

PLANNING COMMITTEE - 30th April 2009

LBE/09/0006



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Scale 1/1250 Date 8/4/2009

Centre = 532945 E 192606 N

Application Number: LBE/09/0006
Date of Registration: 12th March 2009

Ward: Haselbury

Contact: Rob Singleton 3837

Location: MILLFIELD THEATRE, SILVER STREET, LONDON, N18 1NB

Proposal: Construction of a new entrance with canopy to former library to provide ancillary theatre accommodation.

Applicant Name & Address:

Ms Lorraine Cox, LB of Enfield Cultural Services
9th floor
Civic Centre
Silver Street
Enfield
EN1 3XJ

Agent Name & Address:

Mr Andrew Shepherd, Ingleton Wood
10, Lake Meadows Business Park
Woodbrook Crescent
Billericay
Essex
CM12 0EQ

Recommendation: That in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992, planning permission be deemed to be **GRANTED** subject to the following conditions:

1. C07 Details of Materials
2. C09 Details of Hard Surfacing
3. C10 Details of Levels
4. C41 Details of External Lighting
5. C51A Time Limited Permission

Site and Surroundings

The site comprises Millfield Theatre, incorporating the former library premises and is bounded by residential development to the east, the A406 North Circular Road to the south and west, and Silver Street to the north. The main existing vehicle and pedestrian access to the building is from Silver Street, with primary access limited to an entrance in the north elevation.

The premises, although not listed, are within the curtilage of Millfield House: a Grade II* Listed Building. It should also be noted that the adjacent Gate House and boundary wall are also listed.

Amplification of Proposal

Permission is sought for the formation of a new entrance to the east elevation of the former library building incorporating canopy. Associated changes to the fenestration in the south elevation include a new staff entrance and removal of a fire escape.

It is noted that the proposed scheme forms part of a wider intention convert the former library to a bar/bistro/function area. However, this will form part of a separate application and is not covered by the assessment of this approval.

Relevant Planning History

LBE/85/0008 – Theatre and Library – Approved subject to conditions (21/04/86)

Consultations

Public

Consultation letters were sent to 3 neighbouring properties and no written representations have been received.

Internal

Traffic and Transportation raise no objections to the proposal.

External

English Heritage have not responded. Any reply will be reported at the meeting.

Relevant Policies

London Plan

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|-------|---|
| 3A.17 | Addressing the needs of London's diverse population |
| 4B.5 | Creating an inclusive environment |
| 4B.8 | Respect local context and communities |

Unitary Development Plan

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|---------|---|
| (I)EO1 | Equal opportunities |
| (I)GD1 | Regard to surroundings |
| (I)GD2 | Development to improve the environment |
| (II)GD3 | Aesthetic and functional design |
| (II)GD6 | Traffic generation |
| (II)GD8 | Access & servicing |
| (II)T13 | Access to existing highways |
| (II)T16 | Pedestrian and disabled access |
| (II)C12 | Maintenance of listed buildings in public and private ownership |
| (II)C17 | Development within the curtilage of a listed building |
| (II)C18 | Preservation of historic form character and use of listed buildings |
| (I)CS1 | Community services |
| (II)CS1 | To facilitate through the planning process the work of various community services |
| (II)CS2 | To ensure development for community services complies with the |

(II)CS3 Council's environmental policies
Optimum use of land

Local Development Framework: Preferred Options

The Planning and Compulsory Purchase Act 2004 requires the Council to replace the UDP with a Local Development Framework (LDF). The LDF Core Strategy will set out the spatial vision and strategic objectives for the Borough. The Core Strategy is at an early stage in its adoption process. As this continues the weight given to it will grow and the relevant objectives are reported to demonstrate the degree to which the proposals are consistent with the emerging policy direction.

Core Policy 1: Sustainable and efficient land use
Core Policy 26: Leisure and culture
Core Policy 27: Visitors and tourism

Other Policy Considerations

PPS1: Delivering Sustainable Communities
PPG13: Transport
PPG15: Planning and the Historic Environment

Analysis

Character and Appearance

The proposed new entrance to would be sited to the east side elevation of the former library with a cantilevered glazed canopy above. The canopy would project some 2m from the main wall providing a clearance from ground level of 2.3m. The canopy would span an area framing the new entrance of 5.85m. The design and scale of the entrance, proposed canopy and hard surfaced area are of an acceptable size and appearance that would satisfactorily integrate into the existing building and would not detract from the setting of the adjacent Grade II Listed Building. Moreover, the addition would not appear incongruous within the curtilage of the listed building.

The proposed entrance would also provide step free wheelchair access to property and thus is compliant with the objectives of (I)EO1 and the DDA.

Alterations to the fenestration to the south elevation to form a staff entrance and removal of a fire escape with installation of a dummy window are considered acceptable.

Conclusion

The proposed alterations to fenestration and proposed new entrance with canopy are acceptable in design and access terms and in light of the above, it is recommended that planning permission be approved for the following reasons:

1. The proposed new entrance with canopy to the east side elevation due to its design, siting and size does not unduly affect the character and appearance of the existing property and the surrounding area having particular regard to the setting of the adjacent Grade II Listed Building and would create an inclusive accessible environment. This is compliant with Policies (I)GD1, (I)EO1, (I)GD2, (II)GD3, (II)C12, (II)C17, (II)C18 and (II)T16 of the Unitary Development Plan.

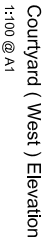
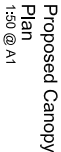
2. The proposed alterations to fenestration in the south elevation to include formation of new staff entrance and removal of a fire escape due to its design, siting and size does not unduly affect the character and appearance of the existing property and the surrounding area having particular regard to the setting of the adjacent Grade II Listed Building. This is compliant with Policies (I)GD2, (II)GD3, (II)C12, (II)C17 and (II)C18 of the Unitary Development Plan.



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DO NOT SCALE

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Application Number: TP/01/1012/VAR4 **Ward:** Palmers Green
Date of Registration: 6th February 2009

Contact: Robert Lancaster 4019

Location: 316-322, GREEN LANES, LONDON, N13 5TW

Proposal: Variation of condition 05 of approval granted under Appeal ref. APP/Q5300/A/02/1095527 (TP/01/1012) to allow opening hours of 0800-0000 hrs, daily, and cessation of all activity associated with the use within 30 minutes of closing time.

Applicant Name & Address:

JD Wetherspoon PLC
C/O Agent

Agent Name & Address:

Ricardo Rossetti, Savills
Lansdowne House
57, Berkeley Square
London
W1J 6ER

Recommendation: That planning permission be **GRANTED** subject to the following conditions:

1. C50 Limited Period Permission
2. C38 Restricted Hours - Opening

Site and Surroundings

The application site comprises a ground floor premises situated within the core retail frontage of Palmers Green Town Centre and forms part of a two-storey building. The first floor provides office accommodation although these are currently vacant.

The surrounding area and the town centre in particular, is characterised predominantly by a mix of commercial and retail uses at ground floor level and a mix of office and residential accommodation above.

Proposal

Permission is sought for the variation of Condition 5 of permission ref: APP/Q5300/A/1095527, to permit opening hours from 8 am to Midnight 7 days a week. It is proposed that activity associated with the use of the public house would cease within 30 minutes of closing.

Condition 5 of the permission currently states:

The premises shall only be open for business daily between the hours of 10:00 and 23:00 and all activity associated with the use shall cease within one hour of the closing time specified above.

Relevant Planning Decisions

TP/01/1012 – an application for the change of use from retail (A1) to traditional ale bar selling food and wine (A3) was refused planning permission in January 2002. An appeal against this decision was however allowed (APP/Q5300/A/02/1095527) in May 2003 subject to conditions.

