LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2015/0744 **Ward:** Harringay

Date received: 12/03/2015

Last amended date: NA

Drawing number of plans: GVBS1573-EX/PR/01 and GVBS1573-EX/PR/02

Address: Rear of 16-18 Wightman Road N4 1SQ

Proposal: Demolition of existing storage unit and creation of three new double storey residential dwellings

Applicant: Mr Vijay Gupta Suman Bros (Wholesale) Ltd

Ownership: Private

Site Visit Date: 31/03/2015

Officer contact: Robbie McNaugher

2. SUMMARY OF RECOMMENDATION

REFUSE PERMISSION
Reasons for Refusal:

1) Poor quality design
2) impact on neighbouring properties
3) Poor quality accommodation
4) Parking impact
5) Affordable Housing

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Proposed development

This is an application for the demolition of the existing storage unit and the creation of three new double storey residential dwellings.

3.2 Site and Surroundings

The application site is backland area to the rear of 16-18 Wightman Road. It currently contains a mew sbuilding and is accessed from Atterbury Road. The site is not in a conservation area.

3.3 Relevant Planning and Enforcement history

None

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

LBH Cleansing - West
LBH Building Control
LBH Transportation Group
London Fire Brigade
Harringay Ladder Community Safety Partnership
Thames Water Utilities

The following responses were received :

Internal:
1) LBH Environmental Health Pollution

No objections subject to conditions

2) LBH Transportation

There is the concern that the site falls within an area that forms part of the Harringay Ladder Restricted Conversion Area, in view of the existing on-street parking pressure at this location. Hence, the creation of an additional residential unit without off-street car parking provision would exacerbate this parking pressure. The Council's adopted Unitary Development Plan (saved policies 2013) Policy HSG11 lists Harringay Ladder: Green Lanes to Wightman Road as one of the areas where the "majority of properties have been converted into flats and are now experiencing problems of extreme parking pressure and a significant adverse effect on residential amenity". With this policy in mind the minimum car parking requirement as detailed in Appendix 1 of the Unitary Development Plan would normally be applied. The development is required to be served by 4 on-site parking spaces. However, the applicant has not provided any car parking spaces in connection with the proposal.

The site falls within the Green Lanes A Controlled Parking Zone. As the prospective residents would be free to apply for residential on-street parking permits, it is considered that supporting this proposal would worsen the existing car parking pressure at this location as residents of the proposed units persistently seek on-street parking spaces.

Therefore, in view of the lack of off-street car parking provision in an area identified as suffering from severe parking pressure, it is considered that the above proposal contravenes Policy HSG11 together with Policy M10 requiring minimum parking provision in line with section I.3 of the UDP appendix. Additionally, it is considered that the proposal would contravene London Plan policy 6.11 which outlines the Mayors wish for a co-ordinated approach to smoothing traffic flow and tackling congestion. Therefore, the highway and transportation authority object to this application.

External:
3) Thames Water

No objections subject to informatives

5. LOCAL REPRESENTATIONS

5.1 The application has been publicised by way of 67 letters

5.2 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: 8
Objecting: 8
Supporting:

5.3 The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Parking issues
- Loss of privacy to neighbouring properties
- Loss of sunlight
- Noise and pollution
- Overbearing to neighbouring properties
- Out of character with its surroundings
- Concerns around outside space, security, waste collection and parking for cycles
- The proposal contravenes the London Housing Design Guide
- Access issues
- Concern with the principle of residential on the site

5.4 The following issues raised are not material planning considerations:

- Loss of a private view (Officer Comment: this is not a material planning consideration)
- Impact on property values (Officer Comment:)
- Ambiguous plans and inaccuracies in the quality design and access statement and application form (Officer Comment: The inaccuracies in the plans and D&A are noted however it is considered that the application could be determined on the basis of the submission)

6 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of the development
2. Affordable housing
3. Layout and standard of accommodation
4. Design and appearance
5. The impact on the amenity of adjoining occupiers
6. Transport and parking

6.2 Principle of the development

The NPPF provides guidance on decision taking and in particular, introduces a presumption in favour of sustainable development and also outlines a number of core planning principles that should be adhered to. In particular this includes to secure high

quality design and a good standard of amenity for all existing and future occupants of land and buildings and encouraging the effective use of land by reusing land that has been previously-developed, and to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. Local Plan Policy SP0 advocates a positive approach and a presumption in favour of sustainable development, unless any adverse impacts of granting permission would outweigh this presumption.

