



**Haringey** Council

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## Planning Sub Committee

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MONDAY, 13TH MAY, 2013 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

**MEMBERS:** Councillors Basu, Beacham, Christophides, Demirci (Chair), Mallett, McNamara, Peacock (Vice-Chair), Reid, Schmitz and Solomon

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### **AGENDA**

- 1. APOLOGIES**
- 2. URGENT BUSINESS**

The Chair will consider the admission of any late items of urgent business. Late items will be considered under the agenda item where they appear. New items will be dealt with at item 10 below.

### **3. DECLARATIONS OF INTEREST**

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

### **4. DEPUTATIONS/PETITIONS**

To consider receiving deputations and/or petitions in accordance with Part Four, Section B, Paragraph 29 of the Council's Constitution.

### **5. MINUTES (PAGES 1 - 26)**

To confirm and sign the minutes of the Planning Sub Committee held on 11 March and the special Planning Committee held on 25 March.

### **6. PEMBROKE WORKS, CAMPSBOURNE ROAD - PROPOSED VARIATIONS TO SECTION 106 AGREEMENT (PAGES 27 - 32)**

To consider the proposal for a variation of the current s106 agreement for the development at Pembroke Works, Campsbourne Road, N8 7PE as agreed in May 2013. No other changes to the Planning Permission are sought.

### **7. PLANNING APPLICATIONS**

In accordance with the Sub Committee's protocol for hearing representations; when the recommendation is to grant planning permission, two objectors may be given up to 6 minutes (divided between them) to make representations. Where the recommendation is to refuse planning permission, the applicant and supporters will be allowed to address the Committee. For items considered previously by the Committee and deferred, where the recommendation is to grant permission, one objector may be given up to 3 minutes to make representations.

**8. LAND TO THE REAR OF 76 ST JAMES'S LANE N10 3RD (PAGES 33 - 56)**

Erection of 3x single storey three bedroom houses

RECOMMENDATION: grant permission subject to conditions.

**9. MEWS STUDIO HORNSEY TOWN HALL THE BROADWAY N8 9JJ (PAGES 57 - 80)**

Variation of conditions for planning permissions and consents covering the refurbishment and conversion of the Town Hall Building, new residential development and associated car parking and landscaping. The variations relate to the elements of the scheme not related to Hornsey Town Hall to be implemented prior to the Town Hall development.

RECOMMENDATION: grant variations HGY/2010/0500, HGY/2010/0501 and grant HGY/2010/0502 and to the s106 Unilateral Undertaking attached to HGY/2010/0500.

**10. NEW ITEMS OF URGENT BUSINESS**

To consider any items admitted at item 2 above.

**11. DATE OF NEXT MEETING**

The next Planning Committee is scheduled for 10 June.

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and Member Services  
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Thursday, 02 May 2013

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Councillors: Basu, Beacham, Christophides, Demirci (Chair), Mallett, McNamara, Peacock (Vice-Chair), Reid, Schmitz and Solomon

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>	<b>ACTION BY</b>
PC279.	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That the minutes of the meeting held on 14 January 2013 be approved and signed by the Chair.</li> </ul>	
PC280.	<b>PLANNING APPLICATIONS</b>	
PC281.	<p><b>UNIT 3 ARENA SHOPPING PARK WILLIAMSON ROAD N4 1ED</b></p> <p>The Committee considered a report, previously circulated, on the application to grant planning permission for a change of use for Unit 3 Arena Shopping Park, N4 1ED, a Post Office Sorting Office, to retail A1 use with associated internal and external alterations listed within the report. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions. The Committee were advised of an error to the recommendation listed within the report in that approval would be subject to conditions and not the completion of a s106 agreement. The Committee noted this amendment.</p> <p>Vincent Maher, the Council's Head of Development Management, gave a short presentation highlighting the key aspects of the report. Further details were provided on the traffic impact assessment undertaken for the Arena Shopping Park and roads in the vicinity to help scope the potential impact of the application. Since the rejection of the last application, new methodology and modelling approved by Transport for London (TfL) had been developed and which had resulted in the withdrawal of TfL's previous objection to the development. The assessment had identified that the traffic impact of the development would remain about the same as the current traffic situation in the Park.</p> <p>The following points were raised in discussion of the application by the Committee:</p> <ul style="list-style-type: none"> <li>• Following a question from Members regarding the potential exacerbation of existing traffic management issues in Arena Park and onto Green Lanes at peak times, confirmation was provided that the traffic analysis had been based on the existing junction, with TfL confirming the existing road layout could cope although it was</li> </ul>	

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acknowledged that existing traffic problems would remain. Separate to the planning application, Members proposed that it would be valuable for an additional traffic survey to be undertaken by the Council three months after completion of the development to further assess any impact of the application on traffic issues.

- In relation to arrangements for parking management in the Park for the new development, it was proposed that officers be delegated to negotiate and draft conditions with the freeholder and tenant which was agreed by the Committee.

The Chair moved the recommendation of the report and it was

**RESOLVED**

That application HGY/2013/0251 be granted subject to conditions.

**CONDITIONS**

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 Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to avoid doubt and in the interests of good planning.

3. The use hereby permitted shall not be operated before 0800 or after 2200 hours on any day.

Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

4. That where reasonably possible, not less than 20 percent (20%) of onsite workforce (excluding managers and supervisors) employed during the landlords construction period ( i.e. the external works comprising new shop front and entrance features, new pitched roof, and reconfiguration of car parking and excluding internal works including the installation

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of mezzanine) for the proposed development comprise of 'local residents'. In the event that achieving 20% proves impracticable for reasons notified in writing to and approved by the Council then another figure agreed by the relevant parties concerned (acting reasonably) may be acceptable.

Note: 'Local' is defined as employees preferably within the Haringey confines, but where not practicable, will include North London Sub-Region. This is consistent with Construction Web's approach.

Reason: In order to provide employment opportunities for local residents in accordance with Policy G4 of the Haringey Unitary Development Plan and Policy 4.12 'Improving Opportunities for All' of the London Plan.

5. That where reasonably practicable not less than 10 percent (10%) of the onsite 'local' workforce (excluding managers and supervisors) employed during the landlords construction period ( i.e. the external works comprising new shop front and entrance features, new pitched roof, and reconfiguration of car parking and excluding internal works including the installation of mezzanine) for the proposed development comprise of trainees, but in the event that achieving 10% proves impracticable for reasons notified in writing to and approved by the Council then another figure agreed by the parties concerned acting reasonably may be acceptable. These trainees can be self employed or sourced from 'local' Small and Medium size Enterprise's. Note: The ten percent (10%) trainees is included in the 20 percent (20%) figure of 'local employees' and not the percentage of the workforce on-site as a whole.

Reason: In order to provide employment opportunities for local residents in accordance with Policy G4 of the Haringey Unitary Development Plan and Policy 4.12 'Improving Opportunities for All' of the London Plan.

6. Prior to occupation of the development, a Travel Plan in compliance with Transport for London Guidance shall be submitted to & approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To minimise the traffic impact of this development on the adjoining roads, and to promote travel by sustainable modes of transport in accordance with Policy UD3 'General Principles' of the Haringey Unitary Development Plan and Policy 6.12 'Road Network Capacity' of the London Plan.

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7. No development shall take place until the development has been registered with the Council's Considerate Contractors.

Reason: In order to minimise the impact on local amenity from demolition and construction works in accordance with Policies UD3 'General Principles' of the Haringey Unitary Development Plan and Policy 7.14 'Improving Air Quality' of the London Plan.

**REASONS FOR APPROVAL**

The reasons for the grant of approval are as follows:

- a) It is considered that the principle of this development is supported by national, regional and local planning policies which seek to promote appropriate development within local and town centres.
- b) The development is considered to be suitably designed in respect of its surroundings and its impact on neighbouring properties, and would cause no significant harm to the highway network.
- a) The Planning Application has been assessed against and is considered to be in general accordance with
- National Planning Policy Framework;
  - London Plan Policies, 5.3 'Sustainable design and construction', 6.1 'Integrating transport & development', 6.3 'Assessing effects of development on transport capacity', 6.4 'Enhancing London's transport connectivity', 6.11 'Smoothing traffic flow and tackling congestion', 6.12 'Road Network Capacity', 6.13 'Parking', 7.2 'Creating an inclusive environment', 7.3 'Designing out Crime', 7.4 'Local character', 7.5 'Public realm', 7.6 'Architecture', 8.3 'Community Infrastructure Levy'; and
  - Haringey Unitary Development Plan (UDP) 2006 Policies G1 'Environment', G2 'Development and Urban Design', G4 'Employment', G6 'Strategic Transport Links', UD1 'Planning Statements', UD2 'Sustainable



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Design and Construction', UD3 'General Principles', UD7 'Waste Storage', ENV6 'Noise Pollution', ENV7 'Air, Water and Light Pollution', ENV11 'Contaminated Land', M10 'Parking for Development' and TCR1 'Development In Town And Local Shopping Centres'.

**INFORMATIVES**

The proposed development requires lining and signage. The necessary works will be carried out by the Council at the applicant's expense once all the necessary internal site works have been completed. The applicant should telephone 020 8489 1316 to obtain a cost estimate and to arrange for the works to be carried out.

The new development will require naming. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

To assist applications the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which has been followed in this instance.

The local planning authority delivered the decision in a timely manner.

**PC282.**

**227 ALEXANDRA PARK ROAD N22 7BJ**

The Committee considered a report, previously circulated, on the application to grant planning permission for 227 Alexandra Park Road N22 7BJ for the demolition of the existing building and erection of a new building comprising 2x three bed and 3x one bed flats. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions. The Planning Officer gave a short presentation highlighting the key aspects of the report.

The following points were raised in discussion of the application by the Committee:

- Concerns were expressed regarding the narrowness of the Alexandra Park Road and the potential for damage to be caused to the pavement in the vicinity of the development during construction works. Confirmation was provided that a condition could be imposed to address this.
- The Committee requested that Members be invited to view the materials proposed for the development once

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submitted to the Council.

- Concerns were expressed regarding the detailing of the design. It was advised that a condition could be added in relation to the scaling of windows and doors to the development.

Two objectors, Ms Avery and Mr Davies, addressed the Committee and made the following comments on the application:

- The proposed design of the development was not inkeeping with the rest of the street
- Insufficient arrangements had been made for parking for the scheme, with only one parking space provided in reality as the garage on site belonged to a neighbouring property.
- The positioning of the balconies would result in loss of privacy through overlooking to neighbouring properties and also affect their current light and views.
- Concerns were raised over the lack of consultation around the proposed demolition of the garage onsite impacting on the right of access for a number of neighbouring properties to utility meters located within and potentially adversely impacting on the boundary party wall.
- The potential for the development to exacerbate flooding issues in the area

The applicant and his representative addressed the Committee and raised the following points:

- The existing building was out of character with the rest of the street and would require major refurbishment in order to bring it up to modern standards.
- The current site was underdeveloped being a double plot and the high quality design of the new building would enhance the local area and be more energy efficient.
- A mix of dwelling units was proposed onsite including larger family flats as well as one bedroom flats to encourage a sustainable development.
- The development included two off site parking spaces.
- The owner of the garage located onsite had agreed to its demolition and rebuild and confirmed that access would still be provided to neighbouring properties utility meters.

The Committee agreed that further clarification be sought from the applicant regarding parking arrangements on site in light of the garage remaining under the ownership of a neighbour.

In recognition of the concerns raised by the objectors, it was agreed that an informative should be added to remind the applicant of responsibilities in relation to party wall legislation.

In terms of additional conditions, it was agreed that conditions should be added requiring the applicant to restore any damage caused to the public highways in the vicinity of the site from the construction works; to require balconies on the new building to

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have privacy screens retained at all times; to amend the design to require a 1:20 scale for doors and windows and requiring the applicant to undertake further work in relation to drainage.

The Chair moved the recommendation of the report with the additional conditions as listed above and it was

**RESOLVED**

- That application HGY/2012/2018 be granted subject to conditions including the additional conditions requested by the Committee as listed above:

Conditions:

**TIME LIMITED PERMISSION**

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 Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

**DRAWINGS**

2. Notwithstanding the information submitted with the application, the development hereby permitted shall only be built in accordance with the following approved plans: 124/12-PL 01-09, 10-19 Rev B, 20, 21

**CYCLE PARKING**

3. Provision shall be made on site for the secure parking of seven cycles, in accordance with a scheme to be agreed with the Local Planning Authority. The building hereby permitted shall not be occupied/ until such provision has been made. Reason: To encourage the use of sustainable modes of transport to and from the site in compliance with Policy 6.9 'Cycling' of the London Plan.

**MATERIALS**

4. Samples of all 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.

**LANDSCAPING**

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include (proposed finished levels or contours, means of enclosure, car parking layout, other vehicle and pedestrian access and

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circulation areas, hard surfacing materials, minor artefacts and structures (e.g. furniture, play equipment refuse or other storage units, signs, lighting etc.), retained historic landscape features and proposals for restoration where relevant, and thereafter retained in perpetuity. 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.

**WASTE STORAGE**

6. No development shall take place until a detailed scheme for the provision of refuse and waste storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented and permanently retained thereafter. Reason: In order to protect the amenities of the locality and to comply with Policy UD7 'Waste Storage' of the Haringey Unitary Development Plan and Policy 5.17 'Waste Capacity' of The London Plan.

**CONSTRUCTION MANAGEMENT PLAN**

7. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall include identification of potential impacts of basement developments methods of mitigation of such impacts and details of ongoing monitoring of the actions being taken. The approved plans should be adhered to throughout the construction period and shall provide details on: i) The phasing programming and timing of the works; ii) The steps taken to consider the cumulative impact of existing and additional basement development in the neighbourhood on hydrology; iii) Site management and access, including the storage of plant and materials used in constructing the development; iv) Details of the excavation and construction of the basement; v) Measures to ensure the stability of adjoining properties; vi) Measures to restore any damage to the public highway as a result of construction work; vii) Vehicle and machinery specifications. Reason: In order to protect the residential amenity and highways safety of the locality

**HYDROLOGY & HYDRO-GEOLOGY**

8. Prior to the commencement of the development hereby permitted an assessment of the hydrological and hydro-geological impacts of the development and any necessary mitigation measures found to be necessary shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the details approved. Reason: To ensure the development provides satisfactory means of drainage on site and to reduce the risk of localised flooding.

