



Officer Report

Application Number:	HGY/2023/1854
Application Type:	Full planning permission
Address:	412 Muswell Hill Broadway, Hornsey, London, N10 1DJ
Proposal:	Redevelopment of existing first and second floor of front block and first floor of rear block, including demolition. Change of use of front block first and second floor and portion of rear block first floor of existing building to residential use, to provide 7 flats above the commercial unit, located at the ground floor and rear portion of 1st floor. Works include refuse, cycle, amenity space, changes to elevations and removal of service lifts.
Case Officer:	Eunice Huang
Valid Date:	27/09/2023
Applicant:	Mr Mansigani
Agent:	Mr Samuel Wilkie

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

1.1 This is an application for redevelopment of the existing first and second floors to the front block and first floor of rear block on this site, including some demolition. The works change the use of front block first and second floor and portion of rear block first floor of existing building to residential use, to provide 7 flats above the commercial unit, located at the ground floor and rear portion of 1st floor. Works also include refuse, cycle, amenity space, changes to elevations and removal of service lifts.

1.2 The application in question is similar to applications approved in 2018, 2021, and 2024 under references HGY/2022/1246, HGY/2021/2711 and HGY/2018/1402, which involved the conversion of commercial floor space into residential flats, with extensions. This application differs from the past applications in that there are no extensions proposed.

Site and Surroundings

1.3 The application site relates to a three-storey commercial building on the eastern side of Muswell Hill Broadway, comprising of retail (Class E) at ground floor level with ancillary storage and staff rooms on the first and second floor levels. The frontage of the building has a simple design and was built in the 1960s. At the rear the site is two stories in height with vehicular access from Muswell Mews.

1.4 The development site falls within the Primary Shopping Frontage of Muswell Hill Town Centre and Muswell Hill Conservation Area as per the Local Plan Proposals Map.

1.5 As explained in the Conservation Area Character Appraisal, Muswell Hill is an essentially Edwardian suburb that developed around a once rural village settlement on high ground on one of the main routes into and out of London. It has a considerable consistency of character and appearance that derives from the development of the majority of buildings and laying out of the streets over a period of less than 20 years.

Relevant Planning and Enforcement History

1.6 The planning history of the site has been taken into account when coming to this decision. Recent applications include the following:

- HGY/2022/1246 - Redevelopment of existing ground floor and first floor rear block retail space including extension, demolition and changing levels. Change of use of front block first and second floors of the existing building to residential use and construction of additional third floor on the front block and additional second floor to the rear block to provide 9 residential flats above the commercial unit. Works include refuse, cycle, amenity space and changes to elevations and service lift. Approved with conditions on 28/03/2024.
- HGY/2023/2889 - Installation of plant equipment, acoustic louvre fence and associated works to the rear service yard. Approved with conditions on 19/12/2023.
- HGY/2021/2711 - Conversion of the first and second floor levels of the existing building to the front, the construction of a third floor to the front and additional storey to the rear to provide 9 residential flats above the ground floor commercial unit with first floor rear block storage involving the creation of a basement level and alterations to the front elevation.- Grant permission - 17/12/2021.
- HGY/2019/0835 - Approval of details pursuant to conditions 3 (materials), 4 (details of fenestration and shopfront elements), 5 (secure and covered cycle parking facilities), 6 (refuse and waste storage and recycling facilities) & 8 (Central Satellite Dish / Receiving System) attached to planning permission HGY/2018/1402. - Grant permission - 14/05/2019.

- HGY/2019/0158 - Non-material amendment following a grant of planning permission HGY/2018/1402 to allow for the relocation of the entrance door to the commercial unit. - Grant permission - 18/01/2019.
- HGY/2018/1402 - Conversion of the first and second floor levels of the existing building to the front, the construction of a third floor to the front and additional storey to the rear to provide 9 residential flats above the ground floor commercial unit involving the creation of a basement level and alterations to the front elevation façade. - Grant permission - 14/12/2018.

