeholder	Question/Comment	Response
	<p>of the new CPZ will include the roads bounded by Fortes Green Road to the north and Woodside Avenue to the south, Park Land Walk and Muswell Hill Broadway to the east, and the existing Fortis Green CPZ to the west. In addition, we have consulted the resident to the north of Fortis Green Road on the possible of expanding the CPZ to cover their area in the future; we will therefore be seeking a final contribution towards the consultation on the expansion of the CPZ to the north of Fortis Green Road. As the applicant is providing approximately 89% car parking provision on site we will require any approval to include a restriction on future resident's ability to apply for any on street car parking permit under any current or future traffic management order in relation to parking in the local area surrounding the site.</p> <p>The development includes some 209 square metres of flexible (A1, A3, B1) space, the applicant transport consultant has not submitted any trip generation information on the proposed flexible space, however given that the site has an existing use as garage (car repair/ car wash) the cumulative trip generation of the C3 residential combined with that of the flexible commercial space is likely to generate less trips when compared to the existing use, resulting in a reduction in the number of vehicular trips generated by the development. The applicant has not proposed providing any car parking space for the flexible commercial space, in terms of the space some 209 square metres the use which would result is likely to result in generation the highest level of parking is that of the B1 use. The Council's car parking standard requires B1 development located in an area with a low public transport accessibility level to provide a maximum of 1 car parking spaces per 600 square metres, which equates to 0.34 car parking spaces. In relation to the other uses A1 retail shop and A3 restaurants give the size of the development these uses are likely to generate trips from a local catchment area which are likely to be linked-trips by car or trips by</p>	

Stakeholder	Question/Comment	Response
	<p>sustainable modes of transport. We have therefore considered that the flexible commercial aspect of the development is unlikely to generate any significant residual car parking demand which would have and sever adverse impact on the local transportation and highways network.</p> <p>We agree with the applicants transport consultant assumption that given the combined size of the development (9 residential units and 209 square metre of commercial space) that the servicing requirement of the development will be low, and will be a maximum of 4 deliveries per day.</p> <p>The applicant is proposing to provide a total of 19 secured sheltered cycle parking space, the cycle parking will be provide within the basement for the flats all the houses will have dedicated cycle parking within the cartilage of the individual properties, the cycle parking provision is considered accessible and is in line with the London Plan (FALP 2015).</p> <p>The proposed car parking which is located within the basement of the development will be accessed via a 3 metre wide ramp, the ramp will not be able to facilitate two-way movement simultaneously, the applicant is proposing to implement a traffic management system, this must give priority to vehicles exiting off the highways network, in addition the proposed gates must be remote controlled, in order to reduce the dwelling time on the public highways. The access to the site will require the construction of the vehicular crossover and the reconstruction of the existing crossover to footways we will require the applicant to enter into a S.278 agreement for the reconstruction of the footways and the implementation of the new vehicular crossover.</p>	

Stakeholder	Question/Comment	Response
	<p>Reason: To mitigate the parking demand generated by this development proposal on the local highway network by constraining car ownership and subsequent trips generated by car, resulting in increased travel by sustainable modes of transport hence reducing the congestion on the highways network.</p> <p>1) The applicant will contribute by-way of a S.106/ S.278 agreement of Sum of 15,007 (fifteen thousand and seven pounds)</p> <p>a) The development will require the reconstruction of the vehicular crossover and the reconstruction of the footways as per Drawing No: FGH P A1 02, the cost of undertaking the works have been estimated at £7, 007,</p> <p>b) The applicant will be required to contribute a sum of £8,000 (eight thousand pounds) towards consultation on the expansion of the CPZ.</p> <p>2) A residential plan must be secured by the S.106 agreement, as part of the travel plans, the following measures must be included in order to maximise the use of public transport.</p> <p>a) The applicant must submit a mini-Travel Plan for each aspect of the Development and appoint a travel plan co-ordinator for the development to monitor the travel plan initiatives annually.</p> <p>b) Provision of welcome residential induction packs containing public transport and cycling/walking information like available bus/rail/tube services, map and time-tables to all new residents, travel pack to be approved by the Councils transportation planning team.</p> <p>c) Establishment or operation of a car club scheme, which includes at least 1 cars. The developer must offer free membership to all residents of the development for at least the first 3 years, and £50 (fifty pounds) car club credit for each unit, evidence of which must be submitted to the Transportation planning team.</p> <p>d) The developer is required to pay a sum of, £3,000 (three thousand pounds) per travel plan for monitoring of the travel plans;</p>	