**CONSIDERATE CONTRACTORS**

9. The site or contractor company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out on the site. Reason: In the interests of residential

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amenity.

**SUSTAINABILITY**

10. The development hereby approved shall achieve Code for Sustainable Homes Level 4. Reason: In order to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime in accordance with Policy 5.2 of the London Plan.

**DRAINAGE**

11. Prior to commencement of development details of surface and rainwater drainage system shall be submitted to and approved in writing by the Local Planning Authority. The system shall be implemented as part of the development and thereafter retained. Reason: To ensure adequate provision of on-site drainage for the development.

**FENESTRATION**

12. No development shall proceed until details of all windows and doors at a scale of 1:20 are submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained thereafter. Reason: To ensure the development is of satisfactory architectural quality in accordance Policies UD3 'General Principles' and UD4 'Quality Design' of the Haringey Unitary Development Plan and Policy 7.6 'Architecture' of the London Plan.

**BALCONY SCREENS**

13. No unit shall be occupied until the balcony screens shown on the approved drawings have been installed. The screens shall thereafter be retained and not removed without the prior written consent of the Local Planning Authority. Reason: To prevent overlooking to adjoining neighbours in accordance with Policies UD3 'General Principles' and UD4 'Quality Design' of the Haringey Unitary Development Plan.

**REASONS FOR APPROVAL**

The reasons for the grant of approval are as follows: a) It is considered that the principle of this development is supported by national, regional and local planning policies which seek to promote the development of new housing. b) The development is considered to be of sufficient design quality and responds adequately to context and would cause no significant harm to residential or to the highway network. i) The Planning Application has been assessed against and is considered to be in general accordance with - National Planning Policy Framework; - London Plan Policies, 5.3 'Sustainable design and construction', 6.1 'Integrating transport & development', 6.3 'Assessing effects of development on transport capacity', 6.4 'Enhancing London's transport connectivity', 6.11 'Smoothing traffic flow and tackling congestion', 6.12 'Road Network Capacity', 6.13 'Parking', 7.2 'Creating an inclusive environment', 7.3 'Designing out Crime', 7.4 'Local character', 7.5 'Public realm', 7.6 'Architecture', 8.3 'Community Infrastructure Levy'; and - Haringey Unitary Development Plan (UDP) 2006 Policies G1 'Environment', G2 'Development and Urban Design', G4 'Employment', G6 'Strategic

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Transport Links', UD1 'Planning Statements', UD2 'Sustainable Design and Construction', UD3 'General Principles', UD7 'Waste Storage', ENV6 'Noise Pollution', ENV7 'Air, Water and Light Pollution', ENV11 'Contaminated Land', M10 'Parking for Development' and TCR1 'Development In Town And Local Shopping Centres'. INFORMATIVE: The new development will require naming. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address. To assist applications the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which has been followed in this instance.

Section 106: No

Please note that the conditions referred to in the minutes are those as originally proposed in the officer's report to the Sub-Committee; any amended wording, additional conditions, deletions or informatives agreed by the Sub-Committee and recorded in the minuted resolution, will, in accordance with the Sub-Committee's decision, be incorporated into the Planning Permission as subsequently issued.

**PC283.**

**30 DENEWOOD ROAD, LONDON N6 4AH**

The Committee considered a report, previously circulated, on the application to grant planning permission for 30 Denewood Road, N6 4AH. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions. The Planning Officer gave a short presentation highlighting the key aspects of the report. The attention of the Committee was drawn to a Planning Inspector appeal held on a previous application for the site for the erection of a 3 storey, 8 bedroom dwelling. It was noted that the Inspector had dismissed the appeal on the grounds that the application did not preserve the appearance of the Conservation Area but did not find that the proposal would have an adverse impact on the living conditions for neighbouring houses. Officers were now satisfied that the new design contained within the current application would not impact adversely on the Conservation Area.

Cllr Allison addressed the Committee in objection to the application and made the following comments:

- That the new design wasted an opportunity to have a building on site that would positively enhance the Conservation Area
- The substantial increase proposed to the footprint had the potential to detrimentally impact on neighbouring

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properties as well as the lime trees and amount of green space on the site. There were also concerns that the conditions imposed in this regard might not be properly enforced thereby not preventing irreversible damage being caused

- Concerns had arisen from the last application that the house might potentially be run as a spa business and not a private dwelling
- The questionable sustainability value of demolition of an existing functioning dwelling and erection of a replacement.

Mr Burrows, the applicant's agent addressed the Committee and raised the following points:

- That the current application remained inline with that which went before the Planning Inspector but with an amended design retaining the original façade to meet the comments made in the determination
- The application had been amended to a more modest design following comments from the Council and local residents
- Although there would be an increase to the massing of the dwelling, the overall scale and massing when viewed from the front would be largely as existing.
- The impact of the development on trees on the site had been assessed as insignificant as supported by the Council's tree officer and Planning Inspector.

In light of concerns raised by the objectors regarding the impact of the development on trees and green space on the site, it was agreed that condition 3 should be expanded to include soft as well as hard landscaping, thereby covering trees and plants on the site. It was also requested that condition 6 be extended in scope to cover any potential impact and mitigation of the development on ground water drainage in the area and for the applicant to provide wheel washing facilities for construction vehicles during the course of the build to reduce associated debris being transferred onto the public highway.

The Chair moved the recommendation of the report and it was

**RESOLVED**

That application HGY/2012/1844 be granted subject to conditions.

Conditions:

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

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condition is imposed by virtue of Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority. Reason: In order to avoid doubt and in the interests of good planning.

3. Samples of all materials to be used in conjunction with the proposed development for all the external surfaces of buildings hereby approved, areas of hard and soft landscaping including trees and plants and boundary walls shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced and thereafter implemented.

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.

4. Notwithstanding the provisions of Article 3 of the Town & Country Planning General Permitted Development Order 1995 as amended by the (No.2) (England) Order 2008 or any Order revoking or re-enacting that Order, no development within Part 1 (Classes A-H) [AND Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority. Reason: To safeguard the visual amenities of the area and to prevent overdevelopment of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies UD3 'General Principles' and UD4 'Quality Design' of the Haringey Unitary Development Plan and Policy 7.4 'Local Character' of the London Plan.

5. The existing trees on the site shall not be lopped, felled or otherwise affected in any way (including raising and lowering soil levels under the crown spread of the trees) and no excavation shall be cut under the crown spread of the trees without the prior written permission of the Local Planning Authority. Reason: In order to safeguard the trees in the interest of visual amenity of the area.

6. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall provide details on:

- i. The phasing, programming and timing of the works; taking into account additional development in the neighbourhood;
- ii. Site management and access, including the storage of plant and materials used in constructing the development, the use of hoardings and measures to clean construction vehicles including wheel washing.
- iii. Protective measures to protect the crown and roots of trees on or adjoining the application site boundaries



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during construction work (as indicated in the Trettec study accompanying the planning application) consistent with BS 5837:2012; and iv. Measures to ensure the stability of adjoining properties.v. The impact of groundwaterReason: In the interests of residential amenity, highway safety and to protect trees in a Conservation Area in accordance with with Policies UD3, CSV1 and OS17 of the Haringey Unitary Development Plan.

7. No development shall start until details of the proposed foundations in connection with the development hereby approved and any excavation for services shall be agreed in writing with the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved plans.Reason: In order to safeguard the root systems of those trees in the vicinity of the site which are to remain after building works are completed in the interests of visual amenity consistent with Policies CSV1 and OS17 of the Haringey Unitary Development Plan.

8. Notwithstanding the details shown on drawing 1182/AP2- 04a the windows on the side elevation facing towards No 28 Denewood, shall be glazed with obscure glass only and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties consistent with Policy UD3 of the Haringey Unitary Development Plan.

9. The proposed dwellings hereby approved shall not be occupied until it has been demonstrated to the local planning authority that the development meets the Code for Sustainable Homes Level 4 or above.Reason: To promote sustainable development in accordance with UDP Policy UD2 and London Plan Policy 5.2.

**REASONS FOR APPROVAL**

The proposed replacement building in terms of design and massing will be in keeping with the architectural styles and forms that exist along Denewood Road and the surrounding area. In addition, the proposal will not give rise to a significant degree of additional overlooking or loss of privacy to neighbouring occupiers. As such the proposed development is considered to be consistent with Policies UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing Developments', and CSV1 'Development in Conservation Areas' of the adopted Haringey Unitary Development Plan and Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology' and the Council's Housing SPD. Given the above this application is recommended for APPROVAL.To assist applications the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which has been followed in this instance.It is recommended that the developer meet with the Council's arboricultural expert on site to confirm tree protection measures prior to the submission of measures to discharge conditions 6 and 7.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 11 MARCH 2013**

	Section 106: No	
<b>PC284.</b>	<p><b>30 DENEWOOD ROAD, LONDON N6 4AH</b></p> <p>The Committee considered a report, previously circulated, on the application for Conservation Area Consent for 30 Denewood Road, N6 4AH. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant Conservation Area Consent. It was noted that officers considered that the proposed replacement building would reflect the modest contribution of the existing dwelling to the Conservation Area.</p> <p>The Chair moved the recommendation of the report, and it was</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That Conservation Area Consent be granted for application HGY/2012/1848 subject to conditions</li> </ul> <p>Conditions:</p> <ol style="list-style-type: none"> <li>1. The works hereby permitted shall be begun not later than the end of three years from the date of this consent. Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</li> <li>2. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides. Reason: In order to ensure that the site is not left open and vacant to the detriment of the character and visual amenities of the locality</li> </ol> <p>REASONS FOR APPROVALThe demolition of the building on this site is acceptable in principle as it makes a neutral contribution on the character and appearance of Highgate Conservation Area. Subject to conditions, demolition is acceptable and accords with the National Planning Policy Framework, policies 7.8 and 7.9 of the London Plan 2011, policy CSV7 'Demolition in Conservation Areas' of the adopted Haringey Unitary development Plan 2006 and SPG2 'Conservation &amp; Archaeology'.</p> <p>Section 106: No</p>	
<b>PC285.</b>	<b>DATE OF NEXT MEETING</b>	

**MINUTES OF THE PLANNING SUB COMMITTEE  
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	The next scheduled meeting would be on 8 April.	
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COUNCILLOR ALI DEMIRCI

Chair

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**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
MONDAY, 25 MARCH 2013**

Councillors: Basu, Beacham, Christophides, Demirci (Chair), McNamara, Meehan, Peacock (Vice-Chair), Reid, Schmitz and Solomon

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>	<b>ACTION BY</b>
<b>PC01.</b>	<p><b>APOLOGIES</b></p> <p>Apologies were received from Cllr Mallet for whom Cllr Meehan substituted.</p>	
<b>PC02.</b>	<p><b>HARINGEY LOCAL PLAN BRIEFING</b></p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That the briefing on the new Haringey Local Plan Strategic Policies 2013-16 be noted.</li> </ul>	
<b>PC03.</b>	<p><b>2 CHESNUT ROAD, N17 9EN</b></p> <p>The Committee considered a report, previously circulated, on the application to grant planning permission for 2 Chesnut Road, N17 9EN for the partial demolition of existing buildings and construction of a new building to provide 64 units of student accommodation. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions and completion of a legal agreement in the form of a unilateral undertaking. The Planning Officer, Valerie Okeiyi, gave a short presentation highlighting the key aspects of the report.</p> <p>The following points were raised in discussion of the application by the Committee:</p> <ul style="list-style-type: none"> <li>• Members sought assurances that sufficient controls were in place to ensure the ongoing use of the development would remain solely student housing and whether restrictions could be put in place to prevent any potential future conversion into hostel/HMO or family accommodation. Officers confirmed that a condition would be attached to approval of the current application prohibiting any development until the developer provided the Council with details of a scheme to ensure the accommodation was used solely by students at an accredited institution and requiring the development thereafter to only be used by full time students at an accredited institution. Any future proposed deviation from this condition in order to convert the development to HMO or family accommodation would require planning permission, with any subsequent application coming before the Planning Committee for determination. The Committee noted this but proposed that condition 6 be further strengthened by adding under the reasons for imposition of the condition that the development was inappropriate for use as an HMO.</li> <li>• Confirmation was provided that 64 bike spaces would be provided in the basement for residents use.</li> </ul>	

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- The Committee expressed general concern regarding how well developers conveyed to prospective residents the restrictions inherent to developments designated as car free schemes. In this case therefore, it was agreed that condition 15 should be amended to require explicit reference to be made within the welcome pack provided to students to the development being car free. At a wider borough level, the Committee asked for that a list of car free developments be added to the Council website to help raise awareness.
- Following on from discussions regarding the relatively low level of student accommodation in the borough, the Committee proposed that it would be valuable to liaise and develop links with other London boroughs with more significant stock, for example to help inform the drafting of Development Management Policies etc.
- In relation to concerns regarding the proximity of the development site to Protheroe House and the potential disruption to residents from construction work, confirmation was provided that officers would take this into account when approving the Construction Management Plan (CMP) for the development. Members also requested that the developer be required to provide wheel washing facilities on site as part of the CMP.

It was requested that an invite be extended to the Committee to view the proposed materials for the development once available. The Committee also asked for an informative to be added regarding consulting local ward councillors and Planning Committee members in the naming of the development.

The Chair moved the recommendation of the report with the additional amendments detailed above to strengthen conditions 6, 7 and 15 respectively in relation to the inappropriate nature of the building as a HMO, inclusion of wheel washing facilities as part of the CMP and reference to the car free designation of the scheme within the welcome pack provided to occupants and addition of an informative around the naming of the development. It was

**RESOLVED**

- That, subject to inclusion of the additional conditions set out above, application HGY/2013/0155 be approved subject to conditions and completion of a legal agreement in the form of a unilateral undertaking.

**CONDITIONS**

*IMPLEMENTATION*

1. The development hereby authorised must be begun not later than the expiration of three years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
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unimplemented planning permissions.

2. Notwithstanding the information submitted with the application, the development hereby permitted shall only be built in accordance with the following approved plans:

Reason: To avoid doubt and in the interests of good planning.

*PRE-COMMENCEMENT CONDITIONS*

**Materials**

3. Samples of all materials to be used in conjunction with the proposed development for all the external surfaces of buildings hereby approved, areas of hard landscaping and boundary walls 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.