TP/01/1012/VAR1 – an application to vary Condition 05 of APP/Q5300/A/02/1095527 (ref: TP/01/1012) to enable the public house to open Sunday-Thursday: 7am-1am, Friday-Saturday: 7am-1.30am, Christmas Eve, Boxing Day and New Years Eve 7am-2.30am, Thursday preceding Good Friday and Sundays preceding Bank Holiday Mondays: 7am-1.30am, on Burns Night (25th January); Australia Day (26th January); St David's Day (1st March); St Patrick's Day (17th March); St George's Day (23rd April); and St Andrew's Day (30th November): 7am-2am - if the day falls on Sunday-Thursday 7am-2.30am - if the day falls on Friday-Saturday. The application was withdrawn in March 2006

TP/01/1012/VAR2 - an application to vary Condition 05 of APP/Q5300/A/02/1095527 (ref: TP/01/1012) to enable the public house: Monday to Sunday: from 07.00hrs to 00.30hrs, St Patrick's Day, St George's Day and every Sunday preceding a Bank Holiday Monday: from 07.00hrs to 02.30hrs, Christmas Eve: from 07.00hrs to 02.30hrs, Boxing Day: from 07.00hrs to 01.30hrs and New Years Eve: Unrestricted (from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day and removal of condition 07 to allow music to be played, was refused planning permission by Planning Committee in April 2006.

TP/01/1012/VAR3 - an application to vary Condition 03 of APP/Q5300/A/02/1095527 to allow alterations to the location and appearance of the fume extraction and ventilation plant was granted with conditions by Planning Committee in September 2007

TP/09/0151 – the conversion of first floor offices and the construction of 2nd floor to provide 6 self-contained flats was refused in March 2009.

TP/09/0226 – the change of use of first floor to gym and fitness centre (Use Class D2) is undetermined

Consultations

Public:

Consultation letters were sent to 71 neighbouring and nearby residential properties. One letter of objection was received which raised the following points:

- generates noise and disturbance to residential occupiers on The Grove.
- the proposal would result in increased hours of use of air conditioning units sited to the rear of the application property and give rise to longer periods of noise and disturbance;
- result in more alcohol abuse.
- increase parking pressure on the nearby road network

External: None

Internal:

Environmental Health and Regulation do not object but highlight the fact there is a history of noise complaints associated with the air conditioning plant from five different addresses based in The Grove. Consequently, it is advised that existing conditions controlling the noise levels from this equipment should remain in force.

Relevant Policy

London Plan

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|-------|---|
| 2A.8 | Town Centres |
| 2A.9 | The Suburbs: supporting sustainable communities |
| 3D.1 | Supporting Town Centres |
| 4A.20 | Reducing Noise and Enhancing Soundscapes |
| 4B.8 | Respect Local Context and Communities |

UDP Policy

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|-----------|--|
| (I) GD1 | Development to have regard to its surroundings |
| (I) GD2 | New developments to improve the environment |
| (II) GD1 | Development to be appropriately located |
| (II) GD3 | Aesthetic and functional design |
| (II) GD6 | Traffic generation |
| (II) GD8 | Site access and servicing |
| (II) EN30 | Noise pollution. |
| (II) S18 | Food and Drink uses within shopping centres. |

Local Development Framework - Core Strategy Preferred Options

The Planning and Compulsory Purchase Act 2004 requires the Council to replace the UDP with a Local Development Framework (LDF). The LDF Core Strategy will set out the spatial vision and strategic objectives for the Borough. The Core Strategy is at an early stage in its adoption process. As this continues the weight given to it will grow and the relevant objectives are reported to demonstrate the degree to which the proposals are consistent with the emerging policy direction.

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|------|--|
| SO7 | Distinctive, balanced, and healthier communities |
| SO11 | Safer and stronger communities |
| SO16 | Preserve the local distinctiveness |
| SO17 | Safeguard established communities and the quality of the local environment |

Other Material Considerations

| | |
|-------|---------------------|
| PPS6 | Town Centres. |
| PPG24 | Planning and Noise. |

Analysis

Background

Condition 5 of the permission currently states "The premises shall only be open for business daily between the hours of 10:00 and 23:00 and all activity associated with the use shall cease within one hour of the closing time specified above".

A previous application for extended opening hours and allowing music to be played was refused at Committee under reference: TP/01/1012/VAR2 dated 27/04/2006. This new application does not pertain to the playing of music and the hours of opening proposed has been reduced from that previously refused

Impact on Amenities of Neighbouring Residential Properties

The main consideration in assessing this application is whether the variation in hours will have an unacceptable impact on the residential amenities of nearby residents and occupiers through an increase in noise and disturbance.

The main objection has come from properties to the rear (The Grove). The rear gardens of these properties are within 4m of the premises whilst the dwellings themselves are approximately 19m away.

The Inspector when accepting the original use on appeal concluded that:

“it is estimated that noise generated inside the premises would not cause disturbance to occupiers of the properties to the rear because there are no ground floor windows or other openings at the rear of the building and therefore no noise breakout on this side of the building.”

Nevertheless, it is recognised that there have been noise issues arising from the installation of air conditioning plant and this has a more direct relationship to the properties at the rear. This visual impact of this plant and equipment has recently been addressed through the implementation of an approved mitigation scheme that included noise attenuation measures. Thus as the proposal involves only a 30 minute increase in activity when the air conditioning plant would be in operation, now that the mitigation is in place, this increase is considered to be acceptable.

There is also residential accommodation at first floor level, above a number of the ground floor units adjoining no. 316 – 322 Green Lanes. Whilst they would also be subject to the noise arising from the extended use of the air conditioning plant, it is considered their closer proximity does not lead to any different conclusion regarding the acceptability of the extended opening hours. Moreover, the Inspector was satisfied that noise transmission through the fabric of the building could be controlled through the imposition of an appropriate condition, which has been adhered to.

However recognising the continuing sensitivity of the premise's use, it is considered appropriate to impose a condition limiting the permission initially to a period of 1 year during which the acceptability of the extended open hours can be reviewed.

Impact on Character and Amenities of Surrounding Area

Although the area is comprised primarily of retail and commercial uses, there is significant residential composition at first floor and above within the town centre. However the town centre contains a wide variety of uses including a number of other restaurants and takeaways that would also be open until midnight. Whilst it is accepted that the variation in hours may lead to some increase in noise and general disturbance to Green Lanes, it is considered that this increase will not be noticeable or sufficient to identify any material harm within the context of the town centre where a concentration of late night activities could reasonably be expected. Moreover, the use would also contribute to a vibrant nighttime economy. On balance, therefore, the proposal is therefore considered to be acceptable in this respect.

Increase Traffic Generation

It is considered that the proposed increase in opening hours would not result in an increase in parking pressure on the local road network or traffic generation due to the nature of the use and the fact that the town centre benefits from a good access to a range of public transport options.

Other Matters

Objections were made regarding the proposal leading to greater alcohol abuse. However, this cannot be taken into account when determining a planning application.

It should also be noted that by granting this variation of condition, the other conditions relating to the use of the Public House, including level of noise emissions of all mechanical units, such as air conditioning units sited to the rear of the application property, would not be affected.

Conclusion

In the light of the above, the proposal is considered acceptable for a temporary period of 1 year for the following reason:

The proposed opening hours subject to a condition limiting the permission to a period of one year, are considered to be appropriate and consistent within this town centre context, and will not unduly affect the amenities of adjoining residential properties or the character and amenities of the Palmers Green town centre as a whole having regard to Policies (II) GD1, (II) S18 and (II) EN30 of the Unitary Development Plan as well as Policies 2A.5, 3D.1 and 4A.14 of the London Plan.

TP/09/0207



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Scale 1/2500 Date 8/4/2009

Centre = 531057 E 193150 N

Application Number: TP/09/0207 **Ward:** Winchmore Hill
Date of Registration: 18th February 2009

Contact: Richard Laws 3605

Location: Garages adjacent to 2 Fox Lane, and land, Rear Of, 2-32, Caversham Avenue, London, N13

Proposal: Redevelopment of site to provide 9 single family dwellings incorporating 7 detached 4-bed houses with parking area at side and a pair of semi detached 4-bed houses with rooms in roof and front and rear dormers and new access to Fox Lane.