Stakeholder	Question/Comment	Response
	<p>this must be secured by S.106 agreement.</p> <p>e) To provide Cycle parking in line with the 2015 London Plan (19 secure sheltered cycle parking spaces in total). Reason: To minimise the traffic impact generated by this development on the adjoining roads, and to promote travel by sustainable modes of transport.</p> <p>Conditions:</p> <p>1) The applicant will be required to provide details of the traffic management scheme to facilitate access to the basement car parking; in addition the applicant will be required to provide details on how access will be controlled to the car park which must be by remote control.</p> <p>Reason: To provide safe and quick access to the basement car park and to minimise any potential queuing on the public highways.</p> <p>2) The applicant/developer are required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the local authority's approval 3 months (three months) prior to construction work commencing on site. The Plans should provide details on how construction work (inc. demolition) would be undertaken in a manner that disruption to traffic and pedestrians on Fortis Green Road, Fortis Green Avenue and the roads surrounding the site is minimised. It is also requested that construction vehicle movements should be carefully planned and coordinated to avoid the AM and PM peak periods.</p> <p>Reason: To minimise the impact of the proposed development to the local highways network during the construction phase of the development.</p>	

Stakeholder	Question/Comment	Response
<p><b>Conservation Officer</b></p>	<p><b>Background:</b> The site falls within the Fortis Green Conservation Area. The applicant has submitted a Heritage Statement as part of the application in addition to plans and elevations. I have reviewed these from a conservation point of view along with other planning documents and have considered the impact of the development in accordance with the Council’s statutory duty as per Planning (Listed Buildings and Conservation Areas) Act, 1990. I have also been involved in pre-application discussions and site meetings with the applicant.</p> <p><b>Site significance:</b> This part of the conservation area is characterised by suburban and quiet residential streets with Edwardian terraces and Arts and Crafts style houses. At present the site is occupied by single storey warehouses. These are unkempt and do not contribute to the significance of the conservation area.</p> <p><b>COMMENTS</b> <b>Proposal for demolition of shop front to the front:</b> The contribution of the existing buildings is considered to be negative. As such there would be no objections to the proposed demolition.</p> <p><b>New development:</b> The scheme proposes a three storey block fronting Fortis Green with a landscaped courtyard to rear and a group of townhouse terrace. From a conservation point of view, the new development fronting Fortis Green would be considered a significant improvement to the character and appearance of the conservation area and would be acceptable in principle. However, it is considered that the front block could have been designed in a more contemporary manner so that there was architectural unity with the proposed terrace to the rear. The new block appears to be a half hearted attempt to interpret the Arts and Crafts details in</p>	<p>Noted</p>

Stakeholder	Question/Comment	Response
<p><b>Pollution Officer</b></p>	<p>a contemporary manner. Notwithstanding that, the proposed development would be considered to be an enhancement to the conservation area and would accord with the Council's statutory duty. The terrace to the rear is considered to be modern and contemporary, reflecting the prevalent London vernacular in a historic context. This part of the scheme would also enhance the conservation area and its setting and would be acceptable.</p> <p><b>CONCLUSION</b> As per the Council's statutory duty and in context of the Barnwell Manor case, it is considered that the proposed works would not cause some harm to the conservation area and would enhance it. There are heritage benefits of redeveloping this site which at present does not contribute to the conservation area. As such, the proposal is acceptable with the following condition:</p> <p>1. All materials including external cladding, metal and any masonry should be submitted to the Council for approval.</p> <p><b>Contaminated land: (CON2)</b> A site investigation has determined that there are elevated levels of lead and Hydrocarbon in the made ground. Underground storage tanks and associated pipework remain in situ. Ground gas monitoring has determined the site to be classified as CS2. However the redevelopment proposal contains basement areas, thus the contamination will be removed from the site. Excavation and removal offsite of the contaminated material is remediation works. Verification will be required; therefore I recommend the following condition;</p> <p>CON2 :</p>	<p>Conditions recommended, informatives included</p>



Stakeholder	Question/Comment	Response
	<p>Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.</p> <p>Reason To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.</p> <p>Combustion and Energy Plant: Prior to installation, details of the Ultra Low NOx boilers for space heating and domestic hot water are to be forwarded to the Local Planning Authority. The boilers to be provided for space heating and domestic hot water shall have dry NOx emissions not exceeding 20 mg/kWh. Reason: To protect local air quality.</p> <p>Prior to commencement of the development, details of the CHP must be submitted to evidence that the unit to be installed complies with the emissions standards as set out in the GLA SPG Sustainable Design and Construction for Band B. Reason: To Comply with Policy 7.14 of the London Plan and the GLA SPG Sustainable Design and Construction.</p> <p>Management and Control of Dust: No works shall be carried out on the site until a detailed Air Quality and Dust Management Plan (AQDMP), detailing the management of demolition and construction dust, has been submitted and approved by the LPA. The plan shall be in accordance with the GLA SPG Dust and Emissions Control and shall also include a Dust Risk Assessment.</p>	