**Landscaping**

4. Notwithstanding the details of landscaping referred to in the application, a scheme for hard and soft the landscaping and treatment of the surroundings of the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Any planting details approved shall be carried out and implemented in accordance with the approved details in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner). Any plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the local planning authority.

Reason: In order for the Local Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area.

**Waste Storage**

5. No development shall take place until a detailed scheme for the provision of refuse and waste storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented and permanently retained thereafter.

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Reason: In order to protect the amenities of the locality and to comply with Policy UD7 'Waste Storage' of the Haringey Unitary Development Plan and Policy 5.17 'Waste Capacity' of The London Plan.

**Student Accommodation**

6. No development shall take place until details of a scheme to ensure the development hereby permitted is used solely by students at an accredited institution that is either: (a) accredited by Accreditation UK or the Accreditation Body for Language Services (ABLS), which offer accreditation service for providers of English Language courses; or (b) accredited by the British Accreditation Council (BAC) or the Accreditation Service for International Colleges (ASIC), which offer accreditation for a range of institutions and courses; or (c) inspected or audited by the Quality Assurance Agency for Higher Education, the Office for Standards in Education (Ofsted), HM Inspectorate of Education (in Scotland), Estyn (in Wales), the Education and Training Inspectorate (in Northern Ireland) or the Independent Schools Inspectorate (ISI); or (d) is an overseas higher education institution which offers only part of its programmes in the UK, holds its own national accreditation, and offers programmes of an equivalent level to a UK degree; or (e) is a licensed sponsor under Tier 4 of the UK Border Agency points-based system has been submitted to and approved in writing by the local planning authority. The development shall thereafter only be occupied in accordance with the approved scheme and shall thereafter only be used by full time students at an accredited institution.

Reason: To ensure that an appropriate mix of accommodation is provided in the neighbourhood consistent with the Spatial Strategy for Tottenham and Seven Sisters Neighbourhood set out in Chapter 1 of the Haringey Local Plan and to ensure that the development is not used for other forms of housing for which additional affordable housing contributions might be required consistent with London Plan Policy 3.8 Housing Choice.

**Construction Management Plan**

7. Details of a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the local authority's approval prior to construction work commences on site. The Plans should provide details on how construction work (including demolitions) would be undertaken in a manner that disruption to traffic and pedestrians on Chestnut Road and High Road is minimised. It is also requested that construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods.

Reason: To reduce congestion and mitigate any obstruction to the flow of traffic and in the interests of highway safety.

**Control of Construction Dust**

8. No works shall be carried out on the site until a detailed report,



**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
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including Risk Assessment, detailing management of demolition and construction dust has been submitted and approved in writing by the local planning authority, with reference to the London Code of Construction Practice. Proof of registration that the site or Contractor Company is registered with the Considerate Constructors Scheme must be sent to the local planning authority prior to any works being carried out on the site.

Reason: In order to ensure that the effects of the construction upon air quality is minimised

**Sustainable construction**

9. The development shall not be occupied until the development has been demonstrated to meet BREEAM Very Good rating.

Reason: To promote sustainable construction in accordance with Chapter 5 of the London Plan.

**Green Roof**

10. Full details of the green (or “living”) roof shown on the plans shall be submitted to and approved in writing by the Local Planning Authority prior to any development works. The green roof submission shall provide the following information:

- a) biodiversity information based with extensive/semi-intensive soils;
- b) substrate which is commercial brick-based aggregate or equivalent with a varied substrate depth of 80 -150mm planted with 50% locally native herbs/wildflowers in addition to sedum;
- c) appropriate planting species;
- d) identification of additional features such as areas of bare shingle, areas of sand for burrowing invertebrates;
- e) a report from a qualified ecologist specifying how the green roof has been developed for biodiversity with details of landscape features and a roof cross section; and
- f) confirming how human access onto the roof will be restricted to prevent it being damaged.

The green roof must be installed and rendered fully operational prior to the first occupation of the development and retained and maintained thereafter.

Reason: To ensure the green roofs are suitably designed to enhance ecology/biodiversity and to reduce the potential for urban heat islands consistent with the London Plan.

**Baseline Airwaves Study**

11. No construction above first floor level shall take place until the developer has secured:

- the completion of a Baseline Airwaves Interference Study (the Baseline Study) to assess airwaves reception to/from the adjacent police station; and

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
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- the implementation of a scheme of mitigation works for the purpose of ensuring nil detriment during the construction of the development identified by the Baseline Study, such scheme of mitigation works shall be first submitted to and approved in writing by the Council.

Reason: To ensure that the existing airwaves reception at the adjacent police station is not adversely affected by the proposed development.

**Post-Construction Airwaves Study**

12. No occupation of the development shall take place until the developer has secured;

- The completion of a Post-Construction Airwaves Study (The Post-Construction Study) to ensure nil detriment to airwaves reception attributable to the development.
- The Implementation of a scheme of mitigation works for the purpose of ensuring nil detriment to the airwave reception attributable to the development. Identified by the Post Construction Study. Such scheme of mitigation works shall be first submitted to and approved in writing by the Council

Reason: To ensure that the existing airwaves reception at the adjacent police station is not adversely affected by the proposed development.

**Roof Terrace**

13. Notwithstanding the information provided with the application, a detailed plan of the roof terrace shall be submitted to and approved in writing by the Local Planning Authority prior to any development works. The roof terrace layout shall be thereafter retained in accordance with the approved detailed plan.

Reason: To ensure that the operation and security of the adjoining police station is not adversely affected by the development and to protect the living conditions of nearby residents.

**Secured by Design**

14. No development shall commence until details of a scheme demonstrating compliance with the aims and objectives of the 'Secured By Design' and 'Designing Out Crime' principles, have been submitted to and approved in writing by the Local Planning Authority and the scheme thereafter implemented in accordance with those details.

Reason: In order to ensure that the proposed development achieves the required crime prevention elements.

**Travel Plan**

15. Full details of a travel plan shall be submitted to and approved in writing by the Local Planning Authority prior to any development

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
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works. Within the travel plan;

a) The developer must appointment a travel plan co-ordinator, working in collaboration with the Facility Management Team to monitor the travel plan initiatives annually.

b) Provision of welcome induction packs containing public transport and cycling/walking information like available bus/rail/tube services, map and time-tables, to all new residents.

Reason: In order to maximise the use of public transport.

**Restriction on Windows**

16. Prior to the occupation of the student accommodation, the windows on the western flank should be restricted so that no windows can be operable above 1.7m and that the windows below 1.7m are obscurely glazed.

Reason: To ensure that the operation and security of the adjoining police station is not adversely affected by the development.

**Doors and Windows**

17. Notwithstanding the information provided with the application, a detailed plan of the jamb head and cill details of windows and doors at a scale of 1:5 along with elevations of every door and window at 1:20 shall be submitted to and approved in writing by the Local Planning Authority prior to any development works.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area consistent with Policy SP12 of the Haringey Local Plan.

*POST-COMMENCEMENT CONDITIONS*

**Lifetime Homes**

18. All the residential units in the development hereby approved shall be designed to Lifetime Homes Standard.

Reason: To ensure that the proposed development meets the Council's standards in relation to the provision of Lifetime Homes.

**Roof Terrace**

19. The communal external roof terrace located at third floor and roof level of the development, hereby permitted shall not be used between 2200 and 0900 hours the following day.

Reason: To restrict the use of the area which would otherwise give rise to condition which would be detrimental to the amenity of occupiers of the development and surrounding occupiers by reason of noise and disturbance, occasioned by the use of this area in accordance with UDP Policy UD3 General Principles.

**Student Management Plan**

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20. The student accommodation use hereby approved shall not be used nor occupied until details of a management scheme and maintenance plan for the proposed student accommodation has been submitted to, and approved in writing by the Council, The management plan shall include 24 hours on site professional security and the installation and operation of CCTV and detector alarms at roof levels. The student accommodation shall thereafter be managed in accordance with the approved scheme unless agreed in writing by the Council.

Reason: To ensure that the proposed student accommodation does not give rise to conditions which would be detrimental to the amenities of surrounding occupiers by reason of noise and disturbance, safety and security and highways congestion consistent with UDP Policy UD3.

**INFORMATIVE – Commercial Environmental health**

Prior to demolition of existing buildings, 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.

**INFORMATIVE – Naming**

The new development will require naming. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

**PC04.**

**2 CHESNUT ROAD, N17 9EN**

The Committee considered a report, previously circulated, on the application for Conservation Area Consent for 2 Chesnut Road, N17 9EN for the partial demolition of existing buildings and construction of a new building to provide 64 units of student accommodation. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant Conservation Area Consent subject to conditions.

The Chair moved the recommendations of the report and it was

**RESOLVED**

- That Conservation Area Consent for application HGY/2013/0154 be granted subject to conditions.
1. The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
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	<p>2. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides.</p> <p>Reason: In order to ensure that the site is not left open and vacant to the detriment of the character and visual amenities of the locality</p> <p><b>REASONS FOR APPROVAL</b> The demolition of the single storey additions to the original building is acceptable in principle as it does not make a contribution to the character and appearance of the Tottenham Green Conservation Area. Subject to conditions, its demolition is acceptable and accords with the National Planning Policy Framework, Policies 7.8 and 7.9 of the London Plan 2011, Local Plan Policy SP12 and UDP Saved Policy CSV7 'Demolition in Conservation Areas'.</p>
<p><b>PC05.</b></p>	<p><b>DATE OF NEXT MEETING</b></p> <p>The next ordinary Planning Committee meeting was scheduled for 8 April.</p>

COUNCILLOR ALI DEMIRCI

Chair

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**Haringey** Council

Agenda item:

**Planning Sub Committee**

**14<sup>th</sup> May 2012**

Report Title. **Pembroke Works, Campsbourne Road - Proposed Variations to Section 106 Agreement**

Report of **Head of Development Management**

Signed :

Contact Officer : **Ransford Stewart , Head of Development Management Telephone: 020 8489 5507**

Wards(s) affected: **Hornsey**

Report for: **Sub-Committee**

### **1. Purpose of the report**

1.1. To consider the proposal by Mr Oleg Chulkov the applicants for a variation of the current s106 agreement for the development at Pembroke Works Campsbourne Road N8 7PE as agreed in May 2013. No other changes to the planning permission are sought.

### **2. Summary**

Planning Consent was granted In May 2013 to Mr Oleg Chulkov the applicant for a 42 residential unit development at Pembroke Works Campsbourne Road providing 26% on-site affordable housing by habitable rooms comprising of 7 shared ownership units of 5 x 1 bedrooms and 2 x 2 bedrooms, and 4 x 4 bed affordable rent units (to be let to tenants nominated by the Council at an 'affordable rent' equivalent to no more than 32% of the market rent); This equals to 32% of affordable habitable rooms.

Mr Oleg Chulkov is committed to the project and seeks a variation to this S106 Agreement attached to the original planning permission in order to deliver Council's key objectives and progress with construction.

### **3. Recommendation**

3.1. That the Committee agrees the variations to increase the affordable housing provision to the

existing s106 Agreement attached to planning permission (HGY/2012/1190) for the development at Pembroke Works Campsbourne Road.

#### **4.0 Changing the Section 106 Agreement – National Guidelines**

##### Background

- 4.1 The Council's planning policies aim to promote development in appropriate locations and, as far as possible, in ways and for uses that will provide significant benefits for the wider area. Impacts of developments need to be mitigated adequately. In considering the form of a development, the mix and type of uses and the degree to which the impacts of that development are mitigated, it is reasonable to take into account the potential benefits, in planning terms, of the whole development.
- 4.2 The Minister for Decentralisation and Cities' 'Statement on Growth' calls for local authorities to review existing s106 agreements on schemes that are unviable. Where necessary and possible, obligations should be modified to allow development to proceed provided this continues to ensure that the development remains acceptable in planning terms.
- 4.3 The National Planning Policy Framework (March 2012) also encourages local planning authorities to avoid non-essential conditions or obligations when they would undermine the viability of development proposals.

#### **5.0 Detailed Considerations**

##### The Scheme

- 5.1 Planning Consent was granted In May 2013 to Mr Oleg Chulkov the applicant for a 42 residential unit development at Pembroke Works Campsbourne Road. The level of affordable housing provision was agreed to provide 26% on-site affordable housing by habitable rooms comprising of 7 shared ownership units of 5 x 1 bedrooms and 2 x 2 bedrooms, and 4 x 4 bed affordable rent units (to be let to tenants nominated by the Council at an 'affordable rent' equivalent to no more than 32% of the market rent); This equates to 32% of affordable habitable rooms. Mr Oleg Chulkov although committed to the project seeks a variation to the S106 Agreement attached to the original planning permission in order to provide 36 out of the 42 dwellings proposed as affordable housing equating to 85% of the dwellings as affordable housing.
- 5.2 The original planning permission remains unchanged; The proposed variation is in line with the Minister for Decentralisation and Cities' 'Statement on Growth'.
- 5.3 This will meet the Council's requirement to deliver more affordable housing to the west of the borough and for the development to be carried out, the applicant Mr Oleg Chulkov seeks a variation in the Section 106 contribution for the approved scheme, and therefore ask to have the following request put forward for consideration.



5.4 The existing Section 106 affordable housing provision is 26% on-site affordable housing by habitable rooms comprising of 7 shared ownership units of 5 x 1 bedrooms and 2 x 2 bedrooms, and 4 x 4 bed affordable rent units (to be let to tenants nominated by the Council at an 'affordable rent' equivalent to no more than 32% of the market rent); This equals to 32% of affordable habitable rooms.

5.5 **The applicant seeks to vary the Section 106 contributions as follows;**

Circle Housing have exchanged contracts to purchase the site and intend to provide 36 out of the 42 dwellings proposed as affordable housing. They will therefore offer 85% of the dwellings as affordable housing. The permitted scheme provides 26% on site affordable dwellings. Of the 36 affordable dwellings proposed, 26 will be affordable rent and 15 will be shared ownership (see accommodation mix below). The permitted scheme provides 4 affordable rent and 7 shared ownership dwellings.

However the permitted application limits the affordable rent to 32% of market rent and the completion of Circle's purchase of the site is conditional upon amending this to the following affordable rent levels:

- For 4 bed and larger units no more than 46% of the market rent.
- For 3 bed units no more than 52% of the market rent.
- For 1 & 2 bed units no more than 60% of the market rent.

