LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/0892 **Ward:** Noel Park

Date received: 26/02/2016

Last amended date: 20/04/2016

Drawing number of plans:

Address: Silver Bullet Hazel Mews N22 6DT

Proposal: Use of the land for the siting of an American Airstream Trailer to be used for C1 (boutique hotel accommodation) purposes with ancillary structures and spa

Applicant: Silver Bullet Spa

Ownership: Private

Site Visit Date: 12/04/2016

Officer contact: Neil Collins

2. SUMMARY OF RECOMMENDATION

2.1 REFUSE PERMISSION for the following reasons:

1) The proposed structures, by reason of their design, materials, height, scale and appearance, cumulatively result in overdevelopment of the site and are incongruous and detrimental to the character and visual amenity of the area. As such, the development is contrary to Policies 7.4 and 7.6 of the London Plan (2015), Policy SP11 'Design' of the Haringey Local Plan (2013) and Saved Policy UD3 'General Principles' of the Haringey Unitary Development Plan (saved policies 2006).

2) The proposal, by reason of its nature, activity and use, would cause unacceptable noise disturbance to neighbouring occupiers, to the detriment of their residential amenity. As such, the application is contrary to Policy 7.6 of the London Plan (2015) and Saved Policy UD3 'General Principles' of the Haringey Unitary Development Plan (saved policies 2006).

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 The application seeks permission for a change of use of the site from storage (Use Class B8) to a Hotel (falling within the C1 use class).

3.2 The application also seeks permission for the erection of ancillary structures in the form of outbuildings, which would be used for recreational activities, including the use of an outdoor jaccuzzi, sauna and treatment/changing room.

Site and Surroundings

3.2 The application site is a triangular piece of land measuring 57 sq metres, located to the rear of dwellings in Alexandra Road. It is accessed via Hazel Mews, leading from Alexandra Road, which a public highway although not accessible by motor vehicles.

3.3 The general character of the area surrounding the site is residential although the rear of ground floor shops on the High Street . The site is not located within any designated conservation area.

Relevant Planning and Enforcement history

3.4 HGY/1991/0609 - GTD 18-07-91 - Erection of a single storey building for storage use.

3.5 HGY/1991/1310 - GTD 05-02-92 - Erection of single storey building for storage and workshop purposes.

3.6 HGY/2015/0586 - GTD 06-04-15 - Erection of a single storey enclosure at the southern corner of this triangular land for storage

4. CONSULTATION RESPONSES

4.1 The following were consulted regarding the application:

Internal

1) Transport - No objection on transport grounds;
2) Environmental Health (Pollution) – No comments received;
4) Cleansing – No comments received.

5. LOCAL REPRESENTATIONS

5.1 The following were consulted regarding the application:

- 30 neighbouring properties

5.2 The number of representations received from neighbours, local groups in response to notification and publicity of the application were as follows:

No of individual responses: 12
Objecting: 1
Supporting: 11

5.3 Objections are made on the following material planning grounds:

- Loss of residential amenity for neighbouring occupants resulting from noise disturbance;
- Visual appearance of the site;
- Exacerbation of on-street parking stress.

6. MATERIAL PLANNING CONSIDERATIONS

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

- Design, appearance and impact upon the character of the area;
- The impact on the amenity of adjoining occupiers;

6.2 Design, appearance and impact on Conservation Area

6.2.1 Saved UDP Policy UD3 requires new developments (amongst other aims) to complement the character, nature and scale of the local area, whilst Local Plan Policy SP11 promotes high quality designs to create attractive, sustainable and safe places and buildings in their local context. These local policies are supported by London Plan Policies 7.4 and 7.6 and Chapter 7 of the NPPF.

6.2.2 The proposal comprises the retention of a trailer caravan and a total of two ancillary structures on the site with an increase in height to the north eastern boundary. The proposed boundary enclosure comprises an increase to a total height of 3.5m, whilst the proposed structures within the site are 2.35m in total height. The trailer caravan is 2.4m in height.

6.2.3 The proposed structures, enclosure and the caravan itself are generally out of keeping with the prevailing character of the area. Starting with the enclosure, the general nature of garden enclosures is low timber fences to a maximum height of 2m. The proposed enclosure is very substantial, both in scale and its construction, which visually contrast with established character of garden enclosures in the area. Furthermore, the enclosure comprises an electric awning at its highest point, which is visually obtrusive when contracted and more so when extended. When the awning is full extended, it effectively results in a canopy over the site at a height of 3.5m, which is visually similar to any other structure. At this height, the feature is incongruous with the low level of structures pertaining to properties in Alexandra Road.

