

## **REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

**Reference No:** HGY/2008/1054

**Ward:** Tottenham Green

**Date received:** 13/05/2008

**Last amended date:** N / A

**Drawing number of plans:** 2000, 2001, 2002, 2003, 2100, 2101, 2102, 2103 & 2200.

**Address:** 97 - 99 Philip Lane N15

**Proposal:** Retention and rebuilding of existing fire damaged building, including two storey extension to rear to provide 6 x 1 bed flats, 2 x 2 bed flats and 2 x 3 bed flats

**Existing Use:** Vacant Residential

**Proposed Use:** Residential

**Applicant:** Mr Azhar Kahn

**Ownership:** Private

### **PLANNING DESIGNATIONS**

Conservation Area

Road Network: Classified Road

**Officer Contact:** Stuart Cooke

### **RECOMMENDATION**

GRANT PERMISSION subject to conditions and subject to S106 Legal Agreement

### **SITE AND SURROUNDINGS**

The application site comprises the front part of the site of Nos.97-99 Philip Lane. The site comprises the original houses and part of the rear garden. The rear garden has been divided into two in the past, and the rear part is derelict and used for informal parking and fly tipping.

The application building comprises a pair of semi detached dwellings on the end of a group of three similar pairs. As a group, these houses form an important element to the appearance of the Clyde Circus conservation area and contribute greatly to its character and appearance. The application building is now severely fire damaged and a dangerous structures notice has been served on the building. Since the application was lodged, further fire has occurred which has caused considerable additional damage to the fabric of the building.

The site is located in the Clyde Circus conservation area. The surrounding area is generally residential, characterised by mid to late Victorian properties with newer infill developments in places. To the west of the site is a modern development of three storey flats named Stowe Place. There is a small wooded area to the south of the site behind the properties fronting Clyde Circus.

## **PLANNING HISTORY**

Various applications have been refused in the past for extensions to these properties. Most recently, in 2007, planning permission was refused for the rebuilding of this building as 12 self contained flats, (HGY2007/2221).

A separate planning application was also submitted at that time for the residential redevelopment of the site to the rear as a 3-storey block of 6 x 1-bed flats, (HGY2007/2224). This application was also refused.

## **DETAILS OF PROPOSAL**

This application seeks planning permission for the rebuilding and refurbishment of the main building and the erection of a two storey extension to the rear. The rebuilding and refurbishment of the main building is intended to restore the building as closely as possible to its original state. The basement will be converted to provide two additional flats with lightwells to front and rear. The proposed extension to the rear will provide four flats.

The scheme is car free.

## **CONSULTATION**

Ward Councillors

Tottenham Conservation Area Advisory Committee

English Heritage

Conservation Team  
Transportation

Cleansing  
Building Control  
Design  
Met Police  
Fire Brigade

61-79, 89-109 Philip Lane  
118-174 Philip Lane  
1-9 Stowe Place  
25, 26, 27 Jansons Road

## **RESPONSES**

Tottenham Conservation Area Advisory Committee – Object.  
Overdevelopment, out of keeping with the conservation area.

English Heritage – to be dealt with locally

Conservation Team – satisfied with the revised proposal subject to appropriate conditions.

Transportation – no objection subject to S106 contribution to local transport infrastructure.

No responses have been received in relation to this scheme. However, a number of responses were received from local residents relating to the previous proposal. These all supported the restoration of the original building, the objections then related primarily to the proposed additional block proposed to the rear of the site fronting Jansons Road.

## **RELEVANT PLANNING POLICY**

The Council's new Unitary Development Plan was adopted by the Council in July 2006 following its Public Inquiry and modifications procedures. It complies with relevant national policy guidance and the London Plan. The principal policies which are relevant to this case area set out below.

### **CSV1: DEVELOPMENT IN CONSERVATION AREAS**

National policy on Conservation Areas and Listed Buildings is found in PPG15: Planning and the Historic Environment. This places a requirement on Local Planning Authorities to pay special attention to preserving or enhancing the historic environment. Haringey has 28 conservation areas and over 350 listed buildings. Heritage conservation is recognised as a key factor in facilitating urban regeneration and promoting civic pride.