2. CONSULTATION RESPONSE

2.1 The following response was received following consultation on the application:

1) LBH Design – No objections to the design, which is a revision of previous proposals that have been considered in past applications and pre-application discussions. It will provide a high quality contemporary re-interpretation of the prevailing retail parades of Muswell Hill, providing high quality retail units on this part of the Broadway at the heart of this busy and vibrant town centre. Above the retail frontage is proposed an elegantly designed residential frontage of well-proportioned, appropriately spaced and decorative windows in robust brick materials that will fit into the prevailing town centre and conservation area context. The proposed flats look to provide a decent quality of housing.

2) LBH Transport Planning – Object to proposal. The proposal site PTAL rating is 5, indicating that its access to public transport is very good. The development is not located within a CPZ. No on-site car parking are provided for this development, which proposes 7 new dwellings. It meets the car free criteria in Policy DM32. However, it is expected that some residents will choose to own a car in this specific location, which will displace vehicles onto the public highway. A parking stress survey is requested to determine parking availability within the vicinity of the development site.

15 cycle spaces are provided. For a development of this type – 5 x 2 bedroom and 2 x 3 bedroom dwellings – at least 14 long-stay and 2 short-stay spaces will need to be provided in accordance with London Plan Policy T5. Short-stay cycle parking should be located within the curtilage of the site. The proposed wall mounted cycle hoops are discouraged; instead a two tier rack system could be used instead.

Arrangements must be made with LBH Waste Management regarding refuse storage and collection.

A Construction Management Plan (CMP) would need to be submitted for approval by LBH Transport Planning.

3) LBH Carbon Management – Object to proposal. The applicant submitted modelling under the old regulations, instead of modelling under Part L 2021, using the 2022 GLA Energy Assessment Guidance. The application was missing GLA Carbon Emission Report spreadsheet. There are issues relating to the proposed solar PVs, ASHPs and space heating, urban heat island effort, biodiversity and cooling hierarchy.

3. LOCAL REPRESENTATIONS

3.1 The application has been publicised by way of press advert, site notice and letters. 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: 4

Support: 0

Representation: 2

Object: 3

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

- Design is not sympathetic to the existing buildings on the Broadway or the conservation area.
- Object to height and additional floors to the building.
- Overlooking and privacy, particularly from external walkways and new doors and windows.
- Daylight/sunlight access.
- Amenity impact upon new dwellings, including noise impact, arising from proximity to Royal Mail Delivery Office, which could restrict or prevent Delivery Office operations.
- Access along Muswell Mews to the Delivery Office must be maintained.
- Construction Management Plan should be provided.

4. MATERIAL PLANNING CONSIDERATIONS

4.1 The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Design and impact on the character and appearance of the conservation area;
3. Standard and quality of residential accommodation;
4. Inclusive access;
5. Impact on neighbouring amenity;
6. Impact on trees;
7. Transport considerations;
8. Energy and sustainability.

Principle of development

Background

- 4.2 As highlighted above there is an extant planning consent for a similar development at this site under reference HGY/2021/2711, which in effect renewed the same consent as approved under reference HGY/2018/1402. This application is similar to the HGY/2021/2711, albeit with a reduction in building scale and the number of new dwellings.
- 4.3 The changes proposed are set out in more detail below.
- Deletion of approved second floor and third floor extensions. No extensions are sought under this application.
 - Deletion of proposed basement and retention of existing basement.
 - Reduction of new dwellings from 9 residential flats to 7 flats.
 - Conversion of existing first floor and second floor commercial floor space into residential flats.
 - Creation of internal courtyards for residential flats