The site is in a sustainable location in an existing residential area and the proposal would involve the re-use of previously developed land which does not fall within a defined employment area and currently accommodates residential use. Therefore the principle of residential use on this site is considered to be acceptable subject to detailed considerations.

6.3 Affordable housing

The NPPF recognises that to create sustainable, inclusive and diverse communities, a mix of housing based on demographic and market trends and the needs of different groups should be provided. London Plan Policy 3.8 'Housing Choice' of the London Plan seeks to ensure that development schemes deliver a range of housing choices in terms of a mix of housing and types. This approach is continued in Haringey Local Plan SP2 Housing, which is supported by the Council's Housing SPD.

The NPPF states that where it is identified that affordable housing is needed, planning policies should be set for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. However, such policies should be sufficiently flexible to take account of changing market conditions over time (para. 50).

Similarly, The London Plan (2011), Policy 3.12 states that Boroughs should seek "the maximum reasonable amount of affordable housing...when negotiating on individual private residential and mixed-use schemes", having regard to their affordable housing targets, the need to encourage rather than restrain residential development and the individual circumstances including development viability". Local Plan Policy SP2 states that affordable housing shall be provided on-site subject to viability and schemes below the ten unit threshold are required to provide 20% affordable housing on site, based on habitable rooms, or provide financial contributions towards affordable housing provision subject to viability.

It is accepted that on sites of 1-9 net units it is not practical to provide affordable housing on site and therefore a financial contribution will be sought in this instance. The Council's Planning Obligations SPD (October 2014) sets out the rates for the provision of off-site financial contributions on sites of 1-9 net units which for the Haringay Ward is £336 per sq.m.

In the absence of a legal agreement securing a financial contribution in lieu of the provision of on-site affordable housing or viability assessment, the proposal is considered to be contrary to policy SP2 (Housing) of the London Borough of Haringey Local Plan: Strategic Policies March 2013 and Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan July 2011.

It is noted that Para 012 of the Nation Planning Policy Guidance was amended 27 02 2015 and states that National planning policy defines specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development, as set out in the Written Ministerial Statement on small-scale developers. Contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm

This guidance is a material consideration but applications must be determined in accordance with the statutory development plan unless material considerations indicate otherwise. The weight to be ascribed to a material planning consideration is as a matter of law a matter for the decision maker. It is the council's current position that the obligation in the Council's SP2 (7) policy does not place a disproportionate burden on developers and is not an obstacle to the delivery of the development because developers have the opportunity to present viability arguments. As such we are determining applications in accordance with Development Plan Policy SP2 on the basis that the new Ministerial policy does not warrant sufficient weight to displace the Development Plan obligation and that in this case the objectives of the new Ministerial policy are not compromised by doing so.

6.4 Layout and standard of accommodation

London Plan Policy 3.5 'Quality and Design of Housing Developments' 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. Local Plan Policy SP2 ' Housing' states that high quality new residential development in Haringey will be provided. The Mayor's Housing SPG sets out the space standards for all new residential developments to ensure an acceptable level of living accommodation offered.