Mix of accommodation proposed:

<u>Dwelling Type</u>	<u>Affordable rent</u>	<u>Shared Ownership</u>	<u>Outright Sale/Market Rent</u>	<u>Total</u>
1b2pF	2	5	2	<b>9</b>
2b3pF	2	3	1	<b>6</b>
2b4pF	6	3	2	<b>11</b>
3b4pF	6	4	-	<b>10</b>
3b5pF	1	-	1	<b>2</b>
4b7pH	4	-	-	<b>4</b>
<b>Total</b>	<b>21</b>	<b>15</b>	<b>6</b>	<b>42</b>

They also wish to allow for "charitable uses" within the definition of the affordable work space: "Affordable Commercial Space" means that part of the Development for use as commercial units for charitable or private uses' 'The Affordable Commercial Space shall not be let at rents more than fifty per cent of the market rent in perpetuity. And can be let to charitable organisations.'

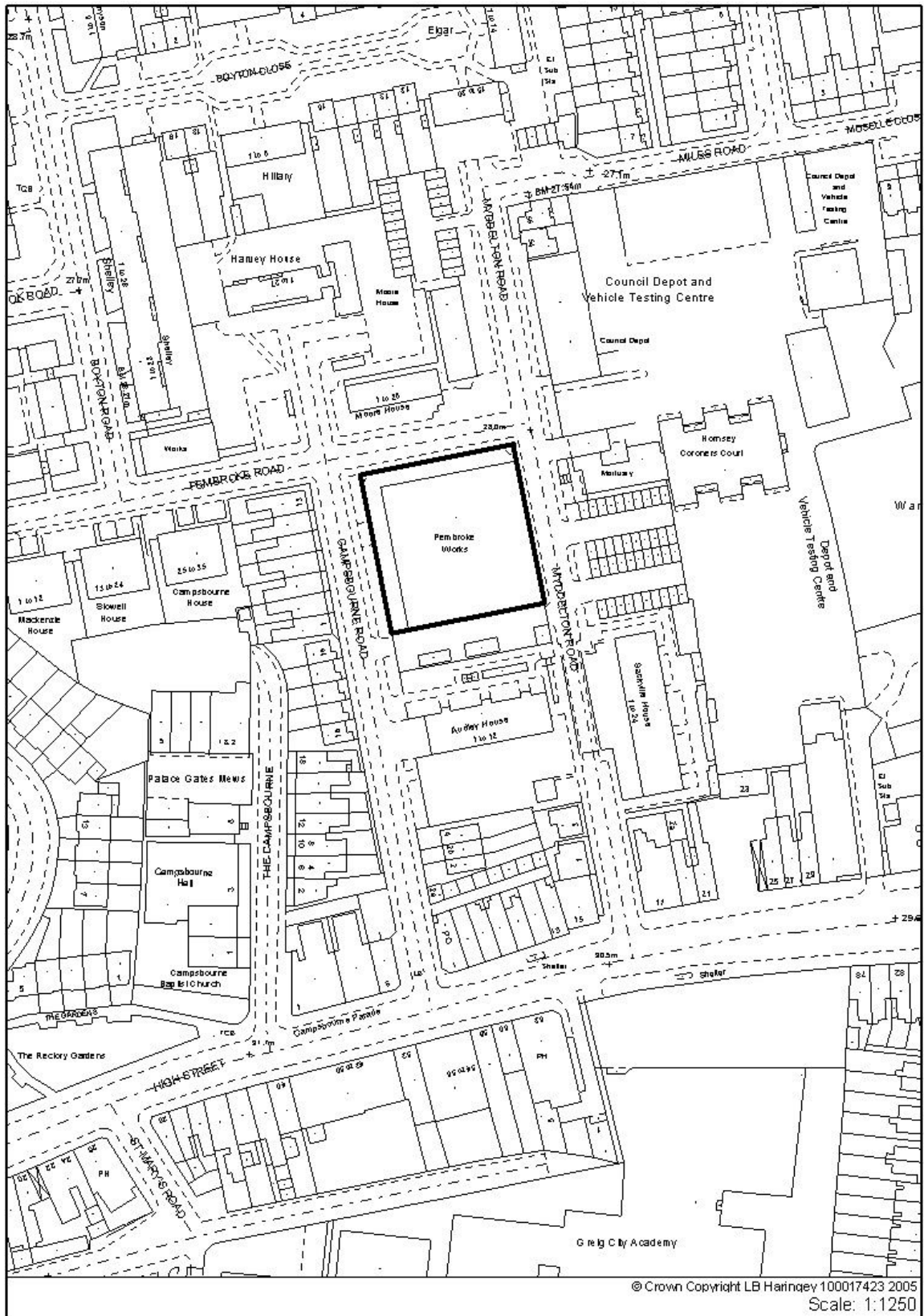
- 5.6 Affordable housing provision for development schemes is secured through Local Plan Policy SP2 which sets a target of 50% in residential/mixed use schemes.
- 5.7 The proposed level of provision exceeds the normal requirements of Local Plan Policy SP2 and is therefore considered acceptable.

**6.0 Existing Section 106 Agreement Clauses Requested for Variation**

The relevant clauses of the agreement requiring change are found in paragraph 4.4.1 under 'Affordable Housing'

**7.0 Recommendation**

- 7.1 That the clause of the current S106 Agreement related to the provision of affordable housing is amended to enable the following mix and level of provision;



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Planning Sub Committee 13<sup>th</sup> May 2013

Item No.

**REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE**

<b>Reference No:</b> HGY/2012/1588	<b>Ward:</b> Muswell Hill
<b>Address:</b> Land to the Rear of 76 St James's Lane N10 3RD	
<b>Proposal:</b> Erection of 3no. single storey three bedroom houses	
<b>Existing Use:</b> Vacant	<b>Proposed Use:</b> Residential
<b>Applicant:</b> Mr Raffi Tanielian	
<b>Ownership:</b> Private	
<b>Date received:</b> 10/08/2012 <b>Last amended date:</b> 17 <sup>st</sup> December 2012/ additional plans submitted 1 <sup>st</sup> May 2013.	
<b>Drawing number of plans:</b> 2905/09B, 2905/20A, 2905/26D 2905/28C 2905/29, 2905/30, 2905/31, 2905/32A, 2905/33, 2905/34 & 2905/35.	
<b>Case Officer Contact:</b> Matthew Gunning	
<b>PLANNING DESIGNATIONS:</b> Road Network: B Road	
<b>RECOMMENDATION:</b> GRANT PERMISSION	
<b>SUMMARY OF REPORT:</b>  The proposal is for the erection of 3 x single storey dwellings on this site previously occupied by lock up garages. This application follows on from a previously refused scheme which was subsequently dismissed on appeal. The scheme is amended by making all of the houses single storey and by placing them adjacent to the northern boundary of the site, similar to the previous garages. The siting, design and form of this revised scheme has taken due consideration of the site constraints, in particular the steep gradient. The proposal now achieves an acceptable relationship with neighbouring buildings and will not give rise to significant degrees of overlooking or loss of privacy to neighbouring occupiers. The proposal also achieves an acceptable relationship with the adjoining Conservation Area and will not affect mature trees within adjoining sites.	

1.0 SITE LOCATION PLAN



Site Location Plan

2.0 DRAWINGS & IMAGES

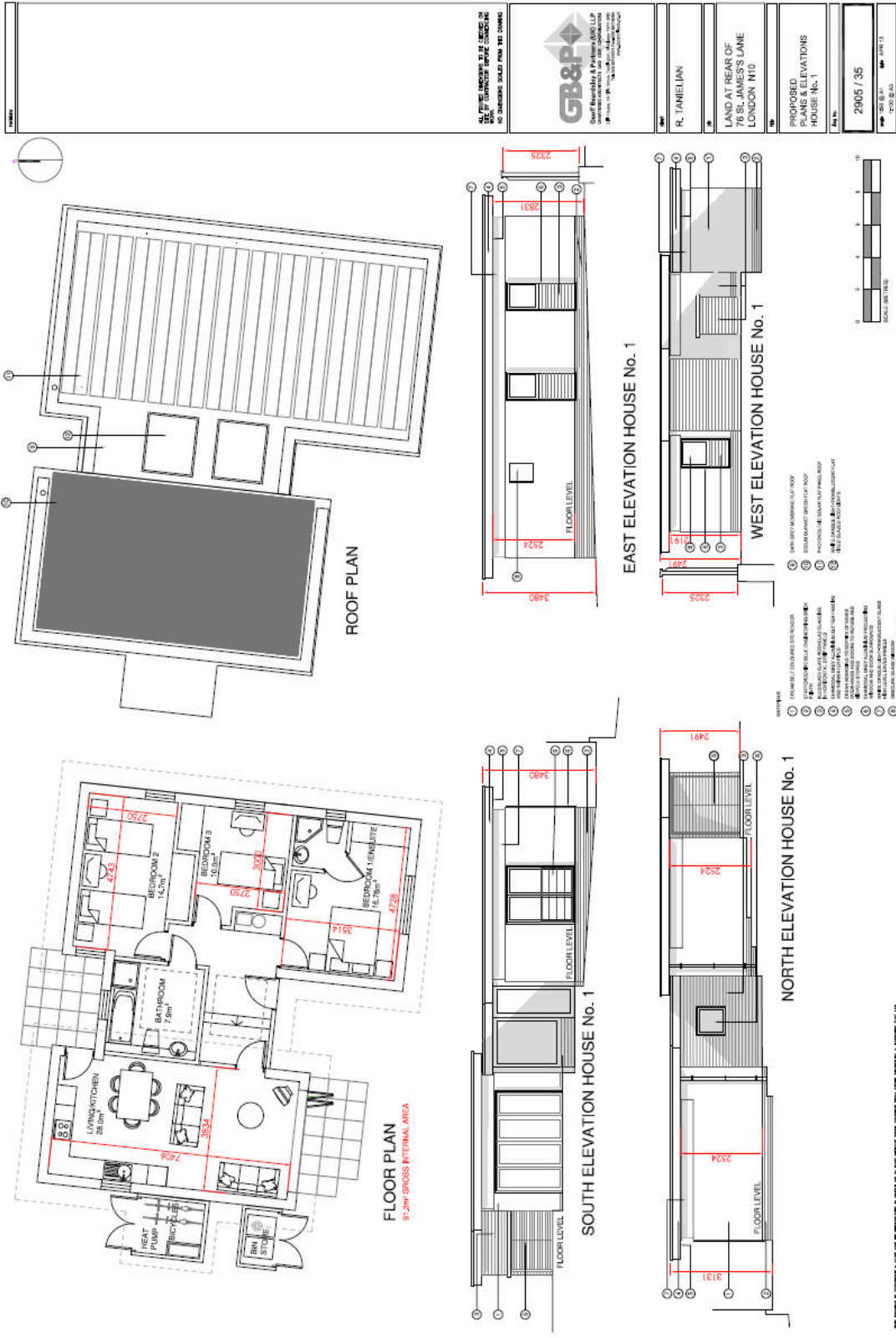


Northern Boundary Wall of Site



Proposed Site Layout





Elevations

### **3.0 SITE AND SURROUNDINGS**

- 3.1 The application site is generally rectangular in shape with a wider section to the west narrowing as it slopes down to the east. It is located south of St James Lane and accessed via a shared access way which runs behind a five storey 1960s block, which accommodates a Performing Arts Centre. It has significant level differences, with the site sloping from the highest point on the west to the lower point on the east side, a difference of approximately 3-4 metres. The eastern boundary of the site adjoins the rear gardens of properties which front onto Cascade Avenue and along the southern boundary adjoin the rear gardens of properties which front onto The Chine.
- 3.2 The site, which measures 0.1ha in size, previously contained 20 lock up garages which have been recently demolished. The remainder of the site consists of hardstanding. There are several mature trees in close proximity to the southern boundary, which sit within the rear gardens of the properties fronting The Chine. The application site does not fall within a conservation area but adjoins Rookfield Conservation Area.

### **4.0 PROPOSAL**

- 4.1 The proposal is for the erection of 3 x single storey dwellings on this site. The dwellings will have similar internal layout and will have 3 bedrooms. Each dwelling will benefit from private external amenity space and 2 car parking spaces. Vehicular access to the site will remain the same as existing, via the shared access way.
- 4.2 The scheme as submitted has been amended slightly from that initially submitted. The houses have been lowered by 300mm and moved 300mm further away from northern boundary. The wall (back of the former garages) is now to be retained.

### **5.0 PLANNING HISTORY**

#### 5.1 Planning Application History

HGY/1993/0909 - Erection of three x three bedroom five person two storey houses. (AMENDED SCHEME) – Withdrawn 08/11/1994

HGY/2010/1994 - Demolition of 20 x existing garages and erection of 3 x three bedroom houses (one with attached garage), and 2 x semi-detached garages – Refused 17/12/2010 – Dismissed on appeal

#### 5.2 Planning Enforcement History

None

**5.0 RELEVANT PLANNING POLICY**

**6.1 National Planning Policy**

The NPPF was formally published on 27th March 2012. This document sets out the Government’s planning policies for England and supersedes the previous Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs). The proposed development is considered to be consistent with the Framework which seeks to approve proposals that accord with the local development plan. The NPPF has at its core a strong presumption in favour of sustainable development.