Providing additional housing with town centres

- 4.4 The principle of providing housing within a town centre location is strongly encouraged, with the scheme here meeting the challenges of creating good design at increased density as advocated by the current London Plan 2021.
- 4.5 The London Plan (2021) in Table 4.1 sets out housing targets for London over the coming decade, setting a 10-year housing target (2019/20 – 2028/29) for Haringey of 15,920, equating to 1,592 dwellings per annum. Policy H1 'Increasing housing supply' states that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites, especially sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a station or town centre boundary.
- 4.6 London Plan (2021) Policy H2A also outlines a clear presumption in favour of development proposals for small sites (below 0.25 hectares in size) and sets out a minimum target in Table 4.2 for boroughs (Haringey –10 year target is 2,600).
- 4.7 Paragraph 73 of the NPPF (July 2021) recognises the importance of small and medium sized sites can make in meeting the housing requirement of an area, with these often built-out relatively quickly. Chapter 11 supports the effective use of land and in paragraph 120 seeks the optimisation of sites by way of upward extensions, when designed to be sympathetic to the street scene. Paragraph 130c seeks to secure development which is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

- 4.8 London Plan Policy D6 seeks to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services.

Residential Mix

- 4.9 Policy DM45 of the Council's Development Management DPD states that the Council will seek to optimise the use of land and floorspace within town centres by encouraging new mixed-use development, including new or re-used space above shops and commercial premises, having regard to the role and function of the town centre, the impact on town centre vitality and viability; and compatibility of both the proposed and existing neighbouring uses.
- 4.10 Subject to the above, where a proposal for residential use is acceptable the development must provide adequate access arrangements, including separate access for the residential element of the proposal and not adversely affect the function and appearance of the designated frontages and the town centre.
- 4.11 The proposal would retain an active frontage at ground floor and would provide separate entrances to the new residential units above via a side entrance door and with access from the rear of the site. While the proposal would result in the loss of ancillary storage space for the existing retail unit, storage space would be retained at first floor level to the rear of the site.
- 4.12 Policy DM45 of the Council's Development Management DPD states that the Council will not support proposals which result in an overconcentration of 1 or 2 bed units unless they are part of larger developments or located within neighbourhoods where such provision would deliver a better mix of unit sizes which include larger and family sized units.
- 4.13 While the proposal would only result in the creation of 2 bedroom units, the site here is located within a town centre above primary shopping frontage where limited availability to provide amenity space, as such meaning this site lends itself to smaller residential units. As such, given the site circumstances, the proposal would be acceptable in this regard.

Design and impact on the character and appearance of the conservation area

- 4.14 DPD Policy DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original building. High quality matching or complementary materials should be used appropriately and sensitively in relation to the context. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context

and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

- 4.15 London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.
- 4.16 DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues, which will be taken into account. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.
- 4.17 The Muswell Hill Conservation Area Character Appraisal notes that No. 412 "is a 1960s building with a simple elevation that returns to the predominant building line and pattern of three storey development along the street. Built in a light brown brick, it has a parapet with simple concrete copings, projecting concrete surrounds to the windows, a wide frontage and a blank rendered flank wall that is prominent in views north along the street. It replaced a smaller Woolworths building of 1935 and adjoining builder's yard."
- 4.18 While the site is located within a conservation area, the current frontage and rear is not considered to contribute positively to the character and appearance of the conservation area. As noted above the frontage has a simple 1960s appearance, different in form, appearance and proportions to the typical buildings found on the Broadway.
- 4.19 The front façade as proposed will be symmetrical, responding to the structural grid and the proportions of features along the wider Broadway. Features on the front elevation will align with neighbouring properties with a Crittall-style of fenestration proposed as per the previously approved scheme.
- 4.20 The height of the front façade is nominally increased by 80mm. There are a variety of building types with varying building heights within the conservation area. The resulting building would be compatible in bulk and scale to the adjoining properties along the same stretch of Muswell Hill Broadway.
- 4.21 When viewed from the rear, the proposed building would retain a similar volume and appearance to the existing building. Alterations and additions include the creation of courtyard terraces, addition of parapets, changes to fenestration, addition of fire escape passageway and stairs, and addition of railings to balconies.