6.2.4 Turning to the structures within the site, the proportion of structures to available space within the site leaves very little open space. Space is a particularly evident feature of the gardens of the surrounding area, the character of which is generally comprised of very few small ancillary structures, retaining a great degree of open garden space around them. Taking this into account, the proposed structures are considered to cumulatively overdevelop the site, resulting in a loss of openness, the impact of which is entirely out of keeping with the character of neighbouring land.

6.3.5 Overall, the proposed design, materials, height, scale and appearance of the proposal is incongruous and detrimental to the character and visual amenity of the area. As such, the development is contrary to Policy 7.6 of the London Plan (2015), Policy SP11 'Design' of the Haringey Local Plan (2013) and Saved Policy UD3 'General Principles' of the Haringey Unitary Development Plan (saved policies 2006).

6.4 Impact on the amenity of adjoining occupiers

6.4.1 The London Plan 2015 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 and aspect.

6.4.2 The proposed use of the site as hotel accommodation would, by its very nature, involve continuous and constant use of the site by visiting patrons. This would include a great deal of associated activity, including the general arrival and departure of guests and staff of the hotel and, apart from the activity within the site when in full use.

6.4.3 The site includes various areas for recreational activity, including a jacuzzi, a sauna, a treatment/changing room, the caravan and the small open space left between the structures. Despite the small scale of the site, it is clear that a number of persons could easily congregate in relation to the proposed use. The application purports that the site would be in use for a maximum of 6 individuals. Despite any potential for planning conditions to control this, which in itself is not considered to be effectively enforced, the proposed 6 person capacity would significantly overpopulate this small back land site. Noise resulting from the normal conversation of 6 individuals could, in itself, cause disturbance to neighbouring sensitive windows, the nearest of which lies approximately 9.3m away from the northern boundary.

6.4.4 The applicant has submitted a Noise Report towards the latter stages of the application period. The report concludes that, with mitigation measures, the noise output from the site would not be overly dominant upon neighbouring occupants. The report recommends that further sound screening and insulation be installed to overcome the noise disturbance generated by the site in its current state. It is first noted that the report concludes that there would be a degree of noise disturbance requiring further mitigation measures beyond the initial (existing) proposal. However, by its own omission, the report confirms that the degree of noise disturbance is unknown, partly because the Noise Consultant did not have the benefit of testing the noise output from the Jacuzzi, the sauna, the caravan, or the sound system, or any manufacturer's specifications. As a result, it recommends mitigation measures as a 'worst case scenario', despite this being an immeasurable uncertainty. However, it is also noted that part of the recommended mitigation measures would be to raise the boundary fence enclosing the site. This in itself would require separate planning permission and, commensurate with the Council's consideration of the taller existing enclosure, would result in further unwelcome dominance of the site in the context of the wider area.

6.5 Transport

6.5.1 The subject site is located within a PTAL level of 6 and is within walking distance to busy bus routes and underground services from Wood Green High Street. The proposal would not include any off-street parking provision. The site is located within a controlled parking zone and there is a loading bay directly outside Hazel Mews. Taking into consideration that visiting patrons of the site would largely arrive

via public transport and that the loading bay would allow for the small scale servicing requirements of the site, the Transport Officer considers that the proposal is acceptable in transport terms.

6.6 Conclusion

6.6.1 Taking into account the above considerations, the proposal causes demonstrable harm to the visual amenity of the site and the proposed use would result in significant and unacceptable harm to the residential amenities of neighbours with regards to noise disturbance. As such, the proposal conflicts with Policies 7.4 and 7.6 of the London Plan (2015), Policy SP11 'Design' of the Haringey Local Plan (2013) and Saved Policy UD3 'General Principles' of the Haringey Unitary Development Plan (saved policies 2006) and refusal is recommended.

6.6.2 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

7. CIL APPLICABLE

7.1 The outbuilding does not comprise a floor area exceeding 100 square metres. As such, the proposal is not liable for the Mayoral or Haringey's CIL charge.

8. RECOMMENDATION

8.1 REFUSE PERMISSION

Registered No. HGY/2016/0892

Applicant's drawing No.(s)

Subject to the following condition(s)/For the following reason(s)

The proposed structures, by reason of their design, materials, height, scale and appearance, cumulatively result in overdevelopment of the site and are incongruous and detrimental to the character and visual amenity of the area. As such, the development is contrary to Policies 7.4 and 7.6 of the London Plan (2015), Policy SP11 'Design' of the Haringey Local Plan (2013) and Saved Policy UD3 'General Principles' of the Haringey Unitary Development Plan (saved policies 2006).

The proposal, by reason of its nature, activity and use, would cause unacceptable noise disturbance to neighbouring occupiers, to the detriment of their residential amenity. As such, the application is contrary to Policy 7.6 of the London Plan (2015) and Saved Policy UD3 'General Principles' of the Haringey Unitary Development Plan (saved policies 2006).