**6.2 London Plan 2011**

Policy 3.3 Increasing housing supply  
 Policy 3.4 Optimising housing potential  
 Policy 3.5 Quality and design of housing developments  
 Policy 7.4 Local Character  
 Policy 7.6 Architecture

**6.2 Haringey Local Plan – Strategic Policies – Adopted 2011**

SP0 Presumption in favour of sustainable development  
 SP1 Managing Growth  
 SP2 Housing  
 SP11 Design  
 SP12 Conservation

**6.4 Unitary Development Plan 2006 (Saved Policies)**

UD3 General Principles  
 UD7 Waste Storage  
 HSG2 Change of Use to Residential  
 M10 Parking for Development  
 OS17 Tree Protection, Tree Masses and Spines

**6.4 Supplementary Planning Guidance / Documents**

SPG1a Design Guidance  
 SPG2 Conservation and Archaeology  
 SPD Sustainable Design and Construction, (Feb 2013)

**7.0 CONSULTATION**

<b>Internal</b>	<b>External</b>
Ward Councillors Transportation Group	London Fire Brigade Muswell Hill/ Fortis Green

<p>Building Control Trees</p>	<p>Residence Association 80 – 100 (e) St James Lane 72, 74, 76, 78 St James Lane 1, 2, 3 View Cottages, St James Lane Flat 1 – 12 Winkley Court, St James Lane Flat 1 – 6 78 St James Lane 18, 20, 37 – 57 (o) The Chine, 26 – 38 (e) Linden Road, 13 – 29 (o) Cascade Avenue</p>
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## 7.0 RESPONSES

### Transportation

- 7.1 The application site has a medium PTAL of 3 and is within reasonable walking distance of Muswell Hill Broadway, which benefits from a number of local bus services. It is considered that some journeys to and from the site will be made using sustainable modes of transport. However, it is likely that some of the prospective residents would use private vehicles for such journeys.
- 7.2 Although the site is not located within an area that has been identified within the Haringey Council adopted UDP as that suffering from high on-street parking pressure, local parking congestion is evident during various times of the day. The application includes off-street parking provision for all three of the residential units. It has been noted that the level of provision exceeds the maximum parking standards by one space, however, given the very high demand for on-street parking within the vicinity of the site this is considered acceptable.
- 7.3 The proposed development is likely to generate a lower level of traffic movements compared to that associated with the sites current use. The proposals are unlikely to have any significant negative impact on traffic generation or parking demand within the locality. Therefore, the highway and transportation authority do not wish to raise any objection to the above planning application.
- 7.4 Councillor Bloch – Asks that the application go before Planning Sub Committee and objects on the following grounds (as summarised)
- Overlooking/ loss of privacy adjoining properties;
  - The plans show doors opening directly from one dwelling towards the back of 82 St James’s Lane;
  - Noise nuisance due to closeness with properties on St James’s Lane;
  - Lack of detail and difficulty to understand plans;;
  - Loss of light;

- Omission of any real indication of the degree to which the land slopes so steeply;
- Issue of the access road not addressed in particular it is on a dangerous and very steep bend;
- The electricity sub-power station has not been mentioned although it most definitely blocks vision for pedestrians and traffic as well as reducing easy access for fire engines;
- No landscaping to the houses;
- Concerns about the retention of the boundary walls;
- There are two protected large polar trees from the Chine which slightly encroach onto the land and these need to be expertly protected and dealt with.

7.5 Local residents - Letters of objection/ concern from residents of the following properties - No 27 Cascade Avenue, No's 47, 49 The Chine, 37 Rookfield Avenue, No 65, Flat 3 78, 86, 88, 100 St James's Lane

*Design & Form/ Impact on Amenity*

- The height & closeness of the development would be such that unreasonable overshadowing would occur to the surrounding properties;
- Loss of privacy due to elevated nature of the site – No's 25, 27 & 29 Cascade Avenue are much lower and would be affected;
- Proximity to rear garden of properties - No's 84 to 100; reduces to 5m on eastern side.
- There will be virtually no gardens for these family sized units;
- Wall at the end of the rear gardens of No's 84 to 100 should remain;
- Impact of noise to properties behind the site;
- Noise and disturbance;
- Adverse effect on the adjoining Rookfield Conservation Area by reason of the over development of the site;
- Squeezing 3 houses into this site increases the impact on the closest neighbours;
- Only two houses should be built on this site;

*Access & Safety*

- Need to maintain access along shared access route;
- Inappropriate access road;
- Concern about the entrance and exit remaining the same;
- The development may lead to a significant impact upon road safety due increased parking problems in St James's Lane;
- Considerable traffic and parking difficulties at certain times of the day after school and on Saturday mornings;
- The vehicular access to the houses depends on the use of the shared access which is not part of the site that is the subject of this application and is presumably not in the ownership of the applicant;
- Traffic and parking survey inadequate as carried out during school holidays;

*Other*

- Impact on mature trees;
- If permission is granted a condition should be imposed restricting any permitted development to the new houses;
- Needs to be assurance there will be no departure from approved plans when constructed;
- Need for direct dialogue with relevant residents.

7.6 A letter of support has been received from the resident of No 43 The Chine who states the scheme “will be an improvement on the existing garages and as the proposed houses are single storey they should not be visually intrusive”.

## 8.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

### Background

8.1 This current application follows on from a previous application (HGY/2010/1994) for the demolition of the 20 x garages on site (now demolished) and for the erection of 3 x three bedroom houses. This application was refused permission by the Local Planning Authority and subsequently dismissed on appeal.

8.2 In this appeal the Inspector considered the principle of residential development to be acceptable given the site was ‘previously developed land’ and the fact that it “is within walking distance of local shops and public transport”. The Inspector found fault with the scheme on a number of grounds, namely its impact on the living conditions and visual amenity of neighbouring properties, its proximity to mature trees and its general cramped nature. The following extracts from the appeal decision highlight these concerns:

- Houses 1 and 2 would be sited very close to the boundary with No 45 The Chine “and would appear particularly prominent at a very short distance when viewed from the extended raised element of the rear garden of this property. The development would plainly harm the living conditions of the residents of this property too.”
- “House 3 ... would appear visually dominant, overbearing and unsympathetically sited when viewed from nearby houses and gardens on Cascade Avenue and, to a lesser extent, from houses on The Chine, relative to the outlook currently enjoyed by residents of these houses. This is an initial indication that the proposal represents a cramped development”.
- “House 2 would also be built very close to one of the poplar trees, requiring it to be cut back significantly to facilitate the development”.
- “The siting of habitable rooms in House 2 at close distance to a prominent, established tree with consequent amenity implications for

occupants of this proposed house is a further indication that the proposed development represents a cramped design solution".

- 8.3 This current scheme is significantly different to the previous scheme in terms of the siting of the three dwellings, their relationships with neighbouring properties and the layout of the parking on site. The visual impact of the proposal is reduced by making all of the houses single storey and placing them adjacent to the northern boundary, in a similar area as the previous garages.
- 8.4 The main issues in respect of the current scheme are outlined below.

#### Principle of Residential Use

- 8.5 The NPPF provides guidance on decision taking and in particular, introduces a presumption in favour of sustainable development and also outlines a number of core planning principles that should be adhered to. In particular this includes encouraging the effective use of land by reusing land that has been previously-developed, and to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. Local Plan Policy SP0 advocates a positive approach and a presumption in favour of sustainable development, unless any adverse impacts of granting permission would be significantly outweighed.
- 8.6 The principle of residential use on this site is considered to be acceptable given that the site is surrounded by residential uses and is within a broader residential area. As pointed out above the Inspector considered the principle to be acceptable. The proposal accords with the criteria outlined in policies SP2 of the Local Plan and HSG2 'Change of Use to Residential' in addition to London Plan Policy 3.3 'Increasing Housing Supply'.

#### Design, Form & Layout

- 8.7 London Plan policies 7.4 and 7.6 requires planning decisions to have regard to local character and for development to comprise details and materials that complement, but not necessarily replicate the local architectural character. Policy SP11 of the Local Plan requires development to create places and buildings that are of high quality, attractive and sustainable.
- 8.8 The scheme is for 3 single storey buildings with flats roofs which will range in height from 2.3 to 3.4m. The houses will be located to the rear of the garden of No's 84 to 100 St James's Lane, 1.3m in from the boundary. The gardens to these properties are typically between 9-10m in depth, with the exception of No 100 which is 6m deep. As pointed out above the scheme as submitted has been amended slightly from that submitted, by lowering the houses by 300mm and moving 300mm

further away from northern boundary. The wall (back of the former garages) is now also to be retained.

- 8.9 The dwellings will be of modern style and will be 12.2m wide, with a maximum depth of 10.3m. The buildings will be faced in a mixture of materials; render, stone and hardwood timber. The roof form the dwellings will partly overhang and will incorporate flush glazed rooflight, green planted roofs and horizontal photovoltaic panels.
- 8.10 The houses are staggered and take account of the natural slope of the land use split level plan format. In the recent appeal, the Inspector considered “the most critical challenge is the need to respond sensitively to the topography of this relatively long and narrow site and that of surrounding land”. The Inspector went on to note that:
- “Land levels fall to the east and south and houses on Cascade Avenue and The Chine adjoining the site within the adjacent Rookfield Conservation Area are markedly lower. The rear gardens of surrounding houses on three sides are generally of a modest depth. As such, many houses have a direct outlook of the site at close distance. “
- 8.11 Compared to the previous scheme the bulk and mass has been significantly reduced. The buildings has been more carefully sited and kept at a relatively low level, in addition to having being subsequently reduced further (i.e. by excavating into the site). They will be discrete and low profile features within the site which will not be highly visible from neighbouring properties given the presence of screening along the southern and eastern boundaries of the site and the retention of the northern boundary wall. This is an important change and material consideration compared to the previously refused/ dismissed scheme.
- 8.12 The houses exceed the floorspace minima for three-bedroom dwellings set out in the Council’s Housing SPD and the London Plan. While objections have been raised about the number of dwellings proposed, the density of the development is acceptable.
- 8.13 The scheme is laid out with remote parking at the top of the site and a pedestrian access route along the southern side of the site. Next to the car parking area a refuse storage areas is shown to store refuse for each dwelling. The useable amenity space for each of the dwellings will be in excess of 50sq.m and will include patio space and laid lawn. Details of further landscaping will be secured by way of a planning condition.
- 8.14 Overall the form, siting, height and layout of the buildings within the site are considered to be acceptable. As such the proposal is considered to be in accordance with policies 7.4 and 7.6 of the London



Plan and UD3 'General Principles' and SP11. They will make a modest contribution to your new increased housing target in Local Plan SP2 to meet or exceed 820 new homes a year.

### Impact on the adjoining Conservation Area

- 8.15 The London Plan 2011 Policy 7.8 '*Heritage Assets and Archaeology*' states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Similarly Local Plan Policy SP12 seeks to ensure the conservation of heritage assets, their setting, and the wider historic environment. The application adjoins the Rookfield Conservation Area.
- 8.16 Bearing in mind the current condition of the site and the under-used nature of the previous lock-up garages, the proposed developed and associated landscaping will serve to enhance the appearance of the site and its setting next to a conservation area. The buildings will be discrete and low profile features within the site which will not be highly visible from neighbouring properties and the adjoining conservation area.

### Impact on Trees

- 8.17 The positioning of the new buildings has taken due consideration of the two popular trees in the adjacent garden of No 45 The Chine, which are located next to the southern boundary of the site. An Arboricultural survey was carried out in order to establish the parameters for development on site. The location of the houses next to the northern boundary is such now that the root protection zone will not be encroached.
- 8.18 Subject to the use of appropriate tree protective fencing the proposed development can take place with no damage or implications relating to the remaining trees on site. A condition will be attached to the permission to ensure that appropriate measures are taken to ensure their protection. Overall the proposal accords with the requirements of policy OS17 'Tree Protection, Tree Masses and Spines'.

### Impact on Amenity

- 8.19 The London Plan 2011 Policy 7.6 *Architecture* states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Local plan policy also expects new development to maintain the level of privacy enjoyed by adjoining properties and not to create problems of overlooking.
- 8.20 The siting, fenestration and orientation of the buildings are such that they will not adversely affect the privacy and amenity of adjoining

houses and gardens. The main fenestration to the dwelling will be south facing and the closest south facing window with the properties on The Chine will be 20m away. The presence of solid board fencing and screening along the southern boundary of the site will help to minimise overlooking/ loss of privacy. There will be no habitable room windows on the north elevation other than 3 bathroom windows. While the buildings will sit much closer to the northern boundary of the site, the presence/ retention of the rear wall (back of the former garages) along with the stepping of buildings along the slope and in from the boundary is such that the structures will marginally protrude above the height of the existing boundary wall.

- 8.21 While the proposed development is not of the same scale and design to the dwellings immediately surrounding it, its form and associated landscaping are considered sensitive to the nature of the site achieving an acceptable relationship with adjoining and neighbouring properties. A condition has been imposed restricting permitted development rights to protect local residents from any future development on the site.
- 8.22 Overall the proposed development has taken careful consideration in terms of its layout and design to ensure that the privacy and amenity of neighbouring occupiers will not be adversely affected. As such the proposal is considered to be in accordance with UDP Policy UD3 and with sections 8.20-8.27 of the Housing SPD.

#### Access & Parking

- 8.23 The site shares an access with No 76 (the Performing Arts Centre) in addition to 6 flats located at No 78. Bearing in mind the previous land use of the site and adjoining residential properties which use this access, such an access arrangement is considered acceptable. While concerns have been raised about the access and egress to the site, particularly in relation to its location on a bend, the access point is established and the Council's Transportation section do not object to the proposal. The proposed development is likely to generate a lower level of traffic movements compared to that associated with the site's previous use.
- 8.24 The scheme is laid out with remote parking at the top of the site and a pedestrian access route along the southern side of the site. Each of the dwellings will have two car parking spaces. A reversing head for refuse trucks and fire appliances vehicles is shown on the plans submitted. The furthest corner of house 3 will be within the 45m house length requirement.

#### Sustainability

- 8.25 The NPPF, London Plan and local policy requires development to meet the highest standards of sustainable design, including the conservation

of energy and water; ensuring designs make the most of natural systems and the conserving and enhancing the natural environment.

- 8.26 Chapter 5 of the London Plan requires all new homes to meet Level 4 of the Code for Sustainable Homes. The developer has indicated thus far it will meet or exceed Code for Sustainable Homes Level 3 by way of under floor heating which will be fed by solar panels to be installed on the south facing flat roofs. Overall the proposed scheme is considered to be of sustainable design and represent a beneficial use of this previously developed land. A condition has been imposed to require the development to meet Code for Sustainable Homes Level 4.

#### Planning Obligations

- 8.27 The proposal will also be liable for the Mayor of London's CIL as the proposal is for three additional units. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £9,590.00 (274 x £35). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

### **9.0 CONCLUSION**

- 9.1 The position, scale, mass, detail and alignment of the proposed dwellings on this are considered to be acceptable and address the concerns raised in the previously refused and dismissed scheme. The scheme is amended by making all of the houses single storey and by placing them adjacent to the northern boundary of the site, similar to the previous garages. The siting, design and form of this revised scheme has taken due consideration of the site constraints in particular the steep gradient. The proposal achieves an acceptable relationship with neighbouring buildings and will not give rise to significant degrees of overlooking or loss of privacy to neighbouring occupiers. The proposal also achieves an acceptable relationship with the adjoining Conservation Area and will not affect mature trees within adjoining sites.
- 9.2 As such the proposal is considered to be in accordance with policies 3.3-3.5, 7.4 and 7.6 of the London Plan 2011, SP0, SP1, SP2, SP11 and SP12 of the Local Plan 2013 and saved policies UD3, UD7, HSG2, M10 and OS17.