Stakeholder	Question/Comment	Response
<p data-bbox="176 854 443 891"><b>Building Control</b></p> <p data-bbox="176 1292 506 1330"><b>Carbon Management</b></p>	<p data-bbox="569 269 1226 306">Reason: To Comply with Policy 7.14 of the London Plan</p> <p data-bbox="569 342 1383 444">Prior to the commencement of any works the site or Contractor Company is to be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA.</p> <p data-bbox="569 485 1226 522">Reason: To Comply with Policy 7.14 of the London Plan</p> <p data-bbox="569 558 1383 761">As an informative: Prior to demolition or refurbishment of existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.</p> <p data-bbox="569 842 1383 976"><b>The planned basement</b> with shallow underground parking and residential use-age about 3.5-4m below ground does not seem to present any problems. The ground falls to the south but is away from water courses and currently has commercial a use.</p> <p data-bbox="569 984 1383 1117">The fully enclosed box structure whilst being close to neighbouring buildings-likely used as offices and industrial units- should not be adversely affected by the proposals with minimal disturbance to existing adjacent foundations and services.</p> <p data-bbox="569 1162 1383 1227">The impact of the proposals therefore seem to be basically all positive</p> <p data-bbox="569 1273 1383 1406"><b>The carbon management team</b> would not object to this application subject to the imposition of the following;</p> <ul data-bbox="621 1338 1383 1406" style="list-style-type: none"> <li>- Planning conditions for the development to be constructed in strict accordance with the details of the submitted</li> </ul>	<p data-bbox="1394 878 1482 902">Noted</p> <p data-bbox="1394 1305 1717 1330">Conditions recommended</p>

Stakeholder	Question/Comment	Response
<p data-bbox="184 1182 550 1252"><b>Waste Management Team</b></p> <p data-bbox="184 1328 411 1365"><b>Design Officer</b></p>	<p data-bbox="667 233 1383 302">Energy Strategy report and shall achieve the agreed carbon reduction of 35% reduction beyond BR 2013;</p> <ul style="list-style-type: none"> <li data-bbox="621 315 1383 427">- Planning condition to ensure the development is in strict accordance with the details of the submitted Sustainability statement and shall provide the following evidence; <ul style="list-style-type: none"> <li data-bbox="716 480 1383 711">○ A Site Waste Management Plan (SWMP) including a pre-refurbishment audit to determine how to maximise the recovery of materials from the refurbishment for subsequent high-grade/value applications and demonstration that these have been delivered;</li> <li data-bbox="716 724 1383 836">○ Contractors will show the site has registered with the Considerate Constructors scheme and followed best practice;</li> <li data-bbox="716 849 1383 917">○ All concrete, bricks and slate will be BES:6001 certified to ensure responsible sourcing;</li> <li data-bbox="716 930 1383 959">○ All timber used in construction will be FSC certified.</li> <li data-bbox="716 972 1383 1040">○ The development has included at least two park bays designated EV recharging points.</li> <li data-bbox="716 1053 1383 1122">○ The development will include wildlife attracting measures such as bird boxes and log piles</li> </ul> </li> </ul> <p data-bbox="571 1162 1383 1230"><b>The Waste Management team</b> raise no objection to the revised ground floor plan (FGH P A1 02A) and waste collection strategy</p> <p data-bbox="571 1268 1383 1365">I have been asked to; a) comment on the applicants' Daylight and Sunlight Assessment for their proposals; and b) comment generally on the design.</p>	<p data-bbox="1402 1195 1913 1263">Ground floor plan updated and conditions recommended,</p> <p data-bbox="1402 1300 1486 1330">Noted</p>

Stakeholder	Question/Comment	Response
	<p>Daylight and Sunlight Assessment</p> <p>The applicants' consultants Point 2 Surveyors LLP have prepared a daylight and sunlight assessment of the proposals, assessing the loss of daylight and sunlight to windows of neighbouring properties and loss of sunlight to gardens and open spaces to the proposal and neighbouring sites (dated December 2015). Following earlier comments, their report has been updated (dated April 2016), to include additional information to enable a full check on the report and more detailed analysis of certain neighbouring properties.</p> <p>Their report has been prepared fully in accordance with the BRE guidance "Site Layout Planning for Daylight and Sunlight – A guide to good practice" (Littlefair, 2011). In particular the report has been updated with information provided on window numbering and room use in the former Alexandra Public House (directly opposite and to the north of the site), no. 111-113 (immediately to the east of the application site) and no 111A. In addition, following information from residents, analysis has been done to recent extensions to Bomarsund (nos. 6 &amp; 7 Fortis Green Cottages, including its conversion of and extension into the former shop at no. 94 Fortis Green, all opposite the application property to the west of the Alexandra, to the north-west of the application site) and to no. 6 Annington Road (to the south of the application property, where a rear single storey extension comes closer to the boundary).</p> <p>The 1<sup>st</sup> report indicated that 10 windows in 111-113, particularly those facing the application site and particularly those on the ground floor, would lose daylight, by Vertical Sky Component (VSC), to an unacceptable degree. The revised study finds that six of those windows were not to habitable rooms, two are to large rooms with other windows so that those rooms' total level of daylight would remain</p>	

