

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2007/1866

Ward: Crouch End

Date received: 10/09/2007

Last amended date: N / A

Drawing number of plans: PP-01 to PP-07, PP-10 to PP24 incl.

Address: Rear Of 60 - 88 Cecile Park N8

Proposal: Demolition of existing garages and erection of 2 x single storey houses with associated car parking.

Existing Use: Lock up garages

Proposed Use: Residential

Applicant: Paul Simon Developments Ltd

Ownership: Private

PLANNING DESIGNATIONS

Tree Preservation Order
Conservation Area
Road Network: Borough Road

Officer Contact: Stuart Cooke

RECOMMENDATION

REFUSE PERMISSION

SITE AND SURROUNDINGS

The application site comprises the lock up garage court between Cecile Park and Haringey Park. The site is a long, narrow rectangle surrounded on all sides by the rear gardens of the neighbouring residential properties. The site slopes down from the SW to the NE corner. Access is from Gladwell Road which is a steeply sloping residential street.

The site is located within the Crouch End conservation area and the site area is given as 0.14 hectares. The surrounding area is generally residential comprising of mainly 2-storey Victorian/Edwardian terraces with some more

recent infill residential development. The site is approximately 400 metres from Crouch End Broadway shopping centre and public transport routes.

PLANNING HISTORY

The site has been subject to a number of applications for change of use to residential in recent years. In 2006, a public inquiry was held to consider six separate applications for redevelopment and conservation area consent to demolish in association with residential use of the site, the applications having been made between 2001 and 2006. All those applications and appeals were made by Paul Simon Ltd who are the current applicants. Two of those appeals were withdrawn and the remaining four were dismissed. The issues raised by the Inspector are discussed later in this report.

DETAILS OF PROPOSAL

The current application proposes the demolition of the existing garages and the redevelopment of the site for residential use, comprising the erection of two, single storey, 3-bed bungalows. Each house has 2 parking spaces and turning head provided. Access is from Gladwell Road via the existing accessway for the garage court. The existing electricity substation on the site will be retained.

There are a number of mature trees around the edges of the site as well as in the private rear gardens close to the boundaries. There is one large, mature Horse Chestnut tree at the end of the accessway into the site.

In support of their application, the applicant submitted a planning statement, design and access statement, sustainability checklist, structural survey, highways statement, tree condition survey, bat and other protected species survey.

CONSULTATION

Ward Councillors
Transportation Group
Waste Management
Arboriculturist
Conservation Team

Hornsey Conservation Area Advisory Committee

In terms of local residents, the surrounding area was extensively consulted, including all the properties directly surrounding the site and the wider area.

RESPONSES

Transportation Group – no objection subject to contributions via planning obligation.

Waste Management – no objection

Arboriculturist – no objection

Conservation Team – no objection

Hornsey Conservation Area Advisory Committee – object on grounds of undermining the existing pattern of development, poor access, risk to trees, litter, visual intrusion and loss of openness and deliberate dereliction.

Tree Trust for Haringey – object on grounds of adverse effect on tree cover on either side of the boundaries by direct felling, severe pruning, cutting back of overhang and disturbance and damage to root systems.

Warner Road Residents Association – object on grounds of harming the character and appearance of the conservation area and the loss of the garages.

Joanne McCartney, GLA Assembly Member for Enfield and Haringey – objects on grounds of loss of the garages, harm to the character and appearance of the area, poor site access, damage to local ecology.

Crime Prevention Design Advisor – no objection, scheme would meet Secure By Design criteria.