### **13.0 RECOMMENDATIONS**

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s) 2905/09B, 2905/20A, 2905/26B, 2905/28B, 2905/29, 2905/30, 2905/31 & 2905/32

Subject to the following condition(s)

#### IMPLEMENTATION

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 hereby authorised shall be carried out in accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity

#### MATERIALS & BOUNDARY TREATMENT

3. Samples of all 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.

4. Details of a scheme depicting those areas to be treated by means of hard and soft landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme shall include a schedule of species and a schedule of proposed materials/ samples to be submitted to, and approved in writing by the Local Planning Authority.

The approved landscaping scheme shall thereafter be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner). Any trees or plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

5. Prior to the first occupation of the building a plan showing details of the green roof including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for an initial scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance

Reason: To ensure that the green roof is suitably designed and maintained.

#### TREE PROTECTION

6. A pre-commencement site meeting must take place with the Architect, the consulting Arboriculturist, the Local Authority Arboriculturist, the Planning Officer to confirm tree protective measures to be implemented. All protective measures must be installed prior to the commencement of works on site and shall be inspected by the Council Arboriculturist and thereafter be retained in place until the works are complete.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

#### OTHER

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any part of Class A, D & E of Part 1 to Schedule 2 of that Order shall be carried out on site.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality.

8. No dwelling shall be occupied until it has been demonstrated in writing to the Local Planning Authority that the development hereby permitted will meet or exceed Code for Sustainable Homes Level 4.

Reason: To ensure a sustainable construction consistent with Policy 5.2 of the London Plan 2011.

#### REASONS FOR APPROVAL

The position, position, scale, mass, detail and alignment of the proposed dwellings are considered acceptable in relationship with neighbouring

properties and the adjoining conservation area. The scheme will not lead to significant degrees of overlooking or loss of privacy to neighbouring occupiers. The proposal is in accordance with policies 3.3-3.5, 7.4 and 7.6 of the London Plan 2011, SP0, SP1, SP2, SP11 and SP12 of the Local Plan 2013 and saved policies UD3, UD7, HSG2, M10 and OS17.

## APPENDIX 1: COMMENTS ON OBJECTIONS

No.	Stakeholder	Comments	Response
1	Transportation	<p>In summary they raise no objection, They note the application site is a medium PTAL of 3 and is within reasonable walking distance of Muswell Hill Broadway but accept that some prospective residents would use private vehicles for such journeys.</p> <p>They note that local parking congestion is evident during various times of the day. They note the level of provision exceeds the maximum parking standards by one space, however, given the very high demand for on-street parking within the vicinity of the site this is considered acceptable.</p> <p>They indicate the proposed development is likely to generate a lower level of traffic movements compared to that associated with the sites current use. The proposals are unlikely to have any significant negative impact on traffic generation or parking demand within the locality.</p>	<p>Noted.</p> <p>The Inspector in dealing with the previous appeal did not raise concerns in respect of transportation/ access.</p> <p>As per the previous application HGY/2010/1994 the London Fire and Emergency Planning Authority was satisfied with access.</p>
2	Cllr Block	Overlooking/ loss of privacy adjoining properties.	The main fenestration to the dwelling will be south facing and the closest south facing window with the properties on The Chine will be 20m away. The presence of solid board fencing and screening along the southern boundary of the site will help to minimise overlooking/ loss of privacy.

No.	Stakeholder	Comments	Response
		<p>The plans show doors opening directly from one dwelling towards the back of 82 St James's Lane.</p> <p>Noise nuisance due to closeness with properties on St James's Lane.</p> <p>Lack of detail and difficulty to understand plans.</p> <p>Loss of light.</p> <p>Omission of any real indication of the degree to which the land slopes so steeply.</p> <p>Issue of the access road not addressed in particular it is on a dangerous and very steep bend.</p> <p>The electricity sub-power station has not been mentioned although it most definitely blocks vision for pedestrians and traffic as well as reducing easy access for fire engines;</p> <p>No landscaping to the houses;</p>	<p>There will be no habitable room windows on the north elevation other than 3 bathroom windows. The doors in question will be at right angle to the boundary.</p> <p>The solid boundary is now to be retained with minimal window openings on this elevation therefore minimising the transmission of noise.</p> <p>The plans are to scale and show the scheme correctly in relation to neighbouring properties.</p> <p>The buildings are almost the same size (in terms of height) as the previous garages and as such there will be no loss of light.</p> <p>Levels are show correct across the site.</p> <p>The Council's Transportation section does not object to the proposal. The proposed development is likely to generate a lower level of traffic movements compared to that associated with the sites previous use. Access road to the site is not part of the application site. Access road already serves some flats.</p> <p>This is not part of the application site nor is the access road.</p> <p>Indicative landscaping is indicated on plans. Details in terms of species/ size of plants will be looked at in more detail as part of a conditions application.</p>



No.	Stakeholder	Comments	Response
		<p>Concerns about the retention of the boundary walls;</p> <p>There are two protected large polar trees from the Chine which slightly encroach onto the land and these need to be expertly protected and dealt with.</p>	<p>Boundary wall is now to be retained as per the amendments secured.</p> <p>The location of the houses next to the northern boundary is such now that the root protection zone will not be encroached.</p>
3.	Local Residents	<p>The height &amp; closeness of the development would be such that unreasonable overshadowing would occur to the surrounding properties.</p> <p>Loss of privacy due to elevated nature of the site – No’s 25, 27 &amp; 29 Cascade Avenue are much lower and would be affected;</p> <p>Proximity to rear garden of properties - No’s 84 to 100; reduces to 5m on eastern side.</p> <p>There will be virtually no gardens for these family sized units.</p> <p>Wall at the end of the rear gardens of No’s 84 to 100 should remain.</p> <p>Impact of noise to properties behind the site.</p> <p>Adverse effect on the adjoining Rookfield Conservation Area by reason of the over</p>	<p>The scheme is amended by making all the houses single storey and by placing them adjacent to the northern boundary of the site, similar to the previous garages. There will be no overshadowing given the height/ set back of the buildings.</p> <p>There are no windows on the side elevation of the house nearest properties on Cascade Avenue, other than a kitchen window and as such there will be no adverse impact on the privacy and amenity of these residents.</p> <p>Given the siting of the previous garages next to this boundary and the retention of the solid boundary wall this arrangement is considered acceptable. The buildings will be discrete/low profile features within the site which will not be highly visible</p> <p>The useable amenity space for each of the dwellings will be in excess of 50sq.m and will include patio space and laid lawn.</p> <p>The wall will now be retained.</p> <p>The solid boundary is now to be retained with minimal window openings on this elevation therefore minimising the transmission of noise.</p> <p>Bearing in mind the current condition of the site and the under-used nature of the previous lock-up garages, the proposed developed and associated</p>

No.	Stakeholder	Comments	Response
		<p>development of the site.</p> <p>Squeezing 3 houses into this site increases the impact on the closest neighbours.</p> <p>Only two houses should be built on this site.</p> <p>Need to maintain access along shared access route.</p> <p>Inappropriate access road.</p> <p>Concern about the entrance and exit remaining the same;</p> <p>The development may lead to a significant impact upon road safety due increased parking problems in St James's Lane;</p> <p>Considerable traffic and parking difficulties at certain times of the day after school and on Saturday mornings.</p> <p>The vehicular access to the houses depends on the use of the shared access which is not part of the site that is the subject of this application and is presumably not in the ownership of the applicant.</p> <p>Traffic and parking survey inadequate as carried out during school holidays.</p>	<p>landscaping will serve to enhance the appearance of the site and its setting next to a conservation area.</p> <p>Bearing in mind the size of the site and the footprint of the previous structures, the development proposed is of a modest size.</p> <p>The site can accommodate 3 houses and the density of the development (150 habitable rooms per hectare) is below London Plan standards.</p> <p>Noted. The access road will not be altered.</p> <p>The access road will not be altered.</p> <p>The access road already exists and already provides access to flats and the previous garages.</p> <p>The proposed development is likely to generate a lower level of traffic movements compared to that associated with the sites previous use.</p> <p>There is more than adequate parking proposed to accommodate parking with these 3 houses. The level of traffic movement generated with these 3 houses will not be significant.</p> <p>It is expected that there is a right of way along this access road. This is a legal issue as opposed to a material planning consideration.</p> <p>As indicated the level of traffic movement generated with these 3 houses will not be significant.</p>

No.	Stakeholder	Comments	Response
		<p>Impact on mature trees.</p> <p>If permission is granted a condition should be imposed restricting any permitted development to the new houses.</p> <p>Needs to be assurance there will be no departure from approved plans when constructed;</p> <p>Need for direct dialogue with relevant residents.</p>	<p>The location of the houses next to the northern boundary is such now that the root protection zone of the trees in question will not be encroached.</p> <p>Imposed as per Condition 7.</p> <p>Noted and required as per Condition 2.</p> <p>Noted, residents can be consulted on conditions application (in particular landscaping) and will need to be consulted by the developer in relation to new/ replacement/ changes to boundary fencing.</p>

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Planning Sub Committee 13<sup>th</sup> May 2013

Item No.

**REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE**

<b>Reference No:</b> HGY/2013/0694	<b>Ward:</b> Crouch End
<b>Address:</b> Mews Studio Hornsey Town Hall The Broadway N8 9JJ	
<p><b>Proposal:</b> In respect of planning permissions and consents ref: HGY/2010/0500, /0501 and /0502 for the refurbishment and conversion of the Town Hall Building, new residential development and associated car parking and landscaping, variation of conditions is sought to allow for the elements of the scheme not related to Hornsey Town Hall ("preparatory implementation works") to be implemented prior to the Town Hall development. Detailed variations as below:(A) Variation of conditions attached to HGY/2010/0500 is sought to allow for the elements of the scheme not related to Hornsey Town Hall to be implemented prior to the Town Hall development. Specifically, variation of conditions 3 (Materials Samples), 4 (Landscaping), 7 (Tree Works), 8 (Excavation), 12 (Construction Vehicles Management Plan), 13 (Demolition Management Plan), 17 (Lighting), 21 (Refuse Storage), 28 (Site Investigation), 30 (Archaeological Work), 31 (s106) and 34 (Daylight/Sunlight) and removal of condition 15 (Phasing)and its replacement with a s106 obligation, attached to planning permission ref: HGY/2010/0500 to allow for preparatory implementation works to be carried out.(B) Variation of conditions 2 (Contract for Works), 3 (Demolition Method), and 4 (Site Protection) attached to HGY/2010/0501 to allow for preparatory implementation works to be carried out, variation of condition 2 to allow demolition or partial demolition of the Town Hall to occur after contracts for Phase 1 refurbishments of the Hall have been secured, variation of conditions 3, 5, 6 and 7 to clarify building to demolished, variation of condition 4 to clarify which building the condition relates to, removal of condition 13a and its replacement with equivalent s106 obligation, attached to Listed Building Consent ref: HGY/2010/0501 and amendment of description of same Listed Building Consent to clarify that the "Mews" element is to be demolished.FULL DESCRIPTION AVAILABLE IN ATTACHED FILES ON WEB-SITE</p>	
<b>Existing Use:</b> Local Authority Offices	<b>Proposed Use:</b> Mixed Use
<b>Applicant:</b> Ms Laura Bridges, Haringey Council Capital Programme Team	
<b>Ownership:</b> Public	

**DOCUMENTS****Title**Applicant Correspondence 19<sup>th</sup> April 2013Applicant Correspondence 30<sup>th</sup> April 2013**Case Officer Contact:**

Jeffery Holt

P: 0208 489 5131

E: [jeffrey.holt@haringey.gov.uk](mailto:jeffrey.holt@haringey.gov.uk)

**PLANNING DESIGNATIONS:**

Road Network C  
Conservation Area

**RECOMMENDATION**

GRANT VARIATIONS HGY/2010/0500, HGY/2010/0501 and GRANT HGY/2010/0502 and to the s106 Unilateral Undertaking attached to HGY/2010/0500

## SUMMARY OF REPORT

On the 10<sup>th</sup> of December 2010, planning permission, Listed Building Consent and Conservation Area Consent were granted for the substantial refurbishment of the Hornsey Town Hall complex and associated new build to provide a mixed use development containing residential, cultural and commercial space.

The Hornsey Town Hall complex is in the Crouch End Town Centre and is Grade II\* Listed Building and on the 'At Risk' register. The site includes Broadway Annexe and Hornsey Library, which are both Grade II Listed.

Mountview Academy of Theatre Arts wish to move into the Town Hall but the current permission does not suit their needs. The current planning permission is due to expire on the 10<sup>th</sup> of December 2013 and cannot be extended under current planning guidance. Any new design will require a new planning application for the Town Hall but it is unlikely to be submitted before this expiration date.

The current planning permission maintains the land value of the site and therefore the amount of funding available for the project and the restoration of the Town Hall. If the current permission were to expire there would be a significant reduction in land sale, which could place the project at risk. Consequently, it is necessary to implement the current permission before the expiration date.

It is proposed that the vacant Mews Studio building behind the Broadway annexe will be demolished and trenches excavated for foundations for the replacement mews building. This will ensure that the 2010 permission is implemented and remains valid.

It is necessary to vary the conditions and s106 Unilateral Undertaking to allow this to occur without requiring the discharge of every pre-commencement condition and triggering of the s106 obligations.