Stakeholder	Question/Comment	Response
	<p>acceptable. The remaining two are to bedrooms; one on the ground floor and one on the first. However they are large windows and the applicants' report shows that their No Sky Line (NSL) values would remain acceptable. In my view the loss of daylight to these rooms is further justifiable given that the conversion of this property was, I believe, by permitted development; the planning authority did not therefore have an opportunity to check whether that proposed conversion (to 111-113) would produce adequate daylighting levels, both as the site conditions then and under the reasonable expectation that a street-lining development would be likely on the site of this application.</p> <p>The other property that would have a significant loss of daylight from the application proposal, as assessed in both the original and revised studies, is no. 111A Fortis Green, the mews house behind 111- 113, to the south-east of the application site, directly to the east of the proposed mews houses in this application. Both studies assess that just one window would be significantly affected; the references added to the revised study show it is a ground floor window in the single-storey, slightly-recessed, lean-to element to its side, right beside the application site. The size and function of the room lit by this window remains unknown. However only the VSC reduction exceeds the BRE standard; due to the size of the window the NSL suggests daylight levels would be unchanged. My assessment is that the property is in a backland mews type of site that must expect to have compromised levels of daylight, but that only one window would be adversely affected, and only on one measurement, in the absence of knowledge of its use and given that all other windows in the house are not affected, the loss is not unreasonable.</p> <p>In the original report only one other property was assessed to</p>	

Stakeholder	Question/Comment	Response
	<p>have any noticeable effect on its daylight as a result of the application proposals, the former Alexandra Public House, and the assessment of this property is unchanged in the updated report. The four windows affected would have a minor but noticeable loss of VSC, but they are not the only windows to serve these rooms; mean values of VSC across all windows for each room could show the proposals were acceptable, but I am prepared to accept that is likely to be the case, especially as the NSL is unchanged. It is also significant to me that the planning authority refused planning permission for conversion of the pub to residential, which was only allowed on appeal. It is not reasonable to expect high residential amenity standards on the ground floor of properties that push up to the edge of the pavement, which is one reason why non residential uses are preferred in such locations.</p> <p>No other windows to properties close to the application site are assessed as having any noticeable or significant loss of daylight due to the proposed development, and no windows to neighbouring properties or neighbouring external amenity spaces are assessed as having any noticeable or significant loss of sunlight. This was the consistent result in both the 1<sup>st</sup> and 2<sup>nd</sup> reports and I can see no reason to doubt these conclusions. Furthermore, regarding the additional windows tested to Bomarsund and 6 Annington Road, I am satisfied that they have shown these windows would also not experience an unacceptable loss of daylight or sunlight.</p> <p>Design Comments In my view the proposals are broadly acceptable and a good design response to a sensitive site. The location is in the Fortis Green Conservation Area and at a distinctive section of Fortis Green (the street) where the pattern of uses and urban form give it the feeling of being a “village centre”. There are</p>	

Stakeholder	Question/Comment	Response
	<p>several retail and other public facing non residential uses in the immediate vicinity, contrasting sharply with the overwhelmingly residential surrounding area, and making the street active and vibrant, so it is important and to be welcomed that the proposal includes employment use with active frontage covering the majority of the street frontage.</p> <p>Furthermore, the urban form is broken into a series of disparate buildings and small blocks, contrasting with the long terraces, repeating detached or semi-detached houses or larger flatted blocks of the surroundings. There are a variety of relationships to the street at this node point but many buildings are pushed up to or close to the pavement edge creating sense of urban enclosure, adding in physical form to the sense of a village centre. The main, street facing element of the proposal is not so large as to be out of scale with these buildings, in my view it is of slightly smaller scale than the next-door-but-one former police station building, the largest existing building within this notional village centre, and therefore contributes to reinforcing this distinct local node of activity and active urban form.</p> <p>The existing site, along with a couple of other sites in this village centre, whilst providing active non residential use, undermine the sense of enclosure of Fortis Green and the village centre in particular, with large hard paved forecourts and low single storey buildings. Therefore I welcome the proposal for providing a greater sense of enclosure with a more substantial building, closer to the pavement edge. This is characteristic of some of the existing neighbouring buildings that I contend make a positive contribution to the character of the location, particularly immediate neighbour at nos. 111-113, the former police station and short row of shops beyond; although other older buildings, such as the Clissold Arms and former Alexandra public houses and neighbouring</p>	