Almost 100 individual letters and emails from local residents objecting to the scheme have been received, although it should be noted that approximately two-thirds of these are in the form of a circular letter downloaded from the internet. Most of the letters express concerns on similar points:

- Pressure on parking locally
- Loss of the garages and demand for lock ups
- Deliberate dereliction
- Poor access
- Adverse effect on surrounding properties
- Adverse effect on the surrounding area
- Threat to trees/ecology of the area
- Inappropriate use of the land

A separate detailed response was received from glcRAG (Gladwell Road Residents Association). This response goes through the application in great detail and raises a number of objections. glcRAG appeared at the previous public inquiry into the last scheme and made their submission to the Inspector. glcRAG cite 6 specific areas of objection in their submission, viz:

- *this is a borough wide issue affecting our legacy to future generations*
- *the loss of 32 lock up garages and 5 onstreet parking spaces where excessive nighttime on street parking is increasingly blighting the Crouch End conservation area is unacceptable*
- *the unsatisfactory access for vehicles and pedestrians creates a low quality, substandard, dangerous environment, particularly for children and people with disabilities, and rules out acceptable arrangements for refuse a recycling collection.*
- *the application site is too narrow to acceptably insert new housing into a traditional terrace housing area*
- *valuable trees will be put at risk*
- *why has the site deliberately been made derelict in contempt of the planning process and what are the implications of this dereliction.*

In particular, glcRAG draw attention to the derelict condition of the garages as what they consider to be a deliberate policy by the owners in order to achieve an alternative use and an appeal decision at another site within the borough, (Alford House), where the Inspector considered,

"...for many years the site has been regarded as a development site by the appellant as landowner. This goes some way to explaining the unkempt and unmanaged state of the land and garages and therefore I attach little weight to the appearance of the site." (para.14, APP/Y5420/A/04/1161239).

Similarly, glcRAG refer to the parking pressures in the local area and the need for lock up garages in the area. Their submission includes a statement from their own traffic engineer regarding parking conditions in the area. The Inspector concluded in the Alford House appeal,

"In my view, a starting point would be to establish the authorised planning position and local parking demand. However, this information is not available to me....Consequently, I am not able to come to an informed conclusion on the effect of the proposal on car parking provision and its implications for on-street parking and highway safety on the surrounding roads."

In order to address this issue, the Council has carried out its own surveys into parking demand and demand for lock up garages in the local area. These surveys are discussed in more detail below.

RELEVANT PLANNING POLICY

The Councils 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 are set out below.

Consultation on the Core Strategy of the Local Development Framework (LDF) (Issues and Options) was completed in March 2008. The Core Strategy is therefore considered to be at an early stage and of limited weight. The Unitary Development Plan 2006 therefore remains the main policy document for assessing planning proposals, the policies of which are saved until 2009.

National Policy

PPS1: Sustainable Development

PPS3: Housing

PPG15 PLANNING AND THE HISTORIC ENVIRONMENT

Local policy

CSV1: DEVELOPMENT IN CONSERVATION AREAS

HSG1: NEW HOUSING DEVELOPMENTS

HSG2: CHANGE OF USE TO HOUSING

HSG11: RESTRICTED CONVERSION AREAS

POLICY M10: PARKING FOR DEVELOPMENT

POLICY UD3: GENERAL PRINCIPLES

POLICY UD4: QUALITY DESIGN

UD7: WASTE STORAGE

Supplementary Planning Guidance

SPG1a – Design Guidance (adopted 2006)

SPG2 – Conservation and Archaeology (draft)

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

SPG3C – backland Development (draft)

SPG3b – Privacy, Overlooking, Aspect, Outlook and Daylight, Sunlight (draft)

SPG8a - Waste and Recycling (draft)

SPG11a – Car Repair Garages (draft)

ANALYSIS / ASSESSMENT OF THE APPLICATION

The site has been subject to a number of previous applications for residential redevelopment which have been considered by an Inspector at public inquiry. Those applications proposed developments of 4 x 2-storey houses with 6 garages retained within the site. The findings and conclusions of the Inspector may therefore be used as a guide in assessing the current application.

This report assesses the scheme using the same headings as used by the Inspector.

1. Character and appearance/living conditions

In her decision letter of November 2006, the Inspector concluded that that proposal (appeal B) would,

“not result in an imaginative, high quality design which has been designed in respect of its context, and as such conflicted with advice in PPG15 and policy UD3 of the Unitary Development Plan 2006.”(para. 14).