- 4.22 The quality of the proposed materials and their detailing will be integral to the overall success of the scheme, in terms of the scheme's visual appearance, its relationship with the surrounding streetscape character, and the expression of the building's massing and architectural composition. Conditions are being imposed to secure such detail.
- 4.23 The development here complies with Local, London and National policies relating to heritage assets; and the statutory duty to preserve the special interest of the conservation area, having given considerable importance and weight when assessing this application.

Standard and quality of residential accommodation

- 4.24 London Plan Policy D6 requires housing developments to be of high-quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.
- 4.25 In assessing the proposal against these requirements, the proposed unit would accord with the minimum unit size requirements. The minimum standards prescribed for individual rooms are set out within The London Housing Design Guide and the proposed rooms conform to these standards as shown on the floor plans with the units meeting the minimum requirement as follows:

Flat no./Level	Bedrooms/Persons	Size in sqm (min. required)	Outdoor space in sqm (min. required)	Internal compliance / external compliance
Flat 1a (first floor)	3b/5p	86.1 (86)	8 (8)	Yes / Yes
Flat 1b (first floor)	2b/4p	82.9 (70)	6.9 (7)	Yes / No
Flat 1c (first floor)	2b/4p	80.4 (70)	18.8 (7)	Yes / Yes
Flat 1d (first floor)	2b/4p	73 (70)	20.9 (7)	Yes / Yes
Flat 1e (first floor)	3b/6p	96.1 (95)	15.3 (9)	Yes / Yes
Flat 2a (second floor)	3b/5p	86.0 (86)	6.3 (8)	Yes / No
Flat 2b (second floor)	2b/4p	78.4 (70)	7.3 (7)	Yes / Yes

- 4.26 The creation of internal courtyards within the building envelope, enables each unit to be dual aspect. They would avail of sufficient outlook, daylight and ventilation from each habitable room.
- 4.27 All of the units have access to a private terrace area. In the case of Flat 1b, there is a minor shortfall of 0.1m² of the minimum requirements. The private outside space of Flat 2a is limited to 6.3m² – the 3.4m² terrace area to the south-east is not private outside space, because it functions as a passageway to access Flat 2b. In any case, given that the site is located within a town centre, the requirement for private amenity space in this instance would not be a justifiable reason for refusal, particularly given the sites proximity to Alexandra Palace Park and Highgate Wood. As such, on balance, the proposal is considered to provide a sufficient standard of accommodation for the future occupiers of the units.
- 4.28 Concerns were raised in a representation regarding the noise impact of existing and continued operations at the adjacent Royal Mail Delivery Office upon the amenity of the new dwellings. The rear portion of the first floor level is retained as offices and storage, which would assist in acoustic attenuation for the rear flats. Notwithstanding this, the openings of Flat 1e, which adjoins the Delivery Office, have been amended so there are no openings facing the rear.

Inclusive access

- 4.29 London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used easily and with dignity by all. London Plan Policy D7 require that 10% of new housing is wheelchair accessible and that the remaining 90% is easily adaptable for residents who are wheelchair users. DPD Policy DM2 also requires new developments to be designed so that they can be used safely, easily and with dignity by all.
- 4.30 Paragraph 4.2.9 of the London Plan 2021 states that homes that are not on the ground floor on minor developments can comply with the M4(1) standard, which does not require step-free access, where provision of step-free access would be unfeasible. Given scale of this development in terms of scale it would be unreasonable and impractical to require a lift be installed in this instance.