Stakeholder	Question/Comment	Response
	<p>cottages, retain a lower, less urban presence, yet with still a good sense of enclosure. The Fortis Green village centre can therefore be characterised as being made up of built form of three different characters; urban scale 2-4 storey buildings providing a good sense of enclosure, “cottagey” 2 storey buildings that still provide a decent sense of enclosure, and shed-and-yard scale buildings and spaces that provide a poor sense of enclosure. The main, street facing element of the proposal can therefore be described as replacing a site of poor character with a building of more appropriate character.</p> <p>The existing use of the site, for open-air car washing, causes significant disturbance, noise and pollution to surrounding residents. Therefore the proposed replacement non residential use of business or office (flexible, classes A1/A3/B1) units will be less of a disturbance to the neighbourhood.</p> <p>The overall plan and massing is of a larger 2-3 storey-with-inhabited-roof building, of a single, composed design, on the main road frontage and somewhat smaller, but also 2-storey-with-inhabited-roof mews style houses, designed as four repeating but individual elements. The basic formal move of street facing building with “mews” space behind and mews facing buildings facing that is consistent with other neighbouring development patterns including immediate neighbour nos. 111-113, its other neighbour the former police station at no. 115 and Fortis Green Cottages, behind the Alexandra Public House opposite.</p> <p>The height, bulk and scale of both the street facing “main” building and mews houses behind are both towards the higher end of neighbouring precedent but this is appropriate in view of the greater density of contemporary development, at a time</p>	



Stakeholder	Question/Comment	Response
	<p>of unprecedented housing need and house prices at this stage in London's development, a very different social context to that when existing neighbours were built.</p> <p>The design of the street facing main building is of a "stripped back", modern reinterpretation of an Arts &amp; Crafts or "English Free Style", composed but asymmetric design that achieves harmony and elegance whilst maintaining a sense of informality; in this it references the former Police Station, a classic of its type of police stations by former Norman Shaw collaborator John Dixon Butler for the Metropolitan Police, around the end of the 19<sup>th</sup> and beginning of the 20<sup>th</sup> century, as well as the Grade II Listed "The Gables" and "Birchwood Mansions" further East along Fortis Green; very distinctive "Arts and Crafts" or "Jugendstil" inspired blocks of private flats, dating from 1907, by Herbert and William Collins architects.</p> <p>The asymmetric composition places a prominent, projecting, 3 storey gable towards the western end of the street elevation, reminiscent of that in the former police station, but in my view better composed with window sizes diminishing with each floor from wide, shopfront style ground floor to tiny paired arrow slits high in the gable. Fenestration to either side and to the rear similarly grades with rising floors, with another distinctive feature being the projecting corner oriel window at its north-eastern corner, particularly referencing the Collins buildings. However the proposals do not attempt to imitate lost crafts and decorative detail as would be found in those 19<sup>th</sup> and early 20<sup>th</sup> century buildings, but details individual elements in a stripped, minimalist style appropriate for modern construction in contemporary materials.</p> <p>Decorative brick panels extend the apparent opening sizes, especially on the 1<sup>st</sup> floor, an important detail</p>	

Stakeholder	Question/Comment	Response
	<p>that adds to its architectural richness and improves the elevational composition. It would perhaps be preferable from an architectural composition point of view and to more accurately reference precedents, for the base to be more strongly emphasised and for gradation of floor heights from a higher ground floor to progressively lower floor to ceiling heights up the building. But that would be inconsistent with the proposed uses, of essentially equivalent importance of every floor, and the architectural manipulation of the fenestration proposed goes some way to achieve a gradation of floors and a balanced elevational composition.</p> <p>However, to be successful the proposal will have to be finely detailed, especially the projecting windows, lead clad dormers, and gable parapets and to use high quality materials, especially facing brick. These can be secured by condition. The remaining portion of the proposal is the terrace of “mews” style townhouses towards the back of the site. For these a similar language is proposed; of stripped-down, minimalist, modernist detailing to a strong, gable ended design that references traditional archetypes of residential design, but without obviously referencing local precedents. This is appropriate; the mews houses will not have a public face except in that they will be potentially glimpsed through the block entrance.</p> <p>Use of louvres and obscured glass to upper floor windows avoids these houses being either the source or victim of overlooking despite their proximity to the main building of this proposal and to existing neighbouring houses to the south and east. This does not mean though that habitable rooms on the upper floors lack any view out; 1<sup>st</sup> floor bedrooms have projecting oriel windows with clear glazing in one side to give controlled, angled long views that do not permit overlooking, whilst 2<sup>nd</sup> floor master bedrooms, in the roof, have</p>	

Stakeholder	Question/Comment	Response
	<p>terraces cleverly cut into the roof pitch, providing a private but open outlook and outdoor space.</p> <p>Extensive basements are proposed, not just for each block but generally under the whole site, with the car park under the private communal mews space and part of the main building, the rest of the main building including the ramp to the car park being underlain with further space for the commercial unit, and the mews houses dining kitchen and private rear gardens, all taking parts of a proposed site wide dig-out to basement level. Care will be required that construction methods are sound, but there is no history of significant basement construction or problems from that in the Fortis Green area of the borough (unlike for instance in Highgate). I am confident that the proposed basements to both the mews houses and commercial units will have adequate daylight and outlook as befits their proposed function.</p> <p>The landscaping between the blocks forms the frontage and approach to the mews houses, and a shared private communal garden for all the houses and flats. The proposed landscaping is more elaborate and lush than a simple mews court, but this allows the space to be divided up into areas clearly belonging to and providing additional privacy for the individual houses, and cleverly disguises the ramp down into the basement car park. The timber and wire pergolas allow landscaping to rise where that would otherwise be difficult, it being underlain with a basement (although the tree shown on their plans appears optimistic given this!). It is also to be welcomed that the prominent street tree in the pavement directly in front of the application site is to be retained and protected, including retreating the basement commercial space from the root protection zone.</p>	