She also concluded that,

“the proposed houses, by reason of their height, bulk, siting and proximity to adjoining residential gardens would represent a significant visual intrusion into this part of the conservation area, where they would be visually dominant and overbearing, detrimental to the living conditions of adjoining occupiers and to the character and appearance of the conservation area.” (para. 15).

Similarly with appeal F she found that the proposed buildings would be visually dominant and noticeably bulkier than the present garages due to their 2-storey height and proximity to boundaries. She considered the degree of visual intrusion would be significant, as would its effect on the character and appearance of the conservation area. She also considered that development would have a “far greater urbanising effect “ than the current garages and their hardstandings,

“As such, it would harm the semi-rural character of this backland area, (para.19).

In her description of the surrounding area, the Inspector considered that

“the large rear gardens surrounding the site were important in contributing to the character and appearance of the conservation area,” (para.8).

She also considered that

“the site is a backland area that is open with no significant development within it. From the gardens surrounding the appeal site, the existing garages are largely hidden from view, and where gaps in the vegetation allow, views across the site can be obtained....From these

views, the semi-rural character of the backland can be appreciated. Whilst the existing garages within the appeal site are partly visible from upper floor windows, they do not affect the essential "openness" of the area."(para. 10).

In the light of these comments, the applicant has amended the scheme to take account of these comments. The number of units have been reduced from four to two, and the units have been reduced from 2-storey to single storey. The result of these amendments is to remove the bulk of the proposed buildings at first floor level and to avoid the "terracing" effect created by the previous scheme. The proposed houses will not be substantially higher than the existing garage buildings and will not interfere with the views across the site from the surrounding properties. As a result, it is considered that the current scheme overcomes the concerns raised by the Inspector in terms of these issues.

This scheme proposes a modern design approach to the development of this site. PPG15 in para. 4.17 advises that replacement buildings should be seen as a stimulus to imaginative, high quality design, and be designed with respect for their context. The conservation officer advises that this scheme is, *"a positive and imaginative design which has been carefully considered for its specific context. The physical aspects of the site, proximity to boundaries, and changes in levels, have been duly considered by the design.... The proposed residential use is the same use as the surrounding area....the proposed development....is clearly subordinate....the primary facing material will harmonise with the surrounding houses....I therefore consider there should be no adverse effect to the character and appearance of the conservation area."*

In the light of these comments, it is considered that the design and appearance of the proposed buildings is satisfactory and meets the requirements of PPG15 and policies UD3 and UD4 of the Unitary Development Plan 2006.

2. Pedestrian and Highway Safety

The Inspector raises concern over the loss of up to five on street car spaces as a result of parking restrictions required in Gladwell Road close to the entrance to the application site.

The Inspector raises concern about the width of the access and the constraint caused by the mature Horse Chestnut tree at the west end of the access. She is also concerned about the potential conflict between pedestrians and vehicles due to the lack of any pedestrian footpath along the accessway and the potential for vehicles blocking Gladwell Road whilst waiting for pedestrians to enter or leave the site. She does not consider that traffic calming measures would be able to resolve these difficulties. She concludes,

"the proposed access.....would be far from ideal....has potential to cause harm to pedestrian and highway safety....the traffic calming

measures would have a detrimental effect on the character and appearance of the conservation area....I acknowledge this is a finely balanced case, and whilst these reasons may not be sufficient by themselves to dismiss appeal F, in combination they are indicative of the fact that the proposal would not result in a satisfactory quality of design.” (para. 28).

In order to address these issues, the applicant has reduced the number of proposed dwellings from four to two and removed the garages from the scheme. Consequently the amount of traffic, both vehicle and pedestrian, using the site will be halved. This will have the effect of minimising the potential for conflict between vehicles and pedestrians within the site, and particularly along the accessway. The applicants highways statement estimates the proposed development will generate 16 vehicle movements throughout the day. The Councils Transportation Group consider that the development will not generate any significant traffic that would make it unworthy of share between pedestrians/cyclists and vehicles. They are concerned however about pedestrian safety in Gladwell Road and so recommend that traffic calming measures are provided at the access in Gladwell Road via a S278 agreement.