Applicant Name & Address:

Mr Martin Taylor, Sherrygreen Homes
Teresa Gavin House
Woodford Avenue
Woodford Green
Essex
IG8 8FA

Agent Name & Address:

Miss Anna Chan, Chetwoods
12-13, Clerkenwell Green
London
EC1R 0QJ

Recommendation: That planning permission be **REFUSED** for the following reasons:

1. The proposed design and appearance of the semi detached dwellings on the Fox lane frontage would result in the introduction of an incongruous form of development out of keeping with and detrimental to the visual amenities of the street scene as well as the character and appearance of the surrounding area. The proposed development would therefore not reflect the best aspects of the character of the area or improve the quality of the environment and is thus contrary to Policies (I) GD1, (I) GD2 and (II) GD3 of the Unitary Development Plan, Policies 4B.1 and 4.B8 of the London Plan as well as the design objectives of PPS1 and PPS3.
2. The siting of the new vehicular access to serve the development, with particular regard to the inadequate visibility for vehicles exiting the site would be detrimental to highway safety and the free flow of vehicles, cyclists and pedestrians, contrary to Policies (II)GD8 and (II) T13 of the Unitary Development Plan.
3. The proposed first floor bedroom windows facing the rear gardens of Nos. 2 to 32 Caversham Avenue due to the proximity of the proposed dwellings to the rear common boundary, would result in overlooking and loss of privacy, detrimental to the residential amenities of the occupiers of these properties contrary to Policy (II) H8 of the Unitary Development Plan.
4. The provision of amenity space for the proposed family size dwellings is below the standards identified in the Council's adopted policy and would result in a substandard level of amenity space available for future occupiers and a poor quality of residential development to Policies (I)GD1, (I)GD2 and (II) H9 (Appendix A1.7) of the Unitary Development Plan.

5. The loss of a large number of trees which contribute to the general amenity value, together with the proposed layout of the development which would undermine the long term retention of the oak tree, would detract from the appearance of the site and resultant development within the surrounding area contrary to Policies (I)GD1, (I)GD2, (II) C35 and (II) C38 of the Unitary Development Plan.

Site and Surroundings

The site comprises an elongated tract of land to the rear of Nos. 2 to 32 Caversham Avenue. The front part of the site contains a number of lock up garages (31) and concrete apron with access onto Fox Lane. Beyond these garages, the site previously formed part of the rear gardens of properties fronting Caversham Avenue. This land was leased by Network Rail to residents and has now been sold to the Applicants.

There is an intervening belt of trees between the site and railway line. A group Tree Preservation Order is also in place.

The immediate surrounding area is predominantly residential in nature.

Proposal

Permission is sought for the redevelopment of the site to provide a total of 9 dwellings comprising 7 detached dwellings and a pair of semi detached dwellings. The 7 detached dwellings are 2 storey high and sited along the western boundary of the site backing on to the rear boundaries of Nos 2 to 32 Caversham Avenue. The pair of semi-detached dwellings, which are 2 storey with rooms in the roof, would front onto Fox Lane.

The existing block of lock up garages would be demolished and a new vehicular access to the site onto Fox Lane is proposed leading to a total of 18 car parking spaces. A number of trees would also be removed to facilitate the development.

In support of the application the applicants have provided a Design and Access Statement, Transport Statement together with an ecology and tree report.

Relevant Planning History

PRE/07/0142- Pre application advice given in respect of redevelopment of land garages adjacent 2 Fox Lane, and land rear of 2-28 Caversham Avenue.

TPO/331/2008 – Tree Preservation Order Land to side of 2 Fox Lane and rear of 2-28 Caversham Avenue. The Order was confirmed on the 18th August 2008.

Consultations

Public

Letters were sent to 189 neighbouring and surrounding properties. In reply, 19 letters of objection were received raising the following points of objection:

- Parking already an issue in Caversham Avenue and surrounding area
- Loss of Privacy, outlook, and overlooking from windows
- Siting of access dangerous, poor visibility, risk of accidents, safety issues
- Increased traffic and congestion
- Drainage, subsidence issues, natural springs make further land drainage

Problems

- Proposals out of keeping and character with surroundings
- Gardens too small for new houses, not in keeping with the area
- Proximity of new access to humpback bridge dangerous
- Loss and impact of development on TPO trees
- Parking situation made worse by development/ loss of parking
- Increased surface water
- Destruction of local environment
- Impact of development on residents of Fox Lane and Caversham Avenue
- Precedent it sets for future developments
- Increase noise and disturbance, light pollution
- Site too small for development
- Impact of new access road on trees on railway bank
- Danger to pedestrians safety
- Environmental issues- important wildlife corridor, e.g. bats and stag beetles protected by Wildlife and Countryside Act
- Proposed houses very close to residents of 2- 32 Caversham Avenue increased overlooking from windows
- Cumulative impacts of development on surrounding schools and infrastructure
- Cumulative impact of this and other developments proposed further impact on parking situation
- Design of 2 semi detached properties on Fox Lane out of character with numbers 2 to 10 Fox lane, design and character of houses in general out of keeping
- Difficulties for emergency vehicles and refuse collection
- Gated access cause problems for traffic queuing up
- Impact on parking restrictions, loss of parking
- Development impact on quality of life
- Risk of flooding

The Fox Lane and District Residents Association also raise the following points of objection:

- Parking- increased parking in surrounding area, loss of existing garages
- Environmental issues- impact on green corridor for wildlife
- Drainage- increased potential of surface run off
- Privacy- existing houses suffer loss of privacy, overlooking from windows, invasion of privacy
- Appearance- design of houses out of keeping with surroundings particularly 2 semi-detached houses fronting Fox Lane
- Traffic -Proposed entry/ exit to the development dangerous, very busy road

The Federation of Enfield Residents and Allied Associations have also commented that they support the concerns of the Fox Lane and District Residents Association and consider the development to be cramped and overdevelopment of a very small site with little or no amenity space

Objections to the development have also been received from Ward Councillors Prescott and Hurer

Internal

Education advises that a section 106-education contribution of £ 45,992 is required. Although it is not a large development in terms of the number of units, they will generate children and given the acute general shortage of school places a contribution is justified.

Arboricultural Officer advises that to achieve the development proposals will require the loss of a number of trees, which currently contribute to the visual amenity and screen behind Caversham Avenue. The most important tree on site is the Oak, which the plans indicate is intended for retention and incorporation within the development although confined by the proposed roadway, hard standing and housing. These works in such close vicinity to the tree is likely to be detrimental to its condition due to impact on the root zone, soil compaction as well as direct root damage.

External

Thames Water raises no objection with regard to sewerage infrastructure. In terms of surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or a suitable sewer.

Network Rail has no objections in principle to the development but set out a number of criteria and conditions.

Relevant Policies

The London Plan

- 3A.1 Increasing London Housing supply
- 3A.2 Borough's Housing targets
- 3A.3 Maximising potential of sites
- 3A.5 Housing choice
- 3A.6 Quality of new housing provision
- 2A.1 Sustainability criteria
- 3C.23 Parking Strategy
- 4A.1 Tackling Climate Change
- 4A.3 Sustainable design and construction
- 4B.1 Design Principles for a compact city
- 4B.5 Creating an inclusive environment
- 4B .8 Respect local context and communities

Unitary Development Plan

- (I) GD1 Regard to surroundings
- (II) GD1 New development appropriately located
- (I) GD2 Quality of life / Visual amenity
- (II) GD3 Aesthetic and functional
- (II) GD6 Traffic generation
- (II) GD8 Site access and servicing
- (II) H8 Privacy
- (II) H9 Amenity Space
- (II) H15 Dormers
- (II) H11 Loss of garage courts
- (II) EN11 Maintenance and enhancement of wildlife corridors
- (II) EN12 Encourage conservation of wildlife habitats
- (II) C35 Tree Preservation Orders
- (II) C38 Resist development that entail loss of trees of public
- (II) C36 Replacement planting
- (II) T13 Creation or Improvement of accesses
- (II) T14 Contribution from developers for highway works
- (II) T16 Adequate access for pedestrians and disabled persons

(II) T19 Provision for cyclists

Other Policy Considerations

| | |
|-------|------------------------------------|
| PPS1 | Delivering Sustainable development |
| PPS3 | Housing |
| PPS9 | Biodiversity |
| PPG13 | Transport |
| PPG24 | Planning and Noise |

Local Development Framework- Core Strategy Preferred Options

The Planning and Compulsory Purchase Act 2004 requires the Council to replace the UDP with a Local Development Framework (LDF). The LDF core strategy will set out the spatial vision and strategic objectives for the Borough. The core strategy is at an early stage in its adoption process. As this continues the weight given to it will grow and the relevant objectives are reported to demonstrate the degree to which the proposals are consistent with emerging policy direction.

| | |
|------|---|
| SO1 | Sustainability and Climate change |
| SO3 | Protect and enhance Enfield's environmental quality |
| SO6 | High quality, sustainable constructed homes to meet local aspirations |
| SO7 | Distinctive and balanced communities |
| SO11 | Safer and stronger communities |
| SO16 | Preserve Local distinctiveness |
| SO17 | Safeguard communities and quality of local environment |

Analysis

Principle

The principle of redeveloping the site for residential purposes is considered acceptable having regard to the residential composition of the surrounding area together with the thrust of national and regional planning policies in the form of PPS1 (Delivering Sustainable Development) and PPS3 (Housing) as well as London Plan Policies 3A.1, 3A.2 and 3A.3 which seek to maximise the use of existing urban brownfield land to provide housing to contribute to strategic housing needs with the latter focusing on the particular needs of London. However, it is also recognised that this need has to be balanced to ensure any more intensive residential development still maintains high standards of design and amenity so as not to compromise the quality of the environment.