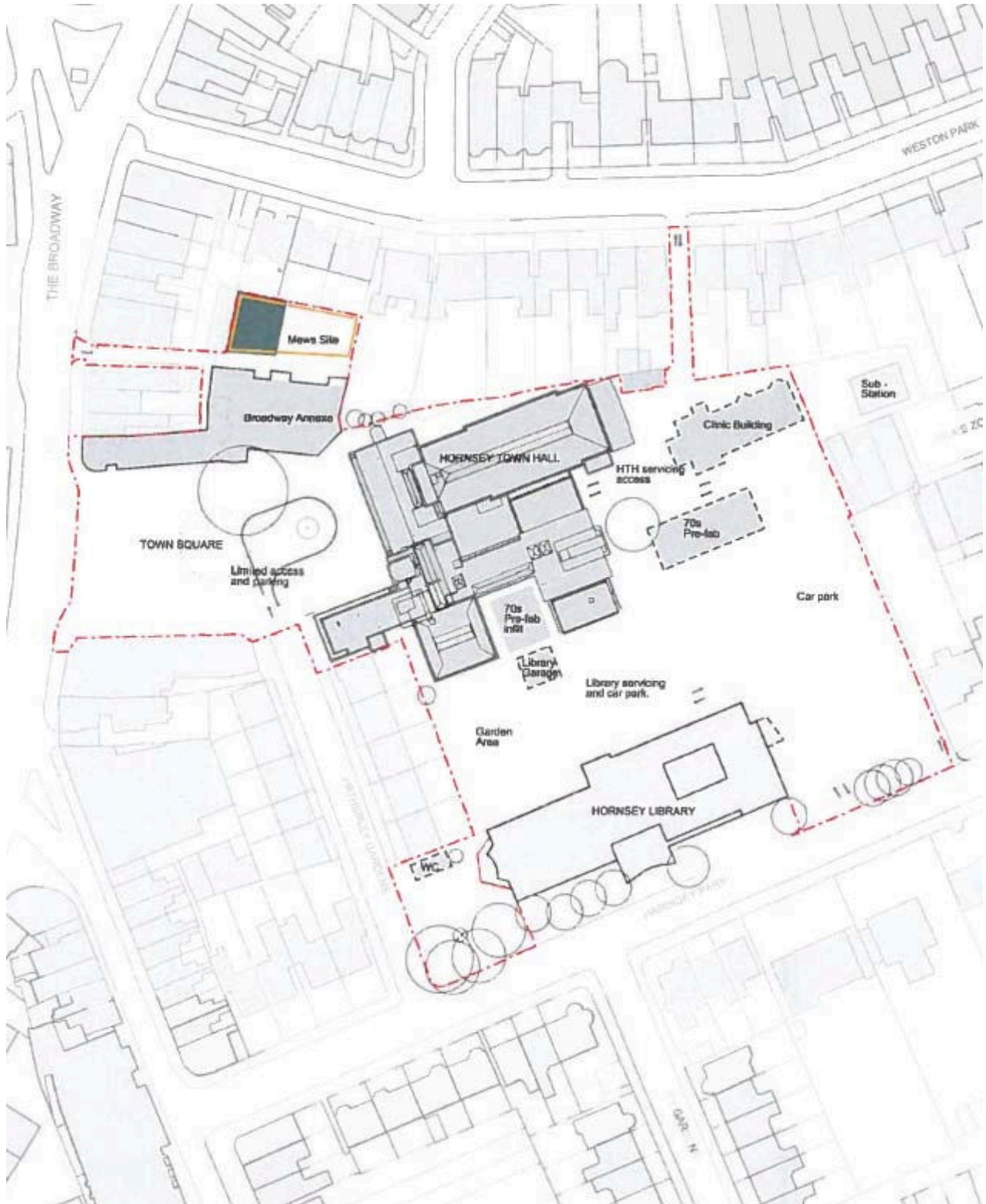
The proposed variations do not affect the merits of the approved scheme and maintain the requirement that the refurbishment works to the Town Hall are completed before the new build residential elements can be occupied.

The proposed variations will help to deliver the sustainable use of an 'At Risk' Listed Building and provision of residential development in accordance with National, London and Local Policy. The variations should be therefore be approved.

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1.0 SITE PLAN



## 2.0 SITE AND SURROUNDINGS

- 2.1 The application site comprises the former Hornsey Town Hall complex including the Broadway annex, Mews buildings and town square to the front, Hornsey Library, clinic building, substation, car park and gardens to the rear, and the open space on the corner of Haringey Park and Hatherley Gardens.
- 2.2 The site is located in the heart of Crouch End Broadway close to the Clock Tower. Crouch End is a Town Centre identified in the Haringey Local Plan and consists of 3-storey Edwardian terraces of shops, offices, restaurants, etc., with some areas of modern infill. The areas to the north and east of the site are generally residential, with the south boundary wrapping round the Hornsey Library building in Haringey Park.
- 2.3 The site is located within the Crouch End Conservation Area. The Town Hall is Grade II\* listed and the Broadway Annexe and Hornsey Library are Grade II listed. Broadway House falls outside the application site but is also Grade II listed. Hornsey Town Hall is identified by English Heritage as being 'At Risk'.
- 2.4 Access to the site is available from The Broadway itself via the Town Square, (pedestrian only), and Hatherley Gardens. The main vehicle access is from Haringey Park to the east of the library. Separate smaller vehicle accesses are also from Weston Park and from The Broadway, adjacent to Lloyds Bank, to the Mews building to the rear of Weston Park.
- 2.5 The surrounding area is generally residential, consisting largely of terraces of Edwardian houses with some more modern infill. Whilst there is no train or underground station in Crouch End, a number of bus services run past the site giving direct access to Finsbury Park, Turnpike Lane and Wood Green transport interchanges.

## 3.0 PLANNING HISTORY

- 3.1.1 Permission was granted 10 December 2010 for the substantial refurbishment of the Town Hall complex and the creation of a mixed use development, including new build elements. The main uses are:
- New office space
  - Theatre and performance venue
  - Cinema/assembly hall
  - Restaurant/café
  - Function space
  - Art gallery
- 3.2 Full details of the consent are given below:
- 3.2.1 HGY/2010/0500 - Refurbishment and conversion of the Town Hall Building comprising alterations, extension and change of use from B1 (Business) and

Sui Generis to a mixed use scheme incorporating: D1 (Non-Residential Institutions), A3 & A4 uses (Restaurants, Cafes and drinking establishment), D2 (Assembly and Leisure) and retaining existing B1 and Sui Generis (Theatre and performance venue) use. Alterations, extensions and change of use of Link Block and East Wing from B1 (office) to C3 dwellinghouses. Extension, alteration, refurbishment and change of use of the Broadway Annexe East Part from B1 office to A1 retail and B1 office (West part to be C3 residential). New residential development comprising 123 No. units in total (35 x 1 bed flats, 61 x 2 bed flats, 20 x 3 bed flats, 3 x 4 bed flats and 4 x 4 bed houses) and associated car parking at basement level, including residential accommodation in the existing Town hall (East Wing and Link Building), the Broadway Annexe (West Part) and Mews. Erection of sub-stations. Alterations and landscape improvements including to the Town Hall Square, and use of the square for both public events and markets / small festival uses - GRANTED

- 3.2.2 HGY/2010/0501 – Listed Building Consent for refurbishment and conversion of the Town hall Building comprising alterations, extension and change of use from B1 (Business) and Sui Generis to a mixed use scheme incorporating: D1 (Non-Residential Institutions), A3 & A4 uses (Restaurants, Cafes and drinking establishment), D2 (Assembly and Leisure) and retaining existing B1 and Sui Generis (Theatre and performance venue) use. Alterations, extensions and change of use of Link Block and East Wing from B1 (office) to C3 dwellinghouses. Extension, alteration, refurbishment and change of use of the Broadway Annexe East Part from B1 office to A1 retail and B1 office (West part to be C3 residential). New residential development comprising 123 No. units in total (35 x 1 bed flats, 61 x 2 bed flats, 20 x 3 bed flats, 3 x 4 bed flats and 4 x 4 bed houses) and associated car parking at basement level, including residential accommodation in the existing Town hall (East Wing and Link Building), the Broadway Annexe (West Part) and Mews. Erection of sub-stations. Alterations and landscape improvements including to the Town Hall Square, and use of the square for both public events and markets / small festival uses. - GRANTED
- 3.2.3 HGY/2010/0502 – Conservation Area Consent for the demolition of existing buildings, including Courtyard infill building, Library garage, Mews studio, public WCs, and removal of prefabricated unit to rear of the Town Hall. Demolition of walls, fences and removal of trees - GRANTED

#### 4.0 PROPOSAL DESCRIPTION

- 4.1 In respect of planning permissions and consents ref: HGY/2010/0500, /0501 and /0502, variation of conditions is sought to allow for the elements of the scheme not related to Hornsey Town Hall ("preparatory implementation works") to be implemented prior to the Town Hall development. Detailed variations as below:

(A) Variation of conditions attached to HGY/2010/0500 is sought to allow for the elements of the scheme not related to Hornsey Town Hall to be

implemented prior to the Town Hall development. Specifically, variation of conditions 3 (Materials Samples), 4 (Landscaping), 7 (Tree Works), 8 (Excavation), 12 (Construction Vehicles Management Plan), 13 (Demolition Management Plan), 17 (Lighting), 21 (Refuse Storage), 28 (Site Investigation), 30 (Archaeological Work), 31 (s106) and 34 (Daylight/Sunlight) and removal of condition 15 (Phasing) and its replacement with a s106 obligation, attached to planning permission ref: HGY/2010/0500 to allow for preparatory implementation works to be carried out.

- (B) Variation of conditions 2 (Contract for Works), 3 (Demolition Method), and 4 (Site Protection) attached to HGY/2010/0501 to allow for preparatory implementation works to be carried out, variation of condition 2 to allow demolition or partial demolition of the Town Hall to occur after contracts for Phase 1 refurbishments of the Hall have been secured, variation of conditions 3, 5, 6 and 7 to clarify building to be demolished, variation of condition 4 to clarify which building the condition relates to, removal of condition 13a and its replacement with equivalent s106 obligation, attached to Listed Building Consent ref: HGY/2010/0501 and amendment of description of same Listed Building Consent to clarify that the “Mews” element is to be demolished.
- (C) Variation of conditions 3 (Contract for Works) and 4 (Building Recording) attached to HGY/2010/0502 to allow for preparatory implementation works to be carried out, variation of condition 3 (Contract for Works) to allow demolition or partial demolition of the Town Hall to occur after contracts for Phase 1 refurbishments of the Hall have been secured.
- (D) Variation of s106 Unilateral Undertaking relating to HGY/2010/0500 to allow for preparatory implementation works to be carried out, the Unilateral Undertaking to relate to a further planning permission regarding the Town Hall and to require the repair and refurbishment of the Town Hall under the existing permission or substantially equivalent works of repair and refurbishment pursuant to another permission to occur prior to the first occupation of the new residential development comprising Blocks A and B.

## 5.0 RELEVANT PLANNING POLICY

### National Planning Policy Framework

### London Plan 2011

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 4.3 Mixed use development and offices

Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision

Policy 4.7 Retail and town centre development  
Policy 7.8 Heritage assets and archaeology  
Policy 7.9 Heritage-led regeneration

Haringey Local Plan 2013-2026

SP1 Managing Growth  
SP2 Housing  
SP10 Town Centres  
SP12 Conservation  
SP16 Community Facilities

Saved Unitary Development Plan 2006 Policies

UD3 General Principles

**6.0 CONSULTATION**

6.1 The Council undertook wide consultation on the original application for the Town Hall. This included statutory consultees, internal Council services, Ward Councillors, local residents and businesses. These same consultees were consulted for this application under consideration.

6.2 Below is the list of consultees:

6.2.1 Statutory Consultees

- English Heritage
- Thames Water
- GLAAS
- LB Islington
- Metropolitan Police
- Environment Agency
- London Fire and Emergency Planning Authority

6.2.2 Internal Consultees

- Building Control
- Transportation
- Environmental Health – Contaminated Land
- Cleansing
- Parks
- Conservation
- Design
- Policy
- Strategic Housing

6.2.3 External Consultees

- Ward Councillors for Crouch End, Hornsey and Muswell Hill
- Hornsey CAAC
- Hornsey Historical Society
- Tottenham Civic Group
- Crouch End Residents Association
- Friends of Priory Park
- Friends of the Earth
- MORRSH
- 20<sup>th</sup> Century Society

6.2.4 Local Residents and businesses

- Residents and business occupiers of approximately 1,676 properties were consulted in the general area of the application site.

6.3 Comments received and officer responses are attached in Appendix 1. Any further comments received will be reported to the Committee.

**7.0 ANALYSIS / ASSESSMENT OF APPLICATION**

**7.1 Background**

7.1.1 On the 10<sup>th</sup> of December 2010, planning permission, Listed Building Consent and Conservation Area Consent were granted for the substantial refurbishment of the Hornsey Town Hall complex and the creation of a mixed use development, including new build elements. The main uses are:

- New office space
- Theatre and performance venue
- Cinema/assembly hall
- Restaurant/café
- Function space
- Art gallery

7.1.2 In addition, the development includes 123 new homes contained in the Town Hall itself, Broadway Annexe, a new build mews development behind the Broadway Annexe, a new build residential block at the east of the site (Block A) and a new build residential block attached to the east wing of the Town Hall (Block B).

7.1.3 Mountview Academy of Theatre Arts intends to move into the Town Hall and make it their home venue. However, they wish to occupy the entire Town Hall complex. The current plans for the Town Hall include some residential so to

ensure the development will suit Mountview's needs the proposals for the Town Hall will be redesigned.

- 7.1.4 The current planning permission is due to expire on the 10<sup>th</sup> of December 2013 and cannot be extended under current planning guidance. Any new design will require a new planning application for the Town Hall but it is unlikely to be submitted before this expiration date.
- 7.1.5 The current planning permission has the benefit of increasing the land value of the site and therefore the amount of funding available for the project and the restoration of the Town Hall. Mountview also rely on a contribution from the land sale to complete their Town Hall refurbishment works. If the current permission were to expire there would be a significant reduction in land sale, which could place the project at risk. Consequently, it is necessary to ensure that the current permission remains in place until such time that a new application is submitted for the Town Hall.
- 7.1.6 In order to keep the existing permission from expiring it is necessary to start works before the expiration date of the 10<sup>th</sup> of December 2013. The development does not need to be completed before this date, only started.

## 7.2 Proposal Explanation

- 7.2.1 It is proposed that the vacant Mews Studio building behind the Broadway annexe will be demolished and trenches excavated for foundations for the replacement mews building. This will ensure that the 2010 permission is implemented and remains valid beyond the expiration date.

### *Variation of Conditions*

- 7.2.2 In order to allow for these preparatory works to take place, it is necessary to vary a number of conditions attached to the planning permission, listed building consent and conservation area consent. This is because these conditions require the submission of further information, such as landscaping details and refuse storage, before any work can take place. Such information will not be finalised until a complete scheme for the Town Hall is ready so it is necessary to vary such conditions to allow for some work to occur before these details are submitted. The proposed variation is to preface such conditions with the "Save in relation to preparatory implementation works".
- 7.2.3 For example, condition 3 of the planning permission (HGY/2010/0500) states that:

Samples of all 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.