Impact on neighbouring amenity

- 4.31 London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

- 4.32 DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring resident.
- 4.33 The development largely maintains the existing building envelope, with internal changes, alterations to the façades and fenestration, and minor additions. The proposal would not have an overbearing effect on neighbouring occupiers, nor cause undue overshadowing or loss of light.
- 4.34 In respect to visual privacy, there are changes to the fenestration on both the front and rear elevations of the building. Despite the changes to the glazing, the position of openings are similar to those of the existing building and would not introduce adverse overlooking impacts upon neighbouring properties. There is a south-west facing side glazed door introduced on the second floor level. A 1.1m tall balustrade is located to the south-west of this window. The balustrade would be composed of perforated metal panels, with low visual permeability. Based on the average eyeline height of 1.7m, views into neighbouring properties from the new side window would be mitigated by the balustrade, as well as level differences between the second floor level and neighbouring windows and gardens. A condition will be imposed to secure the balustrade detail. It is noted that the new side glazing would allow views of properties further afield. However, the separation distance and existing overlooking from upper level windows of surrounding dwellings in the vicinity mitigate the extent of this impact.
- 4.35 The proposed terraces and gallery circulation on the second floor level are located on the existing trafficable rooftop. The limited width of the gallery circulation and stairwell also ensures that they would primarily function as circulation spaces. The second floor terraces are setback 33.8m from the rear boundary of the site, providing sufficient separation distance to mitigate privacy impact upon residential dwellings to the rear, addressed to Wellfield Avenue. Nonetheless, the site photos demonstrate that existing vegetation in the rear gardens of these properties aids in screening views.
- 4.36 The rooftop circulation and private terraces on the first-floor level would be provided with screen walls 1.5m high, according to the Design & Access Statement. This includes a screen wall along the south-western boundary to provide a visual barrier between the new courtyard space and the neighbouring property, to maintain privacy of neighbours and the future occupants of No. 412. A condition will be imposed to secure this detail.
- 4.37 A plant room is located within the existing rear service yard. The plant equipment would be located within an enclosed room, and this is acceptable in mitigating impact upon neighbouring properties. A condition will be attached to manage noise.

- 4.38 A plant room is located within the existing rear service yard. The plant equipment would be located within an enclosed room, and this is acceptable in mitigating impact upon neighbouring properties. A condition will be attached to manage noise.
- 4.39 A condition will be attached requiring the submission and approval of a Construction Management Plan prior to construction. This will assist in mitigating disturbance from movements of construction vehicles to and from the site upon neighbouring properties including the adjacent Royal Mail Delivery Office.
- 4.40 On the basis of the above, it is considered the proposed scheme complies with London and local plan policies in relation to amenity considerations.

Transport considerations

- 4.41 The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the need to travel and encouraging public transport provision to secure new sustainable patterns of transport use.
- 4.42 London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.
- 4.43 Local Plan 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 is supported by DPD Policy DM31 'Sustainable Transport'.
- 4.44 The site is located in Muswell Hill Broadway and is in a High Street located with high volumes of traffic. It is served by 7 bus routes, with frequencies ranging from 4 to 19 vehicles per hour (with an average frequency of buses is 9 buses per hour). 4 of the 7 bus routes operating in the vicinity of the site are 24 hour operations with high frequencies. There are no rail or underground stations within the walking parameters for PTAL calculations. However, the site achieves a PTAL of 5 (with 0 being the worst and 6b being the best) due to excellent bus accessibility and additionally the bus routes offer direct connections to the nearby rail and underground stations, such as Highgate, East Finchley and Alexandra Palace.