The main issues of consideration are: (i) impact on the character and appearance of the area including design (ii) impact of the development on the occupiers of properties in Caversham Avenue in particular in terms of privacy/ overlooking (iii) Access, traffic and parking considerations (iv) impact on trees and ecology (v) amenity space provision.

Character and Appearance of area

In terms of scale and intensity of development, the London Plan recommends a density of between 150-250 hr/ha may prove acceptable having regard to the density matrix and given the characteristics of the locality which also has a PTAL rating of 2. The proposed density is approx 167hr/ha, which falls within this acceptable density range. However, whether the development appropriately integrates into the environment is more than a numerical assessment and careful regard must also be given to the integration of the development into its surroundings with specific focus on its visual appearance and the effect on the amenities of neighbouring residential

properties notwithstanding issues relating to parking, access and sustainability to establish acceptability.

Good design is fundamental to using land efficiently. PPS3 advises that careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. PPS1 also advises that good design should contribute positively to making places better for people. Consequently, design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

The design of the development is of a modern contemporary approach. Although two storey development would reflect the prevailing heights of neighbouring and in principle would represent an appropriate form for any development, the pair of semi detached houses facing Fox Lane in particular, would appear completely out of keeping and character with the Edwardian design of the existing dwellings especially in relation to Nos 2 to 10 Fox Lane. It is therefore considered that the design of the frontage building would materially harm the character and appearance of the street scene and would be in conflict with the objective of those national and local planning policies referred to above. It is considered that the design of the dwellings in terms of their appearance within the site therefore is acceptable.

Amenity Space

Policy (II) H9 requires that amenity space provision should be of a size equal to 100% of the total Gross Internal Area or a minimum of 60-sqm policy, whichever is greater in area, as well as providing a visual setting in the general street scene. In addition a substantial proportion of the amenity space (at least 60%) should be capable of being screened, so as to provide privacy.

Whilst the amenity space provision meets the minimum 60sqm requirement, it is not equal to 100% of the Gross Internal Floor area of each dwelling. The proposal does not therefore comply with this policy and given the family sized nature of the proposed dwellings, adequate size amenity space provision is considered important in terms of providing a good quality residential environment which is attractive to new occupiers.

Impact on neighbouring properties

In terms of distancing standards, a minimum distance of 22m between windows is normally sought between facing two storey developments. In this instance, although the proposed development would afford overall separation of approximately 27m to 31 metres to the properties which front Caversham Avenue. However, the proposed dwellings would be sited 5.8 metres from the boundary with the rear gardens of properties in Caversham Avenue. Moreover, the rear elevations of the proposed dwellings contain first floor windows. Consequently, due to the close proximity to the rear gardens, it is considered that this limited distance would result in overlooking and a loss of privacy to the rear garden areas of properties in Caversham Avenue. This would be contrary to Policy (II)H8.

Access

The new repositioned vehicular access would be located towards the eastern site boundary closest to the railway line on Fox Lane. At present there is an existing crossover to the lock up garages located fairly close to No. 2 Fox Lane.

Whilst in principle, the traffic generated by 9 residential units is not excessive, the siting of the access arrangements is considered unacceptable in terms of highway safety. In particular, there are concerns regarding the visibility for exiting vehicles which would be compromised by the railway bridge/parapet/ bollards. The submitted Transport Statement concludes that the risk of

conflict between existing vehicles and vehicles approaching from the east would be overcome by the addition of double white lines to the centre of the Fox Lane carriageway which would make it illegal for westbound vehicles to overtake and thus keep them inside the visibility envelope. However, this does rely upon compliance with these road markings, which cannot always be guaranteed. The safety risk, is therefore not fully removed and it is considered that the siting of the access in this current location would therefore compromise highway safety contrary to Policy (II) T13 of the Unitary Development Plan.

Parking and Turning

Whilst the proposal would result in the loss of existing lock up garages, approximately 30 many of these are vacant and not well used. It is considered therefore that the loss of the lock up garages would not result in increased parking provision having regard to Policy (II) H11 of the UDP. It is also considered that the removal of the lock up garages would also be an improvement in visual terms.

In terms of parking provision a total of 18 spaces are provided for the 9 units. This equates to two spaces for each unit. This level of parking provision is considered acceptable. In addition, the layout also allows for adequate turning for service vehicles.

Impact on trees

A group Tree Preservation Order protects the trees on the site. The reason for the order was the contribution the trees make to the visual amenity of the area, and to ensure the merits of the trees could be considered as part of the assessment of any proposal for the development of the site.

The proposal scheme would result in the loss of the vast majority of the trees covered by the Order. However, the large oak tree which is the most important tree visually and would be retained. Nevertheless, the tree would be located within a hard standing area and would be relatively close to the house at the northern end of the site. Thus, it is considered these factors would be likely to prejudice its long term survival and this combined with loss of other mature trees without adequate replacement, result in the development being considered unacceptable contrary to Policies (II) C35 and (II) C38 of the Unitary Development Plan.

Ecology

The site adjoins a wildlife corridor identified in the UDP, which runs along the length of the railway line and objectors have also made reference to the possibility of stag beetles being on the site. With regard to the latter, these are protected by the Wildlife and Countryside Act 1981 but in terms of the sale only. The Wildlife and Countryside Act also protect bats. The submitted Ecology Assessment concludes that the site has a low diversity of habitats and plants but potential to support bats and stag beetles. Consequently, on balance, it is considered that the proposals would not have an adverse impact on the wildlife and nature conservation interests and that a condition could be imposed to secure an appropriate mitigation strategy to maintain any features of ecological value. Any wildlife disturbance from lighting within the site could also be controlled by the imposition of appropriate conditions.

Sustainable Design and Construction

The proposal achieves an acceptable score against the Council's sustainable development assessment through the inclusion of energy efficiency boilers, high performance glazing, water saving taps and showers, sustainable sourced timber as well being designed to lifetimes homes standards.

Education

Education have advised that a contribution of £45,992 pounds for education purposes is required given the family sized nature of the accommodation and overall shortage of school places. If the application were to be found acceptable, this would need to be secured through a Section 106 agreement.

Conclusion

In conclusion, it is considered that the proposed development would not appropriate integrate with the surrounding environment and thus it is recommended for refusal.

El Sub Sta



TP/09/0423



Application Number: TP/09/0423 **Ward:** Palmers Green
Date of Registration: 27th March 2009

Contact: David Warden 3931

Location: 90-120, GREEN LANES, LONDON, N13 5UP

Proposal: Erection of a total of 43 residential units (comprising 10 x 1-bed, 17 x 2-bed, 16 x 3-bed) incorporating 33 affordable housing units, and 268 sq.m. Class A1-A5 use floorspace in a 4 and 5-storey building, involving car parking to rear with amenity decking over, accessed via Regents Avenue.