London Plan Requirement		Proposed room size	Compliance?
House 1	**2b4p**		
Kitchen/Diner/Living Room	27	33	Yes
Bedroom 1	12	15	Yes
Bedroom 2	12	12	Yes
Total Floor Area	83	83	Yes
Private Amenity	7	4	No
House 2	**2b4p**		
Kitchen/Diner/Living Room	27	32	Yes
Bedroom 1	12	15	Yes
Bedroom 2	12	14	Yes
Total Floor Area	83	83	Yes
Private Amenity	7	4	No
House 3	**2b4p**		
Kitchen/Diner/Living Room	27	33	Yes
Bedroom 1	12	17	Yes
Bedroom 2	12	12	Yes
Total Floor Area	83	83	Yes
Private Amenity	7	4	No

As set out above the proposed dwelling would exceed the floorspace minima set out in the Major's Housing SPG but would not have adequate outdoor amenity spaces. The rear bedrooms in Houses 2 and 3 would only be served by rooflights and are considered to have a poor outlook. The proposed residential accommodation is therefore considered to below standard and contrary to Policy 3.5 'Quality and design of housing developments' of the London Plan 2011 and Local Plan Policy SP2 Housing.

London Plan Policy 5.17 'Waste Capacity', Local Plan Policy SP6 'Waste and Recycling' and Saved UDP Policy UD7 'Waste Storage', require development proposals make adequate provision for waste and recycling storage and collection. The Council's waste management team raise no objections and waste storage has been shown to the front of the site.

6.5 Design and Appearance

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.

The application site is located on a mews lane to the rear of the terraces on Wightman Road, there are traditional mews building on the site and the adjacent site. The site is also visible from Cyprus Close to the rear which has a much lower land level. The proposal would replace the existing mews buildings with 3 x 2 storey houses with a pitched roof and 2 storey flat roofed element to the rear.

The height scale and design and the proposal would not be in keeping with the mews character of the site and would appear dominant and out of character in Cyprus Close. It is considered to form a poor relationship to the existing pattern of development is considered to result in poor quality design which would not response to the local context contrary to Policies 3.4 and 3.5 of the London Plan 2011 and supporting guidance, Policy SP11 of the Haringey Local Plan 2013, Saved Policy UD3 of the Haringey Unitary Development Plan 2006, and Haringey Council's Supplementary Planning Guidance note SPG1a.

6.6 Impact on the amenity of adjoining occupiers

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.

To the rear of the site there is an existing high boundary wall, the proposed houses would not be significantly higher than this existing wall so are not considered to have a significant impact on sunlight or daylight to these properties or have an overbearing appearance. With regard to privacy, there would be no rear facing windows in the 1st floor so there would be no loss of privacy to the property to the rear of the site.

The proposal would increase the height of the buildings to the rear of the existing terrace due to the orientation of the site it is considered not to have a significant impact on sunlight or daylight to these properties. However it would be some 2 metres from the rear of these properties at 2 storeys so is considered to have an adverse overbearing appearance to these properties and result in a significant loss of privacy.

The proposal is therefore considered to be contrary to Policy SP11 of the Haringey Local Plan 2013, Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

6.7 Transport and Parking

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

The Council's Transportation Team have been consulted and advise that the site falls within an area that forms part of the Harringay Ladder Restricted Conversion Area, in view of the existing on-street parking pressure at this location. Hence, the creation of an additional residential unit without off-street car parking provision would exacerbate this parking pressure. The Council's adopted Unitary Development Plan (saved policies 2013) Policy HSG11 lists Harringay Ladder: Green Lanes to Wightman Road as one of the areas where the "majority of properties have been converted into flats and are now experiencing problems of extreme parking pressure and a significant adverse effect on residential amenity". With this policy in mind the minimum car parking requirement as detailed in Appendix 1 of the Unitary Development Plan would normally be applied. The development is required to be served by 4 on-site parking spaces. However, the applicant has not provided any car parking spaces in connection with the proposal.

The site falls within the Green Lanes A Controlled Parking Zone. As the prospective residents would be free to apply for residential on-street parking permits, it is considered that supporting this proposal would worsen the existing car parking pressure at this location as residents of the proposed units persistently seek on-street parking spaces.

Therefore, in view of the lack of off-street car parking provision in an area identified as suffering from severe parking pressure, it is considered that the above proposal contravenes Policy HSG11 together with Policy M10 requiring minimum parking provision in line with section I.3 of the UDP appendix. Additionally, it is considered that the proposal would contravene London Plan policy 6.11 which outlines the Mayors wish for a co-ordinated approach to smoothing traffic flow and tackling congestion.