A key objective of conservation policy is to preserve or enhance the character and appearance of conservation areas.

## CSV5: ALTERATIONS AND EXTENSIONS IN CONSERVATION AREAS

The Council will require that alterations or extensions to buildings in Conservation Areas preserve or enhance the character of the Conservation Area.

They should generally be confined to the rear or least important facades and should not upset the scale or proportions of the building, or adversely affect the character or setting of neighbouring buildings. Extensions and alterations should retain traditional characteristic walls, gardens and urban grain where these form part of a local pattern or add local visual character for neighbouring or adjoining occupiers, or where their retention protects historic character. New development, alterations or extensions to buildings in conservation areas will be expected to use traditional or other durable natural materials that preserve or enhance the character and appearance of the conservation area.

## UD3: GENERAL PRINCIPLES

New development in the borough should complement the existing pattern of development in that part of Haringey. The policy aims to ensure that future development in the borough will not worsen the quality of life for those living and working in Haringey.

## UD4: QUALITY DESIGN

The Council wishes to support good and appropriate design, which is sustainable, improves the quality of the existing environment, reinforces a sense of place and promotes civic pride.

The Council considers that people deserve a safe environment in which they can live and move around without fearing that they might be a victim of crime. This is an important component of peoples' quality of life. Good design of buildings and their relationship with their environment affects the perception of an area, as well as the opportunity for disorderly or criminal behaviour.

Any proposals for developments and alterations or extensions, which require planning permission or listed building consent, will be expected to be of high design quality.

## M9: CAR FREE RESIDENTIAL DEVELOPMENT

Residential development without car parking provision is only likely to be viable where there are alternative and accessible means of transport available, in particular a good level of public transport accessibility. New residential development without car parking would support Council policies to reduce dependency on the private car and encourage other modes of transport. The Council will negotiate car free development where appropriate.

## UD8: PLANNING OBLIGATIONS

The Council will enter into planning agreements with developers in accordance with ODPM Circular 05/2005 "Planning Obligations". Planning obligations are used to lessen any adverse impact a development may cause, enhance the local environment or contribute towards local facilities. All obligations are intended to benefit the local community and ensure that any potential adverse impact of a development is minimised. General and specific guidance on planning obligations is contained in supplementary guidance, including Planning Obligations SPG10a.

SPG1a – Design Guidance (adopted 2006)

SPG2 – Conservation and Archaeology (draft)

SPG3a – Density, Dwelling Mix, Floorspace minima, Conversions, Extensions and Lifetime Homes (adopted 2006)

SPG10a – The Negotiation, Management and Monitoring of Planning Obligations

SPG10b – Affordable Housing

## **ANALYSIS / ASSESSMENT OF THE APPLICATION**

Policies CSV1 and CSV5 seek to preserve and enhance the character and appearance of the conservation area in line with national guidance. The scheme as revised proposes i) the repair and refurbishment of the main building, and ii) the erection of a 2-storey extension to the rear.

With regard to the first element, the refurbishment of the main building is welcomed. The building is currently in a very poor state of repair, having suffered from two separate fires. The main façade is however, largely intact as are the flank walls. The rear walls are very badly damaged and the roof has been completely destroyed. The approach of this scheme is to repair and, where necessary, replace the external shell of the building and to match the new elements as closely as possible to the original. This approach is in line with national and local guidance regarding buildings in conservation areas as set out in policies CSV1 and CSV5 of the Unitary Development Plan 2006. In particular, the curved rear wall of the eastern wing will be repaired which is an important feature of the building.

In terms of revisions to the previous scheme, the central portion of the rear wall is moved back by approximately 3 metres to allow the 3-bed units in the

main building to meet the Councils floorspace standards. The roof to the rear is sloped out to accommodate this extension. This will not however be visible from the public domain and so will not adversely affect the conservation area.