Applicant Name & Address:

Beechwood Homes&SPH Housing Assn Ltd
Beechwood House
5, Arlington Business Park
Whittle Way
Stevenage
Herts
SG1 2BD

Agent Name & Address:

Mr Clive Robinson, Entec UK Ltd
Trinity House
Cambridge Business Park
Cowley Road
Cambridge
Cambs
CB4 0WZ

Recommendation: That planning permission be **REFUSED** for the following reasons:

1. The proposed development by reason of its siting, size, scale, and massing represent an overdevelopment of this site and would result in the introduction of an overly dominant, visually intrusive and discordant form of development that would be out of keeping with and detrimental to the visual amenities of the street scene as well as the character and appearance of the surrounding area and the visual amenities enjoyed by neighbouring properties, contrary to Policies (I)GD1, (I)GD2 and (II)GD3 of the Unitary Development Plan and Policy 4B.8 of the London Plan (2008), as well as the objectives of the emerging North Circular Area Action Plan, PPS1 and PPS3.
2. The proposed amenity space is of insufficient size and inadequate quality to provide for the needs of future occupiers, in particular for the proposed family sized accommodation. This would result in an unsatisfactory and unsustainable form of residential development contrary to Policies (I)GD1 and (II)H9 of the Unitary Development Plan, as well as the objectives of PPS1 and PPS3.

Site and Surroundings

The site consists of the T.W. Parker Timber Yard, occupying a rectangular plot of land. Situated to the north of the junction with the A406 North Circular Road, the site is bounded by the Arriva bus garage to the east, Pymmes Brook to the north, and by Regents Avenue to the south. The

Regents Avenue Industrial Estate is situated to the east of the Bus Depot and shares the Regents Avenue access.

The surrounding area is mixed in character, with commercial uses fronting this stretch of Green Lanes, with some residential uses above, and residential streets running east and west off Green Lanes. Palmers Green Town Centre is located around 500 metres to the north of the site. However, the site does fall within the boundary of the large local centre of Green Lanes notwithstanding the fact that the North Circular Road marks a clear boundary between the application site and the more commercial stretch of Green Lanes to the south.

Proposal

Permission is sought for the redevelopment of the site to provide 43 flats and 268 square metres of Class A1-A5 retail floor space in a part 4 and part 5-storey building. The building is divided into three sections:

- a) a large central block providing a four-storey façade with accommodation in the roof;
- b) a northern block providing a four-storey octagonal corner feature along with a three storey return along the Pymmes Brook frontage;
- c) a southern block providing four-storey elevations to both Green Lanes and Regents Avenue.

The scheme includes 33 affordable units located within the central and southern blocks comprising 6 x 1 bedroom, 12 x 2 bedroom and 15 x 3 bedroom flats. The northern block will have 10 open market units comprising 4 x 1 bedroom, 5 x 2 bedroom and 1 x 3 bedroom flats. The retail floor space is arranged as two units of 102 and 166 square metres, respectively.

Vehicular access is from Regents Avenue to a covered parking area providing 39 spaces along with cycle parking, rear access to the retail units and a vehicle turning area. Above the car parking area at first floor level will be an amenity deck with hard and soft landscaping including an ecology area. Further amenity space will be provided in the form of balconies and an ecology buffer zone will be provided to the northern end of the site adjacent to Pymmes Brook.

Relevant Planning Decisions

90-120, Green Lanes

TP/08/2040 an application for the erection of 41 residential units (comprising 27 x 3-bed, 14 x 2-bed) incorporating 30 affordable housing units, and 285 sq.m. Class A1-A5 use floorspace in a 4 and 5-storey building, involving car parking to rear with amenity decking over, accessed via Regents Avenue was refused March 2009 for the following reasons:

1 *The proposed development by reason of its siting, size, scale, design, massing and number of storeys would result in the introduction of an overly dominant and visually intrusive form of development that would be detrimental to the rhythm of properties in the street scene, the character and appearance of the surrounding area and the visual amenities enjoyed by neighbouring properties, as well as representing an overdevelopment of the site and failing to provide a positive landmark respecting the prominence of the site contrary to policies (I)GD1, (I)GD2 and (II)GD3 of the Unitary Development Plan and Policy 4B.8 of the London Plan (2008), as well as the objectives of the emerging North Circular Area Action Plan, PPS1 and PPS3.*

2 *The proposed amenity space is of insufficient size and inadequate quality to provide for the needs of future occupiers, in particular for the proposed family sized accommodation, contrary*

to Policies (I)GD1 and (II)H9 of the Unitary Development Plan, as well as the objectives of PPS1 and PPS3.

3 *The proposed development by reason of the size and tenure of the units would not provide an adequately balanced community and in particular the scheme includes an over concentration of large social rented accommodation and lacks any 1 bedroom units, contrary to Policy (II)H6 of the Unitary Development Plan and Policies 3A.5 and 3A.6 of the London Plan (2008), as well as the objectives of PPS1 and PPS3.*

4 *The proposed development fails to make adequate provision for the servicing of the retail units fronting Green Lanes and would result in conditions prejudicial to the free flow of traffic and detrimental to the functioning of the bus lane and bus stop located immediately outside the site. This is contrary to Policies (II)GD6 and (II)GD8 of the Unitary Development Plan and Policy 3C.23 of the London Plan (2008).*

5 *The proposed development fails to make adequate provision for secure cycle parking detrimental to the objectives of sustainable transport and contrary to Policies (I)T7 and (II)T19 Unitary Development Plan and Policies 3C.1, 3C.3, 3C.21 and 3C.23 of the London Plan (2008), as well as the objectives of PPG13.*

189-199, Green Lanes (opposite side of Green Lanes)

TP/02/2162 an application for the redevelopment of site involving demolition of existing buildings and erection of a part 3, part 4 storey building comprising 3 office units on ground floor with 16 residential units on ground and upper floors (6 x 1-bed and 10 x 2-bed) together with associated car parking and vehicular access to Green Lanes was allowed on appeal in September 2003. Ground investigation work in connection with the implementation of this development has recently been carried out.

Consultation

Public

Consultation letters have been issued to 75 neighbouring properties. The consultation period expires on 21st April 2009 and no replies have presently been received. Any replies will be reported at the meeting.

External

Enfield Primary Care Trust does not consider the proposal would cause undue hardship on local GP practices in the area, and as such does not object to the proposal.

Thames Water does not object to the application, but seeks informatives relating to surface water drainage and the minimum water pressure that Thames Water aims to provide.

London Fire & Emergency Planning Authority objects to the proposal as access is not available to within 45 metres of all points of the building, a dry-riser or sprinkler system will be required. (Note: A directive can be included advising that a dry-riser or sprinkler system will be required to comply with Building Regulations).

A response to the current application has yet to be received from all consultees. However, comments made on the previous but similar application are included below:

The Environment Agency originally objected to the scheme due to the lack of an FRA, inadequate buffer zone for both biodiversity and maintenance and inadequate biodiversity assessment/mitigation measures. However, following the submission of amended and additional details the above objections were withdrawn subject to conditions relating to levels, buffer zone, lighting, landscape management, ecology, materials storage, contaminated land, surface water drainage and foundations

Transport for London carried out analysis using TRAVL (as opposed to TRICS) and is satisfied that the number of car trips arising from the proposed development would not have an unacceptable impact on the Transport for London Road Network (TLRN). TfL notes that no parking is provided for the retail units and residential parking is 100%, they consider there is the potential for further reductions but note that it lies within the London Plan standards. Details are requested on how the parking will be managed. They state the Disability Discrimination Act 1995 standards require 1200mm wide access aisles on both sides and at the end of the space. Only 30 cycle parking spaces are proposed, which is inadequate and must be increased to 1 for each residential and retail unit. TfL require a condition to ensure loading from Green Lanes to serve the retail units will not take place between the hours of 7am and 10am and 4pm to 7pm Monday to Friday, so as not to affect the operation of the southbound bus lane. They also note that servicing should not take place from the bus stop on Green Lanes.

Arriva, who own and operate the adjacent bus garage, objects primarily due to additional traffic and parking, both during construction and in operation. Concerns are stated regarding existing congestion, compounded by the improvements to the North Circular Road and the lack of assessment of these matters in the Transport Statement. Further concern is expressed at the relevance of data in the TS. Concerns are expressed regarding the potential for obstruction of the bus lane and the potential for overflow retail and residential parking to Regents Avenue. This road forms the only access to the bus garage, which is operation 24/7 everyday expect Christmas Day, as both overnight storage and a bus terminus with busses entering and leaving every few minutes.