Stakeholder	Question/Comment	Response
<p><b>EXTERNAL</b></p> <p><b>Thames Water</b></p>	<p>Waste Comments</p> <p>Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.</p> <p>'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.</p> <p>Permit enquiries should be directed to Thames Water's Risk</p>	<p>Informatives included</p>

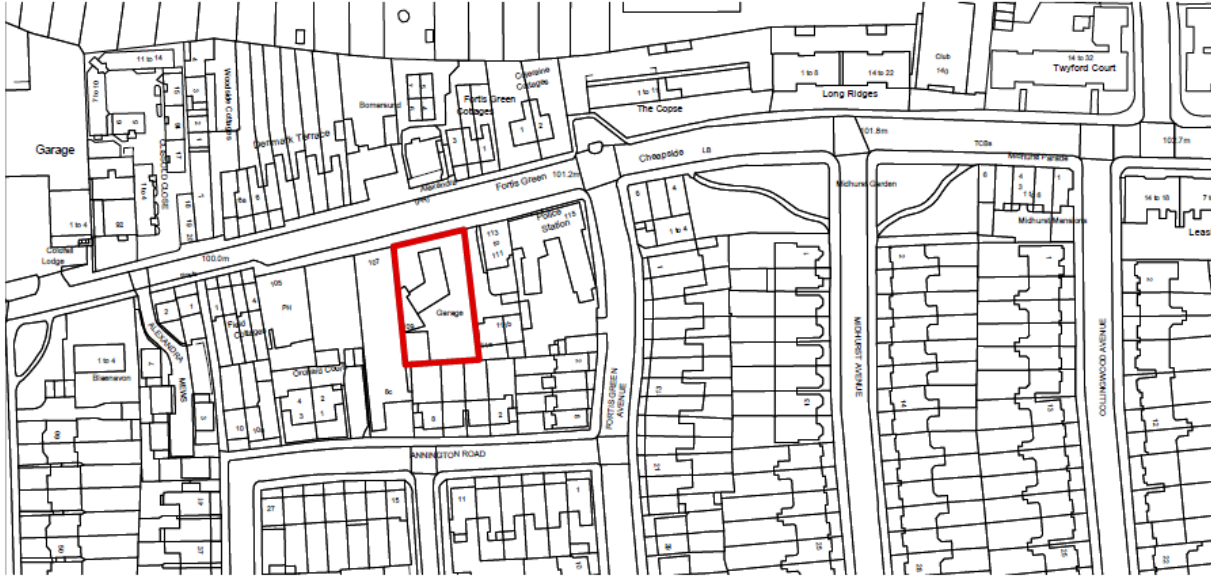
Stakeholder	Question/Comment	Response
	<p>Management Team by telephoning 02035779483 or by emailing <a href="mailto:wwqriskmanagement@thameswater.co.uk">wwqriskmanagement@thameswater.co.uk</a>. Application forms should be completed on line via <a href="http://www.thameswater.co.uk/wastewaterquality">www.thameswater.co.uk/wastewaterquality</a>.”</p> <p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p> <p>Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.</p> <p>Water Comments Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development. On the basis of information provided,</p>	

Stakeholder	Question/Comment	Response
<p><b>Environment Agency</b></p> <p><b>Transport for London (TFL)</b></p>	<p>Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.</p> <p>No objection</p> <p>Thank you for consulting Transport for London regarding the above mentioned application. Given that the site is not on Transport for London Road Network or Strategic Road Network, nor will it have any strategic implications on TfL's transport network, TfL have no comments regarding this application at this time.</p>	
<p><b>NEIGHBOURING PROPERTIES</b></p>	<ul style="list-style-type: none"> <li>• Scale of the development</li> <li>• Parking pressure and congestion</li> <li>• Pedestrian safety</li> <li>• Lack of parking provision for the commercial element</li> <li>• The parking proposed for the scheme is insufficient</li> <li>• The area is already over-developed</li> <li>• The proposed roofline would overshadow the former Alexandra Pub and Denmark terrace opposite</li> <li>• Extent of basement development would cause structural problems</li> <li>• Significant excavation</li> <li>• Daylight/sunlight concerns to properties on Annington Road</li> <li>• Loss of sunlight to the property opposite at</li> </ul>	<p>Noted</p>

Stakeholder	Question/Comment	Response
	<p>Bomarsund</p> <ul style="list-style-type: none"> <li>• Loss of light to 111a Fortis Green</li> <li>• Out of character with the surrounding properties</li> <li>• Overbearing due to its height and position on the pavement</li> <li>• Overshadowing impact</li> <li>• Overlooking/loss of light regardless of the privacy screens proposed</li> </ul>	