In order to allow light to the lower ground floor units, lightwells will be created to the front and rear of the building. It is considered the front garden is sufficiently large to accommodate the proposed lightwell without it being detrimental to the appearance of the conservation area. The rear lightwell is contained between the existing and proposed rear extensions and so will not be visible from the public realm.

With regard to the rear extension, this has been reduced in length compared to the refused scheme so that it is approximately 5 metres from the rear boundary. This reduces the impact of the extension on the surrounding areas and allows a greater proportion of the rear garden to be retained. To compensate for this, the rear extension is widened on the west side, but this is set well back from the front of the building and will not adversely affect the appearance of the building from the street. In addition, the pitched roof structures have been removed from the extension, which also has the effect of reducing the bulk of the extension. The design and appearance of the proposed extension is designed to match as closely as possible the materials, finishes and appearance of the original building.

As such, the physical works proposed to be carried out to the building are considered to be satisfactory and as such comply with the requirements of policies CSV1, CSV5, UD3 and UD4 of the Unitary Development Plan 2006.

In considering the flats to be created, the mix of units complies with the requirements set out in SPG3a. Of the 12 flats in total, two are 3-bed and two are 2-bed units. One of the 2-bed and one of the 3-bed are located on the ground floor and have direct access to the garden. All the units meet the Councils floorspace and layout standards with the exception of the proposed units in the roofspace. This is due to the confines of the particular shape of the roof. However, whilst these units do not meet the space standards, they are well laid out and are regarded as providing a satisfactory standard of accommodation. As such the proposal is considered to meet the requirements of SPG3a.

The scheme is proposed to be car free. The Transportation Group consider that the site is located in an area of medium public transport accessibility and is within a CPZ. As such, they consider a car free scheme to be acceptable here. As such the scheme is considered to meet the requirements of policy M9 of the Unitary Development Plan 2006.

## **PLANNING OBLIGATION**

Policy HSG4 and SPG10b require any scheme for residential development proposing more than 10 additional units of accommodation must include the provision of affordable housing. In line with London Plan policy, this Council requires in such development that 50% of the accommodation should be affordable.

As the development contains less than 5 units of 2 or more bed spaces, no contribution towards education provision is required.

## **SUMMARY AND CONCLUSION**

The application site comprises the front part of the site of Nos.97-99 Philip Lane. The site comprises the original houses and part of the rear garden. The rear garden has been divided into two in the past, and the rear part is derelict and used for informal parking and fly tipping. The application building is now severely fire damaged and a dangerous structures notice has been served on the building. Since the application was lodged, further fire has occurred which has caused considerable additional damage to the fabric of the building.

This application seeks planning permission for the rebuilding and refurbishment of the main building and the erection of a two storey extension to the rear. The rebuilding and refurbishment of the main building is intended to restore the building as closely as possible to its original state. The basement will be converted to provide two additional flats with lightwells to front and rear. The proposed extension to the rear will provide four flats and extends almost to the rear boundary of the site.

The scheme is car free.

The proposed development is regarded as proposing an excessive number of unacceptable units contrary to policy UD3 of the Unitary Development Plan 2006

## **RECOMMENDATION 1**

That planning permission be granted in accordance with planning application no. HGY2008/1054 Drg Nos. 31-05/2000A, 2001A, 2002A, 2003A, 2100A, 2101A, 2102A, 2103A, 2200A, subject to a pre-condition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under Section 106 of the Town & Country Planning Act 1990 (As Amended). The Agreement is necessary in order to secure an appropriate level of affordable housing within the scheme. In addition, a bond or other suitable security will be required to meet the cost of renewing the frontage pavement flagstones and kerb stones to the site in accordance with the specification of the local Highway Authority, such work to be carried out by the Highway Authority on completion of the development.