Enfield Society objects to the application stating that due to its bulk and massing it presents an unbalanced and overbearing façade to the west. The amenity decking does not constitute high quality space needed in a development, which is a long walk from any park or open space.

Internal

The Head of Economic Development, on behalf of the Sustainable Communities Team, welcomes the principle of redeveloping this prominent site with a mixed residential and commercial scheme. The replacement of the timber yard by the commercial unit[s] on the ground floor would appear to offer a broadly equivalent number of jobs, and in that respect no objections are raised on economic development grounds subject to a S 106 Agreement to capture community benefits in the form of construction employment/ training and/or the engagement of local construction contractors. This would help to ensure that the local regeneration benefits are maximised. The improved architectural design of the amended scheme is also welcomed. However, in restating comments regarding the previous scheme, the high proportion of 3 bed units is noted as is the poor quality external amenity space which directly abuts the high wall of the adjoining bus depot and which would appear to receive little direct sunlight.

Environmental Health do not object to the application subject to the following conditions: contaminated land, details of construction vehicle wheel cleaning, restricted hours – construction sites, details of noise Control including plant and machinery noise, asbestos and dust control.

Any other responses will be reported at the meeting.

Relevant Policies

London Plan (2008)

| | |
|---------|--|
| 2A.8 | Town centres |
| 2A.9 | The Suburbs: Supporting sustainable communities |
| 3A.1 | Increasing Supply of Housing |
| 3A.2 | Borough Housing Targets |
| 3A.3 | Maximising the potential of sites |
| 3A.5 | Housing choice |
| 3A.6 | Quality of new housing provision |
| 3A.8 | Definition of affordable housing |
| 3A.9 | Affordable housing targets |
| 3A.10 | Negotiating affordable housing in individual private residential and mixed-use schemes |
| 3A.11 | Affordable housing thresholds |
| 3A.17 | Addressing the needs of London's diverse population |
| 3C.1 | Integrating transport and development |
| 3C.21 | Improving Conditions for Cycling |
| 3C.23 | Parking Strategy |
| 3D.2 | Town centre development |
| 3D.3 | Maintaining and improving retail facilities |
| 4A.3 | Sustainable Design and Construction |
| 4A.12 | Flooding |
| 4A.13 | Flood risk management |
| 4A.19 | Improving air quality |
| 4A.20 | Reducing noise and enhancing soundscapes |
| 4B.1 | Design principles for a compact city |
| 4B.2 | Architectural design |
| 4B.8 | Respect the context of local communities |
| Annex 4 | Parking standards |

Unitary Development Plan

| | |
|----------|--|
| (I)GD1 | Regard to Surroundings / Integrated into Local Community |
| (I)GD2 | Quality of Life and Visual Amenity |
| (II)GD3 | Character / Design |
| (II)GD6 | Traffic Generation |
| (II)GD8 | Site Access and Servicing |
| (II)GD12 | Development in Areas at Risk from Flooding |
| (II)GD13 | Increased Risk of Flooding downstream |
| (II)H6 | Range of size and Tenure |
| (II)H8 | Privacy and Overlooking |
| (II)H9 | Amenity Space |
| (II)T13 | Creation or improvement of accesses |
| (II)T16 | Adequate access for pedestrians and disabled persons |
| (II)C38 | Loss of trees of public amenity value |
| (II)C39 | Replacement of trees |
| (II)O7 | Development of green chains along the Pymmes Brook. |
| (II)O8 | Considering proposals adjacent to Pymmes Brook. |
| (II)O9 | Encouraging developers to contribute to the creation of further green chain links. |
| (I)S1 | To ensure the availability of a range of viable shopping and service facilities. |
| (I)S3 | Safeguard the vitality and viability of local shopping centres |
| (II)S16 | Proposals for shopping development outside town centres |

- (II)S17 Considering proposals for retail development
- (II)S18 Food and drink uses
- (II)S19 Shop fronts

Local Development Framework - Core Strategy Preferred Options

The Planning and Compulsory Purchase Act 2004 requires the Council to replace the UDP with a Local Development Framework (LDF). The LDF Core Strategy will set out the spatial vision and strategic objectives for the Borough. The Core Strategy is at an early stage in its adoption process. As this continues the weight given to it will grow and the relevant objectives are reported to demonstrate the degree to which the proposals are consistent with the emerging policy direction.

- SO1 Sustainability and Climate Change
- SO3 Protect and enhance Enfield's environmental quality;
- SO6 High quality, sustainably constructed, new homes to meet the aspirations of local people
- SO8 Affordable Housing, Family Homes and Social Mix
- SO11 Safer and stronger communities
- SO16 Preserve the local distinctiveness
- SO17 Safeguard established communities and the quality of the local environment
- SO18 Conservation, Listed Buildings and Heritage
- SO21 Sustainable Transport

North Circular Area Action Plan (NCAAP) Preferred Options Report – May 2008 :

The site falls within the boundary of the North Circular Road Area Action Plan. The North Circular Preferred Options Report sets the Council's Preferred Options for the NCAAP area, and covers issues such as housing, community infrastructure and open space provision, improving access to jobs, enhancing local centres, transport connections and environmental quality. The report sets out the alternative options considered and a reasoned justification for each preferred option.

Specifically, the report addresses the possible redevelopment of the adjoining Regent's Avenue Industrial Estate and surrounding sites, including the Bus Depot and the application site itself, which is identified as suitable for mixed use commercial and residential development.

Throughout the report, there is an emphasis on providing an integrated approach to development within the area, and whilst the Council would not rule out the development of this site in isolation, it should in no way prejudice future development on adjoining sites or in the NCAAP area as a whole.

As the NCAAP evolves following consultation responses and moves forward towards adoption, the document will be afforded more weight as a material consideration.

Other Material Considerations

- PPS1 Delivering Sustainable Communities
- PPS3 Housing
- PPS6 Town Centres
- PPS9 Biodiversity and Geological Conservation
- PPG13 Transport
- PPS25 Flood Risk

Analysis

Principle

The site is located within a Large Local Shopping Centre in an area that is identified within the North Circular Area Action plans as being suitable for mixed use commercial and residential development. The proposal has the potential to contribute to the housing needs of the Borough in accordance with London Plan Policies 3A.1 – 3A.2 as well as reinforcing the commercial role of the area. As such, the principle of developing the site for the purposes proposed is, subject to the detailed matters below, considered acceptable.

Character and Appearance of the area

Density and Scale of Development

The site is within walking distance of the Palmers Green Town Centre to the north, and Green Lanes centre to the south; areas characterised by mixed-use development. For the purposes of the London Plan density matrix, it is considered the site lies within an urban area. The northern half of the site is situated in an area designated PTAL 3 and the southern half of the site in an area of PTAL 4, indicating comparatively good links to public transportation. Taking the higher PTAL level, the density matrix suggests a density of 200 to 700 habitable rooms per hectare. Given the predominance of units with 3.1 – 3.7 habitable rooms within the vicinity of the site the matrix suggests a unit range of 55 to 225 units per hectare, which is the middle density option within PTAL 4-6 Urban. This indicates that an acceptable density would be towards the middle of the 200 to 700 hrph, at around 350hrph.

The proposal is for 10 x 1-bed, 17 x 2-bed, 16 x 3-bed flats, resulting in 135 habitable rooms giving a residential density of 692 hrph or 221 u/h, which indicates that the density will fall just inside the upper limit of the range set out within the London Plan, rather than being towards the middle as considered to be appropriate for the context of the site. With regard to advice contained in PPS1 and PPS3, clearly a numerical assessment of density must not be the sole test of acceptability and weight must also be given to the attainment of appropriate scale and design relative to character and appearance of the surrounding area. In this instance, the mixed-use nature of the building, incorporating an active ground floor frontage, is consistent with the type, pattern and form of existing development in the surrounding area. In addition, there have been significant improvements to the design of the building, discussed in detail below, along with a reduction in the central block to four storey with accommodation in the roof space. However, it is considered that the overall scale of development still exceeds that found in the locality. In particular, whilst there is some variation of plane, ridge height and materials, there will be a continuous eaves line and four-storey façade for the approximately 75-metre frontage. Moreover, its width and depth would result in a significant building mass when viewed in the street screen at variance with the prevailing character of that section of Green Lanes. Consequently, it is considered that the proposal would represent an overdevelopment of this site which would fail to adequately integrate with its surroundings and would have an unacceptable overly dominant and discordant impact on the streetscene.