# Appendix 2 Plans and Images

## Location Plan







View of 109 Fortis Green, looking east the site



View of 109 Fortis Green, looking west the site



Three storey brick building (to the east side)



Existing Car wash on 109 Fortis Green



Existing passage to the rear of the site



Existing passage to the car wash



Existing Car wash on 109 Fortis Green



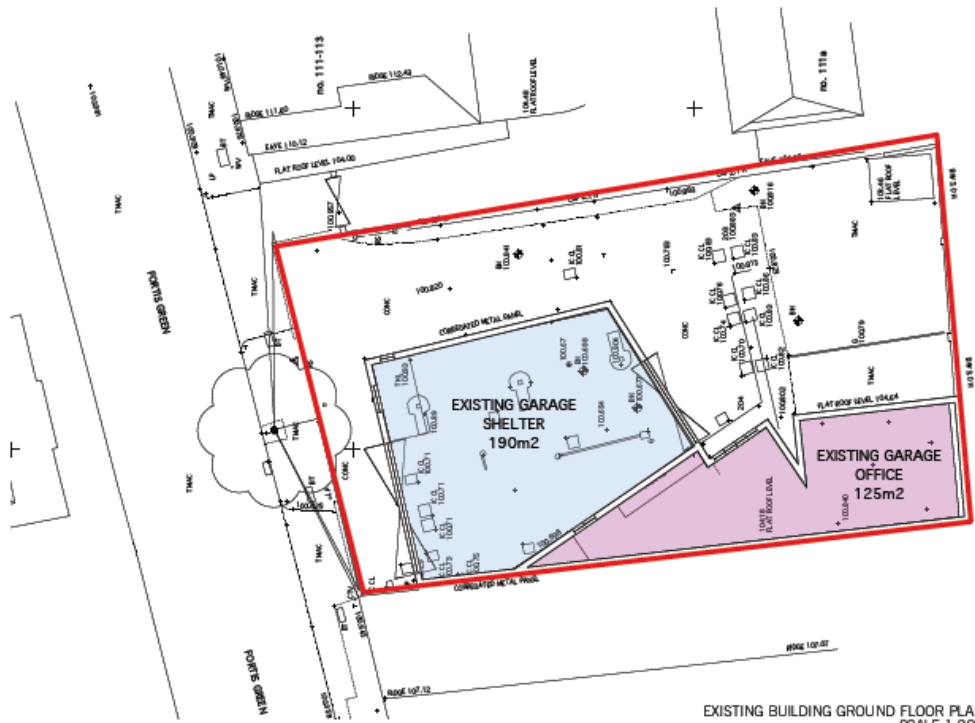
Commercial & Residential three storey dwellings on the east side



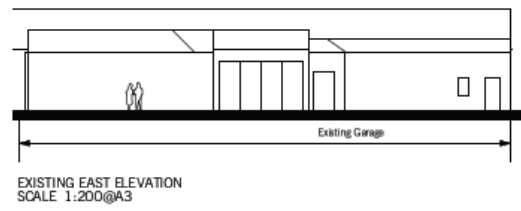
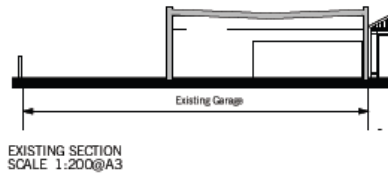
Single Storey Warehouse (to the west side)



The Cloaked Arms Pub on the west side



EXISTING BUILDING GROUND FLOOR PLAN  
SCALE 1:200



0 5 10m



**CHASSAY**  
**LAST**

109 Fortis Green, London N2 9HR Site Plan 1:500@A3

FGH A1 00





POINT (37.5%)  
 ARGING POINT (25%)