3. Other Matters

The Inspector then considered the issues of the loss of the lock up garages and the potential demand for such garages. She noted that the Unitary Development Plan 2006 no longer includes a policy resisting the loss of lock up garages and that little weight should be attached to SPG3a as it does not make clear who should be responsible for the assessment of local need for the existing lock up garages (para. 29). She also considered the low level of usage did not necessarily mean that there is no need for lock up garages in the area, (para. 30). She also noted there was considerable doubt over how well the garages had been marketed and that if the garages were in use it could ease the pressure for on-street parking which in turn would enhance the character and appearance of the conservation area, (para.31).

In order to address these issues, the applicant has submitted information from a local agent regarding the marketing of and demand for the garages. A letter from Drivers Norris is submitted dated 18 June 2007 stating that as agents letting many garages in the local area, it is their opinion that these garages are in such condition as to be unlettable. In addition, a schedule of occupation at May 2007 shows 10 out of the 38 garages are occupied, but only one is used for storing a vintage car.

In order to assess these additional issues raised by the Inspector, the Council undertook its own surveys of both on street parking demand in the local area and the demand for lock up garages in the area. Both surveys were developed with the involvement of the GLCRAG.

The on-street parking demand survey was carried out on the 20 and 21 November 2007 by a private survey company, Modal Data, who specialise in this type of survey work. A survey area was agreed to cover streets within 200 metres walking distance of the entrance to the application site. The survey comprised a visual count of vehicles parked on those streets at 4.30am on both days. This time was chosen as evenings and night time are the periods when parking pressure are perceived to be highest. The survey was based on the Lambeth method, which is a recognised method of carrying out surveys of this type. Additional specific parameters were agreed for the Haringey survey.

The survey found that on both nights there were more vehicles parked in the survey area than there were spaces available. The average parking stress was 102% although parking stress on some streets was higher, 108% in Womersley Road. These result clearly indicate that severe parking pressures do exist in the area surrounding the application site.

The second survey looked at the potential demand for lock up garages in the area. The same survey area was used as with the parking stress survey to achieve consistency. The survey was based on a questionnaire designed by the Councils Communications Unit. The questionnaire contained twelve questions designed to assess where people park at the moment, how far they would be prepared to walk to use a garage, whether they would wish to rent a garage at the application site and how much they would be prepared to pay.

This survey was carried out in March/April 2008 and a total of 629 questionnaires were sent to addresses in the survey area including a pre-paid envelope for reply. In addition, an on-line version of the questionnaire was made available. In total, 127 replies were received from the postal and on-line surveys. The results of the survey showed over 80% of respondents owned at least one car and the vast majority of these were parked on the street. 58 people said they had tried to rent a garage on the application site. Of these 5 were successful, (although these may have been rented on other sites), but 52 responded that none were available. One respondent said it was too expensive. The overwhelming majority (79.5) responded that they would like to rent or buy a garage on the application site if one was available.

The results of both these survey demonstrate clearly that the local area suffers from parking stress and that if garages were available the majority of local people would wish to rent or buy one. These results bear out the views expressed at a parking debate held in Hornsey Town Hall in October 2007 at which local people discussed their perceptions of parking conditions in the area in the light of the potential introduction of a CPZ in the area.

It should also be noted that the application site falls within a Restricted Conversion Area as identified in policy HSG11 of the Unitary Development Plan 2006. The primary criteria for identifying a restricted conversion area is the high level of parking pressure experienced in that area, due to a large number of converted properties in the area. The application site falls within the Crouch End restricted conversion area.

These results would support the Inspectors view that the area does suffer from parking stress and that there is demand for off street parking in the area. She took the view that if the garages were available and in use it could ease the pressure for on-street parking in the area which in turn would enhance the character and appearance of the conservation area, (para. 30 and 31). The applicant has submitted evidence as to the potential cost of repairing/replacing the garages and suggesting that this is not a viable option. However, the cost of repair/replacement is not a considered to be a planning issue and in any event, if a long term view is taken of the use of the land to provide garages for rent, this use could be considered viable. In this light, the Council would support the view of the Inspector and regard the pressure for on-street parking in the area to have a detrimental effect on the character and appearance of the conservation area contrary to advice in PPG15 and policy CSV1 of the Unitary Development Plan 2006.