Further amendments to the scheme reducing the northern and southern blocks down to 3-storey to reduce the concerns above were discussed with the applicant. However, the applicant advises that such a scheme would not be financially viable on this site due to the requisite purchase price of the site. In addition, the applicant emphasised the consequential reduction in the level of affordable housing provision. Whilst no evidence of financial viability has been provided, both of these matters are potential material planning considerations especially in the current economic climate. However, this is an important and prominent site as recognised by its inclusion in the Area Action Plans and current consultation on Strategic growth Area and these issues must be reconciled with the impact of the proposal on the streetscene. It is considered, on balance, that these matters would not outweigh the harm identified above.

Design and Impact on the Street Scene

The proposal is for a part 4 storey part 5 storey development in a prominent position and occupying a site with a long frontage to Green Lanes. There is a degree of separation from the neighbouring buildings that, along with the topography, mean that the north and southern ends will be prominent in distant views. The sites prominence, along with its inclusion within the North Circular Area Action plan, mean that it is imperative that a particularly high quality design solution is brought forward in any development of the site.

Concerns regarding the scale of the development have been discussed above; naturally the scale of development and its design are closely interrelated. It is considered that there have been significant improvements in the architectural detailing. Taking each element in turn, the central block is more clearly divided into six equal sections seeking to break up the sites long frontage. The link to the northern block is recessed and to southern block glazed balconies are used along with reduced ridge heights to seek to provide visual separation. There is a clear attempt through the use of the shape of the northern block and fenestration and materials of the southern block to provide three distinct buildings. Further improvements in the form of subordinate return frontages to Pymmes Brook and Regents Avenue, along with the removal of discordant features such as projecting lifts. However, whilst the subordinate return frontages are more pronounced, the extent to the recesses and reduced ridge heights of the links to the northern and southern blocks only amount to approximately 1 metre in each case. Whilst these variations, along with those of shape, style and materials, will assist in breaking up the mass of the building, it is considered that their effect will be limited by overriding presence of the continuous four storey façade referred to above. It is considered that significantly more pronounced variations, such as the reduction of the end blocks to three storey, would be required to provide adequate visual separation. As such, whilst the significant improvements in design are noted, it is considered that the proposed building remains inappropriate in its contexts due to the surrounding smaller scale development.

The scheme includes the loss of trees located along the banks of Pymmes Brook and the street tree to Green Lanes; whilst the trees are not protected they do enhance the streetscene. However, much of the street tree overhangs the application site and the retention of the tree would severely restrict the potential to develop the site. Whilst the loss of street trees should be resisted, in this instance it is considered that appropriately located replacements would be acceptable and could be secured by condition. In addition, the applicant states that additional trees will be planted along the bank of Pymmes Brook, which is considered acceptable.

Amenity space provision

The proposed amenity space provision for the block comprises approximately 460 square metres of amenity deck to the first floor and balconies totalling approximately 37 square metres. There is also an ecology/buffer zone adjacent to Pymmes Brook of approximately 175 square metres, which can be access from Green Lanes or the amenity deck. This provides a total amenity space provision of 672 square metres, although the area adjacent to Pymmes Brook will be of more limited use.

The UDP standard requires amenity space to be equal to at least 50% of the Gross Internal Area (GIA) of the proposed 1-bed flats and 75% of the GIA of all other flats. Balconies may provide an alternative form of amenity space provided that they are not detrimental to the privacy of adjoining occupiers. The provision of amenity space in the form of balconies and roof terraces should not exceed 15% of the total amenity space provision.

The total GIA of the development having regard to its composition is 2,833 square metres leading to an amenity space requirement of approximately 2,007 square metres. Having regard to the

sites urban context, a degree of relaxation of this standard would seem appropriate. However, even taking into account the ecology buffer zone the proposed amenity space represents only 34% of the required amenity space, or only 24% of the GIA of the development. In addition, there are concerns regarding the quality of the provision given the family nature of much of the accommodation proposed. Whilst it is accepted that the linear nature of the site makes it difficult to provide amenity space, the proposed area would abut the adjacent busy bus garage, which would further limit its potential for active use.

The site is approximately 570 metres walking distance from Broomfield Park. Whilst this is beyond the generally accepted 5 metre (400 metre) walking distance, it is the nearest usable open space within a heavily built up area and is likely to be used by future residents. The applicant has stated a willingness to provide a contribution in the region of £30,000 to £40,000 for improvements to this open space to offset the lack of onsite provision. It is considered that such a contribution provided it is appropriately allocated, would meet the tests of Circular 05/05 and would accord with the objectives of the Mayor's Supplementary Planning Guidance on Providing for Children and Young People's Play and Informal Recreation. However, whilst this would address many of the concerns regarding the limited on-site provision, the amount of development proposed on the site and the consequential extent of the deficiency of amenity space remain matters of significant concern. It is considered that even with such a contribution towards off-site improvements the quantity and quality of on-site amenity space remains too deficient and, therefore, is unacceptable. Whilst the applicant's comments regarding financial viability and the reduction in the supply of affordable housing are again relevant, these must be weighed against the quality of accommodation being provided and in this instance it is not considered they outweigh this harm.

Overall, whilst there have been improvements in the design of the building it is considered that the scale, in particular the provision of a wholly four storey façade to Green Lanes results in an overly dominant and unacceptable form of development. This overdevelopment of the site is further evident in the lack of amenity space provided. As such, it is considered that permission should be refused on these grounds.

Impact on Neighbouring Properties

The nearest residential property to the application site is no.20 Felstead Close. There is a distance of approximately 20 metres to the rear of this property and approx 13 metres from the rear garden boundary. Due to this relationship, it is considered the proposal would not have an unacceptable overbearing impact or result in an unacceptable loss of privacy to this property, its garden or that of adjoining properties.

The relationship to the properties located to the north and on the opposite side of Green Lanes, including the proposed new development, is considered acceptable.

Affordable housing, unit size, mix, tenure and accessibility

The current housing needs assessment indicates that the overall mix of new housing sought should be as follows: 13% x 1-bed, 37% x 2-bed, 36% x 3-bed and 14% x 4-bed. The previous scheme was found to have an over concentration of social rented accommodation and lacked any 1 bedroom units. The mix of the current scheme is as follows: 23% x 1 bed, 40% x 2 bed and 37% x 3 bed. Whilst the scheme does not include any four bedroom units, having regard to the limited potential to provide amenity space, on balance, the proposed mix is now considered acceptable. The applicant has not provided details of the tenure split between social rented and intermediate housing. However, the Council's Housing Enabling Officer is currently in discussions with their partner Registered Social Landlord regarding this matter and a confirmation of the split will be provided at the committee meeting.

The internal floor areas of the proposed units are generally in line with the Council's adopted standards of 57 and 80 square metres for two and three bedroom flats, respectively, and area considered acceptable.

Parking

The site is rated as a PTAL 4 location, along a main road with good access to public transport. The parking provision for the flats works out at a ratio just below 1:1, which is considered acceptable as all the bays can be accessed independently and there is turning space at the end of the car park. Each of the parking spaces will also provide a cycle parking space and further cycle parking areas are provided toward the northern end of the car park and on the Green Lanes frontage, which is considered acceptable.

Access and Servicing

The previous application was refused due to concerns regarding the servicing of the retail units. Whilst TfL did not object to the proposals, subject to a condition restricting the hours of servicing from Green Lanes, Traffic and Transportation expressed concerns that the volume of traffic using this stretch of Green Lanes at all times would mean that mitigation measures would be required to ensure adequate servicing and deliveries to the retail units. This amended application includes servicing from within the car park to the rear of the retail units. It is considered that these measures, along with the restrictions requested by TfL, are adequate to ensure the servicing of the retail units would not unacceptably affect the free flow of traffic on Green Lanes.