**109 Fortis Green, London N2 9HR**

Proposed Basement Plan 1:200 @ A3



109 Fortis Green, London N2 9HR

Proposed Ground Floor Plan 1:200 @ A3

FGH P A1 02A





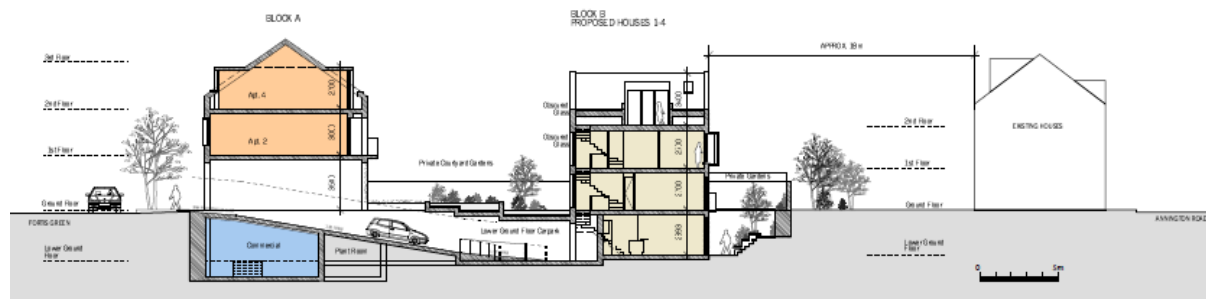


AY  
10/11/2023

109 Fortis Green, London N2 9HR

Proposed North Elevation Block B (Houses) 1:100@A3

FGH P A2 05



HASSAY  
LAST  
10/11/2023

109 Fortis Green, London N2 9HR

Proposed Section AA 1:200 @ A3

FGH P A3 01



**Appendix 3 QRP Note**



**CONFIDENTIAL**



**London Borough of Haringey Quality Review Panel**

Report of Chair's Review Meeting: 109 Fortis Green

Wednesday 15 July 2015

River Park House, 225 High Road, London, N22 8HQ

**Panel**

Selina Mason (chair)  
John Lyall

**Attendees**

Valerie Okeiyi	London Borough of Haringey
Richard Truscott	London Borough of Haringey
Nairita Chakraborty	London Borough of Haringey
Deborah Denner	Frame Projects

**Apologies / report copied to**

Stephen Kelly	London Borough of Haringey
Emma Williamson	London Borough of Haringey
John McRory	London Borough of Haringey

**Confidentiality**

This is a pre-application review, and therefore confidential. As a public organisation Haringey Council is subject to the Freedom of Information Act (FOI), and in the case of an FOI request may be obliged to release project information submitted for review.

Report of Chair's Review Meeting  
15 July 2015  
HQRP10\_109 Fortis Green

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### 1. Project name and site address

109 Fortis Green, London, N2 9HR

### 2. Presenting team

Malcolm Last	Chassay Last Architects
Maciej Gutowski	Chassay Last Architects
Karim Ayoub-Agha	KA Investments and Development Company Ltd
Liz Stephen	Heritage Collective
Rebecca Rogers	DP9 Ltd

### 4. Planning authority's views

Planning officers support the principle of residential led development of this site, but have been discussing a number of issues with the design team. Gym use is proposed for the ground floor accommodation on Fortis Green, whereas planning officers feel B1 or A3 use could be more appropriate. Officers asked the panel to comment on the density of development, particularly in relation to overlooking between the new apartment and mews houses.

### 5. Quality Review Panel's views

#### *Summary*

The Quality Review Panel supports the layout and massing of development proposed for this site, providing apartments on Fortis Green, with commercial use at ground level and mews houses accessed via a shared courtyard. The panel also welcomes the simple, elegantly proportioned design of the Mews Houses, with textured brick providing subtle decoration. The apartments on Fortis Green are intended as a pastiche of nearby Arts and Crafts mansion blocks. The panel think a simpler approach would be more successful. There is also scope to improve the landscape design of the courtyard, and minimise the impact of the car park ramp. More detailed comments are provided below on the site layout, architecture and landscape design.

#### *Site layout*

- Whilst the development proposes relatively dense development of the site, the panel think the layout of the apartment block and mews is successful.
- The main challenge that the tight layout presents is the distance between windows where the mews houses face apartments across a courtyard.
- The distance between facades is slightly less than the minimum overlooking distances recommended by Haringey policy. However, the panel think this can be addressed through detailed design of windows.

Report of Chair's Review Meeting  
15 July 2015  
HQRP10\_109 Fortis Green



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- Where frosted glass is proposed, it should be possible to provide high level clear glass at high level to give views of the sky.

### *Architecture*

- The mews houses promise robust, well-proportioned architecture, drawing inspiration from the character of buildings in the surrounding area, in simplified form.
- The panel would encourage the architects to explore similarly contextual contemporary architecture for the mansion block on Fortis Green, rather than the historic pastiche currently proposed.
- It is more likely that a simplified architecture will be delivered to a high quality on site.
- Entrances to both the flats and mews houses are via a narrow passage leading from a gate on Fortis Green to the courtyard.
- The panel thinks a more generous, thoughtfully detailed entrance from Fortis Green could enhance both the architecture and the arrival experience for residents.
- One option would be to create a generous entrance hall, which celebrates the design of the apartment staircase, and also gives access to the courtyard.
- Careful integration of signage for the commercial unit will also be important to the quality of the development at street level on Fortis Green.

### *Landscape design*

- The landscape design of the courtyard requires further thought, to maximise its quality and value for residents.
- This work should include explorations of ways in which the car park ramp can be screened from view, either by fully enclosing it, or screening it with a pergola.
- It may be that this relatively small space, providing access to 4 mews houses, as well as the apartments, would be most successful as a predominantly hard landscape.
- The panel also think the building line should follow the site boundary to the east, to avoid leaving a slither of planting that no one maintains.

### *Next steps*

- The panel is confident that the project team will be able to address the points above, in consultation with Haringey officers.

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15 July 2015  
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