6.8 Conclusions

The height scale and design and the proposal would not be in keeping with the mews character of the site and would appear dominant and out of character in Cyprus Close. It is considered to form a poor relationship to the existing pattern of development and is considered to result in poor quality design which would not respond to the local context contrary to Policies 3.4 and 3.5 of the London Plan 2011 and supporting guidance, Policy SP11 of the Haringey Local Plan 2013, Saved Policy UD3 of the Haringey Unitary Development Plan 2006, and Haringey Council's Supplementary Planning Guidance note SPG1a.

The proposal due to its height and proximity to the neighbouring terrace would have an adverse overbearing appearance to these properties and result in a significant loss of privacy contrary to Policy SP11 of the Haringey Local Plan 2013, Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

The subject site is located within the Harringay Ladder Restricted Conversion Area and does not propose off-street car parking provision therefore the proposed development would exacerbate existing car parking pressure which would have an increased negative impact upon the surrounding highway network contrary to Local Plan (2013) Policy SP7 'Transport', Saved UDP (2006) Policies UD3 'General Principles', HSG11 'Restricted Conversion Areas' and Policy M10 'Parking for Development' of the Unitary Development Plan 2006 and London Plan (2011) Policy 6.11 'Smoothing Traffic Flow and Tackling Congestion'.

The proposed development in the absence of a legal agreement securing the provision of on-site affordable housing or a financial contribution in lieu the proposal is contrary to policy SP2 ‘Housing’ of the Local Plan March 2013 and Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan July 2011.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

7. CIL APPLICABLE

Based on the information given on the plans, the Mayor’s CIL charge will be £6,580 (188 x £35) and the Haringey CIL charge will be £31,020 (188 x £165). This will be collected by Haringey after the scheme is 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.

8. RECOMMENDATION

REFUSE PERMISSION

Registered No. HGY/2015/0744

Applicant’s drawing No.(s) GVBS1573-EX/PR/01 and GVBS1573-EX/PR/02

For the following reason(s)

1. The height scale and design and the proposal would not be in keeping with the mews character of the site and would appear dominant and out of character in Cyprus Close. It is considered to form a poor relationship to the existing pattern of development and is considered to result in poor quality design which would not respond to the local context contrary to Policies 3.4 and 3.5 of the London Plan 2011 and supporting guidance, Policy SP11 of the Haringey Local Plan 2013, Saved Policy UD3 of the Haringey Unitary Development Plan 2006, and Haringey Council's Supplementary Planning Guidance note SPG1a.

2. The proposal due to its height and proximity to the neighbouring terrace would have an adverse overbearing appearance to these properties and result in a significant loss of privacy contrary to Policy SP11 of the Haringey Local Plan 2013, Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

3. The proposed houses would not have adequate outdoor amenity space and the rear bedrooms in Houses 2 and 3 would only be served by rooflights and would have a poor outlook. The proposed residential accommodation is therefore considered to below standard and contrary to Policy 3.5 'Quality and design of housing developments' of the London Plan 2011 and Local Plan Policy SP2 Housing.

4. The subject site is located within the Harringay Ladder Restricted Conversion Area and does not provide off-street car parking provision therefore the proposed development would exacerbate existing car parking pressure which would have an increased negative impact upon the surrounding highway network contrary to Local Plan (2013) Policy SP7 'Transport', Saved UDP (2006) Policies UD3 'General Principles', HSG11 'Restricted Conversion Areas' and Policy M10 'Parking for Development' of the Unitary Development Plan 2006 and London Plan (2011) Policy 6.11 'Smoothing Traffic Flow and Tackling Congestion'.

5. The proposed development in the absence of a legal agreement securing the provision of on-site affordable housing or a financial contribution in lieu the proposal is contrary to policy SP2 'Housing' of the Local Plan March 2013 and Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan July 2011.