In addition, it should be noted that refuse storage and collection is acceptable and can continue to be carried out from Regents Ave with vehicles reversing into the site

Other Matters

The site is located adjacent to a busy bus depot, fronting a busy road and near to a busy intersection with the North Circular Road. As such, a condition will be necessary to ensure adequate noise attenuation measures are in place to provide an acceptable standard of residential accommodation.

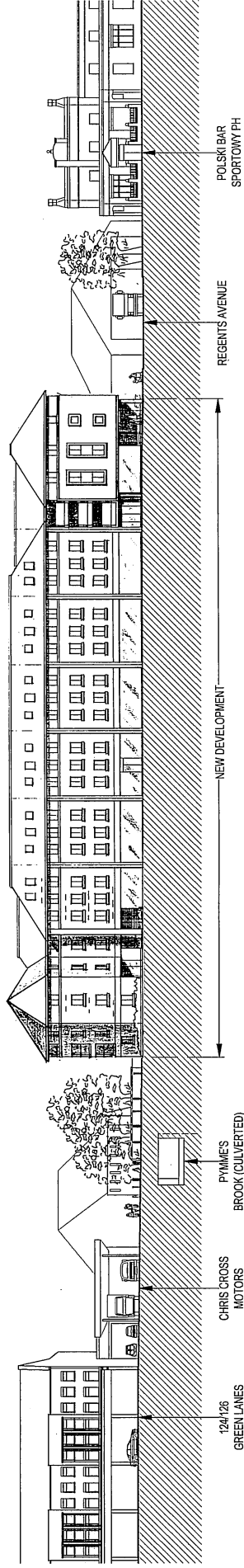
The proposed retail area is divided into two units but the scheme seeks permission for uses within classes A1 through to A5. In this instance to protect the vitality and viability of the local centre, it is considered that a condition will be required to ensure at least one of the units is used for purposes falling within class A1.

Sustainable Design and Construction

The proposal includes limited details on sustainability; however, the details do confirm the proposal will meet Code for Sustainable Homes Level 3 including features such as air source heat pumps and improved thermal efficiency. A CO2 assessment relating to Part L of the Building Regulations has been provided showing the building to be higher performing than the notional example. Whilst it is disappointing that the proposed building does not include further features, such as use of the roof for a form of solar energy, as the building will meet code level 3, it is considered it is in accordance with the objectives of policy 4A.3 'Sustainable Design and Construction' of the London Plan.

Conclusion

In the light of the above assessment, whilst significant improvements have been made to the design of the scheme the amount of development proposed on the site means that it will have an unsatisfactory relationship with its surroundings as well as providing insufficient and inadequate amenity space. As such, it is considered that the proposed be refused.



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|-----|-----------|--------------------------|
| C | 24/03/09 | REGENTS AVENUE ELEVATION |
| B | 14/02/09 | STREET SCENE ELEVATION |
| A | 04/01/09 | STREET SCENE ELEVATION |
| REV | DATE | REVISIONS |
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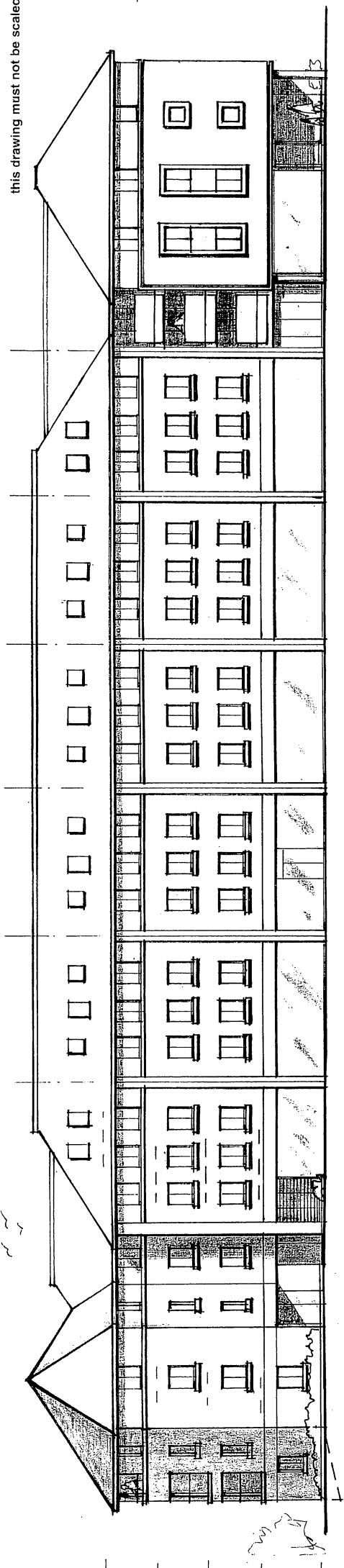
JOHNSON & PARTNERS
 BECHWOOD HOMES
 DEVELOPMENT OF FLATS & RETAIL
 SITE AT 90-120 GREEN LANES
 PALMERS GREEN
 LONDON

Drawing Title:
 STREET SCENE ELEVATION

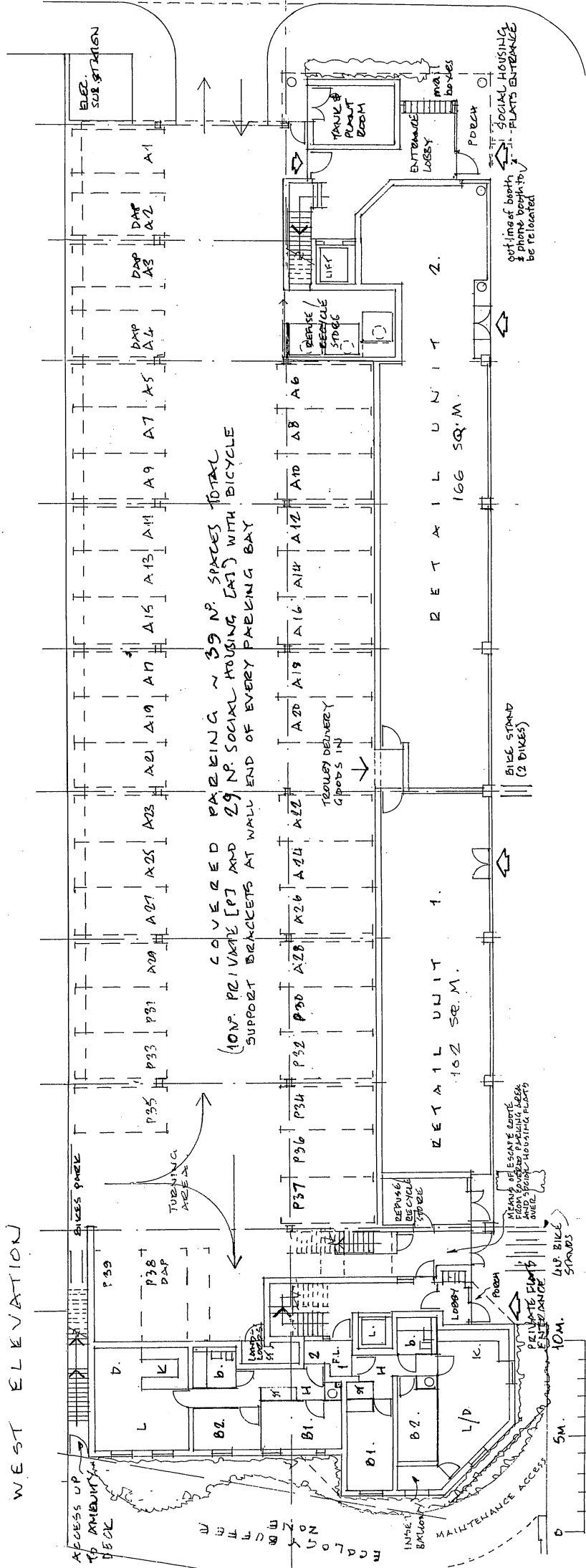
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4021-11C

this drawing must not be scaled.



WEST ELEVATION



client & job title

BEECHWOOD HOMES

SITE AT 90-120 GREEN LANE, PARNERS GREEN

drawing title

GROUND FLOOR PLAN & WEST ELEVATION

330P. SOCIAL HOUSING PLATS SCHEME

JOHNSON & PARTNERS

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