Car Parking

- 4.45 Muswell Hill Broadway is subject to parking restrictions. Along the site frontage includes zigzags lines, single yellow (no parking at anytime) and a loading bay. Muswell Road and Muswell Mews which provide access to the rear of the property are not part of a CPZ.
- 4.46 The proposal does not include any off-street car parking spaces. It is defined as a car-free development, which is supported by Haringey (Policy DM32) on the basis of the site's excellent access to public transport (PTAL 4 and above). However, strictly speaking, residents of a car-free development would have no access to free on-street parking and therefore such developments need to be surrounded by a controlled parking zone (CPZ), which makes it possible to secure a S106 obligation that removes residents' eligibility to obtain permits to park in the adjoining CPZ, as part of any planning consent. As such, the proposal cannot be subject to a S106 car-free agreement due to the lack of on-street parking controls.
- 4.47 Nevertheless, it could be expected that some residents will choose to own a car. The approved 9no. flat scheme on this site under reference HGY/2021/2711 was expected to generate no greater demand than 5 spaces, which could be absorbed within the existing on-street parking capacity without any detrimental impacts.. This proposed scheme seeks to reduce the proposed number of flats to 7no. The proposal is also subject to sustainable transport measures including a contribution of £3,000 towards the design and feasibility of a controlled parking zone to cover this area and the developer is required to fund car club membership for each household to cover a period up to two (2) years, at any time within three (3) years from initial occupation.

Cycle Parking

- 4.48 The proposal includes 15no. cycle parking spaces provided on the ground floor level and accessed via Muswell Mews. For this development, comprising 5no. 2 bedroom and 2no. 3 bedroom dwellings, at least 14 long-stay and 2 short-stay will need to be provided in accordance with the London Plan. The short-stay cycle will need to be provided within the curtilage of the site, which can utilise a Sheffield stand for its design. Appropriate cycle parking provision and design should be secured by condition.

Delivery and Servicing

- 4.49 There is no change to delivery and servicing under the proposal compared to the existing arrangement and the approved arrangement under reference HGY/2021/2711. The commercial use will be retained on the ground floor level, as per existing, and no changes are proposed to commercial operations under this application. The addition of the new fire escape stairs, plant room, bin storage and cycle storage would not impede the existing and approved delivery arrangements in the existing loading bay accessed Muswell Mews. Swept path diagrams of servicing/delivery vehicles accessing Muswell Mews were previously provided for reference HGY/2021/2711 to demonstrate that there is adequate turning provision.

- 4.50 Residential refuse is proposed to be located at the rear of the site, adjacent to the cycle store. Details of the refuse storage and collection which are to be secured by way of condition to ensure the Council's standards are met and approved by the Waste Team.

Construction Impacts

- 4.51 Given the nature of Muswell Hill Broadway and the constrained nature of Muswell Mews, there is some concern about the potential impacts of construction traffic. However, the details of construction logistics are not available to comment on at this time. In order to minimise the impacts of construction activities on the local road network, the Council will seek a planning condition that requires the submission of a Construction Logistics Plan (CLP) for approval prior to the commencement of construction.

Traffic Impacts

- 4.52 In terms of the trip generation of the site, the proposed residential units will not generate trips of any significance. Overall, the development will not create any material impacts on the local highway and public transport networks.
- 4.53 In conclusion, the development is considered to be acceptable in transport terms, subject to planning conditions and sustainable transport measures to be secured by way of a Section 106 Agreement.

Energy and sustainability

- 4.54 The London Plan sets out detailed policies in relation to energy efficiency, renewable energy, climate change and water resources. Local Plan Policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions through on-site renewable energy generation.
- 4.55 DPD Policy DM21 also requires new development to consider and implement sustainable design, layout and construction techniques, with proposals required to apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements.
- 4.56 The proposed development would secure a 22% reduction in CO2 emissions above Part L 2021 regulations. Demand reduction measures have been incorporated, including improved u-values. The heating system incorporates air source heat pumps (ASHPs).
- 4.57 In this instance given the application relates to a minor development/ a part redevelopment, with extant consent, the scheme is not subject to a carbon offset contribution.

Conclusion

- 4.58 The proposal is a change of use development that provides 7 new dwellings, while retaining an existing commercial floor space on the ground and first floor level. The development would respond appropriately to the local context and provide appropriate living conditions for the future occupiers of the development. The development and in particular the updated façade facing the Broadway would represent an enhancement to the character and appearance to this part of Muswell Hill Conservation Area.
- 4.59 The proposal would not adversely affect the amenity of adjoining and neighbouring occupiers nor have an adverse impact on on-street parking or highway safety.
- 4.60 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above and the applicant entering a S106 agreement to secure sustainable transport measures.