## **RECOMMENDATION 2**

(i) That planning permission be granted in accordance with planning application reference number HGY/2008/1054 – Drg Nos. 31-05/2000A, 2001A, 2002A, 2003A, 2100A, 2101A, 2102A, 2103A, 2200A, subject to a pre-condition that the applicant shall first have entered into an Agreement with the Council under Section 106 of the Town and Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974] in order to secure 50% affordable housing.

ii). That the Agreements referred to in Resolution (1) above is to be completed no later than 11/08/2008 or within such extended time as the Council's Assistant Director (Planning, Environmental Policy and Performance) shall in his sole discretion allow; and

iii). That in the absence of the Agreement referred to in resolution (i) above being completed within the time period provided for in resolution (ii) above, the planning application reference number HGY2008/1054 be refused for the following reason:

*“The proposal fails to provide the required level of affordable housing in accordance with the requirements set out in Supplementary Planning Guidance 10b ‘Affordable Housing’ attached to the Haringey Unitary Development Plan.”*

vi). That, following completion of the Agreement referred to in resolution (1) within the time period provided for in Resolution (2) above, planning permission be granted in accordance with planning application reference number HGY2008/593 & applicant's drawing Nos. 31-05/2000A, 2001A, 2002A, 2003A, 2100A, 2101A, 2102A, 2103A, 2200A, subject to the following conditions and informatives:

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

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

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

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



3. Samples of all materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references.

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

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

5. Details of a scheme depicting those areas to be treated by means of hard landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme to include a detailed drawing of those areas of the development to be so treated, a schedule of proposed materials and samples to be submitted for written approval on request from the Local Planning Authority.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

6. The existing trees on the site shall not be lopped, felled or otherwise affected in any way (including raising and lowering soil levels under the crown spread of the trees) and no excavation shall be cut under the crown spread of the trees without the prior written permission of the Local Planning Authority.

Reason: In order to safeguard the trees in the interest of visual amenity of the area.

7. Details of the proposed foundations in connection with the development hereby approved and any excavation for services shall be agreed with the Local Planning Authority prior to the commencement of the building works.

Reason: In order to safeguard the root systems of those trees on the site which are to remain after building works are completed in the interests of visual amenity.

8. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

9. That not more than 12 separate units, whether flats or houses, shall be constructed on the site.

Reason: In order to avoid overdevelopment of the site.

10. Before any work is undertaken in pursuance of this consent to demolish any part of the building, such steps shall be taken and such works shall be carried out as shall, during the progress of works permitted by this consent, secure the safety and stability of that part of the building which is to be retained.

Reason: In order to ensure that the advertisements do not pose a hazard to blind and partially sighted pedestrians.

11. Demolition work shall be carried out by hand or by tools held in the hand other than power driven tools.

Reason: In order to safeguard the special architectural or historic interest of the building.

12. Prior to the commencement of work on site the following information shall be submitted to and approved in writing by the local planning authority:

- a) samples of all proposed external facing materials, including facing brickwork, natural slate roofing and vertically sliding sash timber windows.
- b) fully annotated and dimensioned elevation and section drawings showing the repair and re-instatement of all architectural features to the front elevation and side elevations of the building at a scale of 1:20, to include details of roof dormer windows, bracketed projecting eaves, stucco architraves and reveals to windows, brickwork walls, entrance doors and sash windows.
- c) fully annotated and dimensioned details of front boundary treatment to Philip Lane, showing low level wall/gates at a scale of 1:10
- d) full details of hard and soft landscaping to the front garden.

Reason: to ensure the satisfactory standard of development to preserve the character and appearance of the Clyde Circus Conservation Area.

13. 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.

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

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

INFORMATIVE: The applicant is advised that only the highest quality yellow stock facing brickwork, in terms of quality of materials, colour, texture, bond,

and pointing, for the repair and reinstatement of the front and side elevations to Philip Lane will be acceptable.

#### REASONS FOR APPROVAL

The proposal meets the requirements of the relevant policies in the Unitary Development Plan 2006 and is considered to preserve and enhance the character and appearance of the Clyde Circus Conservation Area in line with Policy CSV1 'Development in Conservation Areas' of the Unitary Development Plan 2006.