TREES

An Arboricultural method statement has been supplied giving details of the method of construction in terms of the tree roots, particularly in relation to the foundations. These are to be piles and beams, sited so as to avoid the tree roots. This statement has been assessed by the Councils Arboriculturist who is satisfied with the proposals. The applicant has stated verbally that the development will be constructed over the existing concrete slab with the piles punched through it, to avoid disturbance to the tree roots as far as possible. The concrete slab will be removed after this is complete.

There is a potential conflict between the statement of Pearson Associates, the Planning Consultant, that no trees are to be removed and the tree survey by TMC Consultants that identifies eight trees as being Category R and so should be removed. The applicant has explained this by referring to BS5837:2007 which sets out the criteria by which the condition of trees should be assessed. Category R states that trees that are assessed as being in this condition would be lost within 10 years and should be removed for reasons of sound Arboricultural management. Clearly trees which are dead, dying or dangerous may be removed, and the applicant states, with the exception of these trees, there is no intention to remove any other trees. Whilst this may be confusing, it is not considered to be a reason for refusal in itself and were planning permission to be granted, a condition could be attached requiring specific details of all trees to be removed prior to the commencement of the development.

Concern has also been expressed regarding the large mature Horse Chestnut tree at the west end of the access way. This tree is subject to a Tree Preservation Order and is shown to be retained as part of the scheme. Concern has been expressed by local residents over the safety of this tree and the potential for damage to it as a result of the development. The Inspector concluded, in the previous appeal, that the tree could be reasonably protected during the development period through the use of suitable conditions and the Council concur with that view. Particular concern was expressed over the routing of services through the root area of the tree.

Details of the routing of the services under the tree have been submitted to the Council. These details have been assessed by the Councils Arboriculturist who is satisfied the services can be installed without long term damage to the tree.

SUMMARY AND CONCLUSION

The application site comprises the lock up garage court between Cecile Park and Haringey Park. The current application proposes the demolition of the existing garages and the redevelopment of the site for residential use, comprising the erection of two, single storey, 3-bed bungalows. Each house has 2 parking spaces and turning head provided. Access is from Gladwell Road via the existing accessway for the garage court. The existing electricity substation on the site will be retained.

The site is located within the Crouch End Conservation Area.

The site has been subject to a number of applications for change of use to residential in recent years. In 2006, a public inquiry was held to consider six separate applications for redevelopment and conservation area consent to demolish in association with residential use of the site, the applications having been made between 2001 and 2006. Whilst the scheme has been revised to address some of the issues identified by the Inspector when she dismissed the appealed schemes, it is considered that the current scheme fails to overcome the problems created by parking stress in the area and the consequential need for the garages, issues recognised by the Inspector in her decision. As such, the scheme is considered to conflict with the aims of policy UD3(c) of the Unitary Development Plan 2006 which states that development should not significantly affect the public and private transport networks, including highways or traffic conditions. In addition, the proposal is considered to result in a detrimental effect on the conservation area as a result of the additional on-street parking, as identified by the Inspector on the previous appeal. As such, the scheme is considered to fail to meet the

requirements of PPG15 and policy CSV1 of the Unitary Development Plan 2006 and is therefore recommended for refusal.

RECOMMENDATION

REFUSE PERMISSION

Registered No. HGY/2007/1866

Applicant's drawing Nos. PP-01 to PP-07, PP-10 to PP24 incl.

For the following reason:

1. The loss of the lock up garages would result in the loss of valuable parking facilities in a congested area which would result in increased demand for on-street parking thereby,

i) prejudicing the free flow of traffic and conditions of general safety along the neighbouring highway as a contrary to Policy UD3(c) 'General Principles', and

ii) adversely affect the character and appearance of the Crouch End Conservation Area contrary to Policy CSV1 'Development in Conservation Areas' of the Unitary Development Plan 2006.