5. CIL APPLICABLE

- 5.1 The development is for whole new residential units, but there is no net additional gross internal area following development. There is thus no CIL charge for this development.

6. RECOMMENDATION

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

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 shall be completed in accordance with the approved plans as listed above except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

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 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 consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

4. Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the works begins on site. The works shall not be carried out otherwise than in accordance with the details thus approved:

Details of the fenestration to the front/street elevation, in specific precise specifications/cross-sectional drawing of window frames, colour, glazing bars, reveal and cills.

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 consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

5. Prior to the occupation of the development, final details of the type and location of secure and covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until a minimum of 14 long-stay and 2 short-stay cycle spaces, have been installed in accordance with the approved details. Such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with policy T5 of the London Plan 2021 and Policy SP7 of the Haringey Local Plan 2017.

6. Details of a scheme for the storage and collection of refuse from the premises shall be submitted to and approved by the Local Planning Authority prior to the commencement of the use. The approved scheme shall be implemented and permanently retained to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of the locality and to comply with Policy DM4 of The Development Management DPD 2017 and Policies SI 7 and SI 8 of the London Plan 2021.

7. No development shall take place, including any works of demolition, until a Method of Construction Statement, to include details of:
- a) programme of works
 - b) parking and management of deliveries to the site (including hours of delivery, taking into account adjoining Royal Mail Delivery Office use)
 - c) loading and unloading of plant and materials
 - d) storage of plant and materials
 - e) scaffolding, skips, hoarding and hoists as needed over or on the highway
- have been submitted to and approved in writing by the Local Planning Authority.

Only the approved details shall be implemented and retained during the demolition and construction period.

Reasons: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies T4, T7 and D14 of the London Plan 2021, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017.

8. Details of any communal television system/satellite dish to be installed at the development must be submitted to, and approved in writing by the Local Planning Authority prior to installation. The development shall be undertaken in accordance with the approved detail.

Reason: To mitigate the possibility of numerous satellite dishes being installed on the building hereby approved, in the interests of the visual appearance of the development, in particular, and the locality in general.

9. Notwithstanding the details shown on the plans and documents hereby approved, a plan showing details of balustrades/privacy screen to the first floor and second floor roof terraces/balconies shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the works begins on site. Development shall be carried out in accordance with the approved details prior to the first use of the balcony/terrace areas 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 2017 and Policy DM1 of The Development Management DPD 2017.

10. Precise details of any plant equipment to be installed in connection with the residential units hereby approved must be submitted to, and approved in writing by, the Local Planning Authority prior to installation. The equipment must be effectively operated and maintained for so long as the use continues; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the amenities of nearby residential occupiers consistent with Policy D14 of the London Plan 2021 and Policy DM1 of The Development Management DPD 2017.

11. The development hereby approved shall be constructed in accordance with the Energy Statement prepared by 'Build Energy Ltd' (dated 1 February 2024), delivering a 22% improvement on carbon emissions over 2021 Building Regulations Part L. The development shall be carried out strictly in accordance with the details so approved and shall be maintained and retained as such thereafter.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2 and Local Plan Policy SP4 and DM21.

Informatives:

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: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

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 3472) to arrange for the allocation of a suitable address.

INFORMATIVE: Fire Safety

The submission/approval of this planning application does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations, with such a matter needing careful consideration in the context of these 4 new units and the existing units/ residents within this building.

INFORMATIVE: Asbestos

The applicant must ensure any issue with dust where applicable is adequately addressed so as to minimised the effects of the demolition work on the existing AQ and any other nearest sensitive receptors.

INFORMATIVE: Dust

Prior to the demolition or construction on the existing land, 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