7.2.4 The variation would therefore be as follows:

*Save in relation to preparatory implementation works*, samples of all 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.

7.2.5 With the above variation, it would be possible to undertake the demolition of the Mews Studio building and excavation of foundation trenches before materials samples are submitted.

7.2.6 The above variation is proposed for the following conditions:

HGY/2010/0500 – Planning permission

- 3 (Materials Samples),
- 4 (Landscaping),
- 7 (Tree Works),
- 8 (Excavation),
- 12 (Construction Vehicles Management Plan),
- 13 (Demolition Management Plan),
- 17 (Lighting),
- 21 (Refuse Storage),
- 28 (Site Investigation),
- 30 (Archaeological Work),
- 31 (s106)
- 34 (Daylight/Sunlight)

HGY/2010/0501 – Listed Building Consent

- 2 (Contract for Works),
- 3 (Demolition Method),
- 4 (Site Protection)

HGY/2010/0502 – Conservation Area Consent

- 3 (Contract for Works)



- 4 (Building Recording)

7.2.7 In respect of Condition 13, a requirement to submit a Demolition Management Plan prior to the demolition of the Mews Studio building will remain.

7.2.8 Variations are also proposed to Condition 2 of the Listed Building Consent and Condition 3 of the Conservation Area Consent. These conditions require contracts to be in place for the redevelopment of the entire scheme prior to any demolition taking place. It is proposed that these conditions be varied so that the Mews studio can be demolished and the requirement for contracts is split between the Town Hall and the residential development comprising Blocks A and B, allowing each to be demolished when contracts for their respective redevelopment have been secured.

7.2.9 Minor changes to Conditions 3, 4, 5, 6 and 7 of the Listed Building Consent are proposed for reasons of clarity. The full details of which can be seen on page 3 of the applicant's correspondence attached at Appendix 2.

*Removal of Conditions and Variation of the s106 Unilateral Undertaking (UU)*

7.2.10 In addition to the above variation of conditions, it is proposed that condition 15 of the planning permission HGY/2010/0500 be deleted and replaced with an equivalent obligation in the s106. Condition 15 states:

A phased programme for the works shall be submitted for the agreement of the council in consultation with English Heritage. No works of demolition or development must take place prior to a programme of works being submitted for the agreement and approved in writing by the Council in consultation with English Heritage. Such phases should take place in logical sequence beginning with repairs to the structure and external envelope, and in accordance with the agreed programme of works. The Phase 1 works of repair and refurbishment to the Town Hall shall be carried out and completed prior to the first occupation of the new residential development comprising Blocks A and B.

7.2.11 The proposed obligation in the s106 is set out below:

The Phase 1 works of repair and refurbishment to the Town Hall under this permission or substantially equivalent works of repair and refurbishment to the Town Hall pursuant to another permission shall be carried out and completed prior to the first occupation of the new residential development comprising Blocks A and B.

7.2.12 By shifting the requirement under condition 15 to the s106, the obligation to complete the refurbishment to the Town Hall will be binding on any new planning permission for the Town Hall rather than just the current 2010

permission.

- 7.2.13 Condition 13a of the Listed Building Consent (HGY/2012/0501) has the same requirements and will therefore be deleted and replaced by the above s106 obligations for the same reason.
- 7.2.14 In addition to the above variation, the s106 Unilateral Undertaking is varied to allow for the demolition of the Mews Studio and preparatory site works to occur without triggering every obligation in the UU and to ensure that any future application for the Town Hall is also bound by the UU. The full details of the proposed variations are set out in the applicant's covering letter attached at Appendix 2

### **7.3 Assessment**

- 7.3.1 Haringey Local Plan SP0 states that planning applications that constitute sustainable development will be approved without delay, unless material considerations indicate otherwise.
- 7.3.2 The proposed variations do not affect the merits of the approved scheme but allow time for Mountview Academy to prepare an appropriate scheme for the Town Hall in a way which maintains the land value of the site and the viability of any development affecting the Town Hall. The existing permission was approved by planning committee in 2010 and was considered to be in accordance with National, London and Local Policy. As such, it is considered to be sustainable development and its delivery should be supported.
- 7.3.3 The Hornsey Town Hall complex is Grade II\* Listed but on the 'At Risk' Register. Consequently, it is important that a viable scheme for its refurbishment are supported and facilitated without delay.
- 7.3.4 The proposed variations would not increase the risk of the new build elements being completed at the exclusion of the Town Hall. As was the case previously, occupation of the new build Block A and B is not permitted until the refurbishment works to the Town Hall are completed. This is secured by the s106 UU.
- 7.3.5 Therefore, the proposed variations to the existing permissions, consents and the varied s106 UU will help to deliver the sustainable use of an at risk Listed Building and provision of residential development in accordance with National, London and Local Policy. The variations should be approved.

### **8.0 SUMMARY AND CONCLUSION**

- 8.1 On the 10<sup>th</sup> of December 2010, planning permission, Listed Building Consent and Conservation Area Consent were granted for the substantial refurbishment of the Hornsey Town Hall complex and the creation of a mixed

use development, including new build elements. The main uses are:

- New office space
- Theatre and performance venue
- Cinema/assembly hall
- Restaurant/café
- Function space
- Art Gallery
- 123 residential units

- 8.2 The Hornsey Town Hall complex is in the Crouch End Town Centre and is Grade II\* Listed Building and on the 'At Risk' register. The site includes Broadway Annexe and Hornsey Library, which are both Grade II Listed.
- 8.3 Mountview Academy of Theatre Arts wish to move into the Town Hall but the current permission does not suit their needs. The current planning permission is due to expire on the 10<sup>th</sup> of December 2013 and cannot be extended under current planning guidance. Any new design will require a new planning application for the Town Hall but it is unlikely to be submitted before this expiration date.
- 8.4 The current planning permission maintains the land value of the site and therefore the amount of funding available for the project and the restoration of the Town Hall. If the current permission were to expire there would be a significant reduction in land sale, which could place the project at risk. Consequently, it is necessary to implement the current permission before the expiration date.
- 8.5 It is proposed that the vacant Mews Studio building behind the Broadway annexe will be demolished and trenches excavated for foundations for the replacement mews building. This will ensure that the 2010 permission is implemented and remains valid.
- 8.6 It is necessary to vary the conditions and s106 Unilateral Undertaking to allow this to occur without requiring the discharge of every pre-commencement condition and triggering of the s106 obligations.
- 8.7 The proposed variations do not affect the merits of the approved scheme and maintain the requirement that the refurbishment works to the Town Hall are completed before the new build residential elements can be occupied.
- 8.8 The proposed variations will help to deliver the sustainable use of an 'At Risk' Listed Building and provision of residential development in accordance with National, London and Local Policy. The variations should be therefore be approved.
- 8.9 The proposed variations will help to deliver the sustainable use of an at risk Listed Building and provision of residential development in accordance with

National, London and Local Policy. The variations should therefore be approved.

## **9.0 RECOMMENDATION**

GRANT VARIATIONS HGY/2010/0500, HGY/2010/0501 and GRANT HGY/2010/0502 and to the s106 Unilateral Undertaking attached to HGY/2010/0500.

Applicant's drawing No.(s) 1298\_G100\_XP\_SITE\_000

Subject to the following condition(s)

## **10.0 APPENDICES**

10.1 Appendix 1 – Consultation Responses

10.2 Appendix 2 – Applicant's Correspondence 19 April 2013

No.	Stakeholder	Question/Comment	Response
	<b>INTERNAL</b>		
	LBH Building Control	No comments	Noted.
	<b>EXTERNAL</b>		
	Thames Water	No objection	Noted
	Environment Agency	No objection	Noted.
	<b>RESIDENTS</b>	<b>1 comment received</b>	
		Comment regarding access to consultation comments on the application webpage	Webpage is in working order.

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Our Ref: 5646/PM/13/9

3<sup>rd</sup> April 2013

Sir/Madam  
 Haringey Council  
 Planning and Regeneration Service  
 Level 6  
 River Park House  
 Wood Green  
 N22 8HQ

COST CODE ON  
 LAST PAGE

Dear Sir/Madam,

**Re: HORNSEY TOWN HALL - IMPLEMENTATION WORKS**

Please find enclosed the following package of information in support of our planning application on behalf of Haringey Council.

The purpose of this application is for a variation to the Existing Planning Permission, Listed Building Consent and Conservation Area Consent conditions and the Existing S106 Unilateral Undertaking to allow for small-scale Preparatory Implementation Works to be carried out within the Existing Planning Permission site. This application is made in the context that Mountview Academy of Theatre Arts are working closely with the Council and a team of respected theatre and heritage experts on refining the previously approved proposals for the Town Hall component of the Scheme in order for this venue to become its home.

Whilst the adjusted proposals for the Town Hall Building are worked up into a new planning application and application for listed building consent, it is clearly important that the Existing Planning Permission is kept alive so the non Town Hall Building residential component can continue to be implemented pursuant to the Existing Planning Permission and Existing S106 Unilateral Undertaking, alongside implementation of the adjusted proposals for the Town Hall Building. The non Town Hall Building residential component is unaffected by the refined proposals so does not need to be re-applied for providing that the existing consents can be varied to ensure continued ability to implement the residential component alongside the refined Town Hall Building proposals. Whilst they are in substance relatively minor variations, they are of key importance to secure the Existing Planning Permission as the non Town Hall residential component of the Scheme is enabling development for the Town Hall refurbishment works.

The Preparatory Implementation Works involve the full demolition of the existing Mews Site building and excavation for new building foundations as indicated on the enclosed site location plan.

Studio 3 Blue Lion Place | t: 0207 199 0900  
 237 Long Lane | f: 0207 199 0901  
 London SE1 4PU | e: info@thekeegansgroup.com

Enclosed are the following:

1. Application for removal or variation of a condition following grant of Planning Permission pursuant to s.73 Town and Country Planning Act 1990.
2. Application for removal or variation of a condition following grant of Conservation Area Consent.
3. Application for removal or variation of a condition following grant of Listed Building Consent.
4. Application for removal or variation of S106 following grant of Planning Permission.

As per each of the four applications the conditions to vary are as follows:-

1. Amend Planning Permission (PP) conditions 3,4,7,8,12,13,15,17,21,28,30,31 and 34 for these to be prefaced by

“Save in relation to Preparatory Implementation Works”

Delete Condition 15 which is to be replaced by a S106 obligation stating “The Phase 1 works of repair and refurbishment to the Town Hall under this permission and the listed building consent (ref:HGY/2010/0501) or substantially equivalent works of repair and refurbishment to the Town Hall pursuant to another planning permission and/or listed building consent shall be carried out and completed prior to the first occupation of the new residential development comprising Blocks A and B”

2. Amend the Listed Building Consent (LBC) conditions 2,3 and 4 for these to be prefaced by “Save in relation to Preparatory Implementation Works”  
Amend LBC Condition 2 to split the condition into two parts to read (changes underlined/struck out):

- a) The works of demolition or alteration by way of partial demolition of the Town Hall hereby approved shall not be commenced before contract(s) for the carrying out and completion of the ~~entire scheme of works~~ Phase 1 works of repair and refurbishment to the Town Hall for which consent is hereby granted, including the works contract, have been made and evidence of such contract(s) has been submitted to and accepted in writing by the Council as local planning authority.
- b) The works of demolition or alteration by way of partial demolition connected to work on the new residential development comprising Blocks A and B hereby approved shall not be commenced before contract(s) for the carrying out and completion of the ~~entire scheme of works~~ works on the new residential development comprising Blocks A and B



for which consent is hereby granted, including the works contract, have been made and evidence of such contract(s) has been submitted to and accepted in writing by the Council as local planning authority.

- c) Amend the Listed Building Consent (LBC) Conditions 3,5,6,7 to replace the wording "the building" with the wording: "the Town Hall building" for clarity.
  - d) Amend the Listed Building Consent (LBC) Condition 4 to read after the wording "interior features" add the wording "of the Town Hall building" for clarity.
  - e) Removal of LBC condition 13a and replacing it with an equivalent S106 obligation. This s106 obligation would refer to both the Existing Planning Permission (as varied) and the Existing Listed Building Consent (as varied) to ensure it captures implementation under either or both. The wording would be as set out for the replacement condition 15 of the Existing Planning Permission above.
  - f) Amendment of the LBC description of development to insert the wording "to be demolished" after the wording "the Broadway Annexe (West Part) and Mews."
3. Amend the Conservation Area Consent (CAC) to insert "Save in relation to the Preparatory Implementation Works" at the front of conditions 3 and 4.

Vary Condition 3 to split the condition into two parts to read as follows (changes underlined/stuck out):

"3:

- a) The works of demolition or alteration by way of partial demolition of the Town Hall hereby permitted shall not be undertaken before a contract for the carrying out of the ~~works for redevelopment of the site~~ Phase 1 works of repair and refurbishment to the Town Hall has been made and planning permission has been granted for the redevelopment for which the contract provides.
- b) The works of demolition or alteration by way of partial demolition connected to work on the new residential development comprising Blocks A and B hereby permitted shall not be undertaken before a contract for the carrying out of the ~~works for redevelopment of the site~~ works on the new residential development comprising Blocks A and B has been made and planning permission has been granted for the redevelopment for which the contract provides.

4. The Existing S106 Unilateral Undertaking needs to be amended to reflect the S73 application to vary the Planning Permission as above. This would be included in a report to Committee. The changes would be:

- a) The definition of "the Development" should be split into two and a second part added to read: "(2) the refurbishment and conversion of the Town Hall Building under any Further Planning Permission".
- b) A new definition of "Further Planning Permission" to read: "a notice of permission granted pursuant to a planning application from Mountview Academy of Performance Arts for the refurbishment and conversion of the Town Hall Building".
- c) The "Preparatory Implementation Works" as defined elsewhere (with a new definition being inserted into the Existing S106 Unilateral Undertaking as a result) would need to be excluded from the definition of "the Implementation Date" by adding "save for the Preparatory Implementation Works" after "Act" in the definition of "the Implementation Date".

The "Phase 1 Town Hall Building Works" would need to have added to the end: "or the substantially equivalent phase 1 works to the Town Hall Building pursuant to any Further Planning Permission". This caters for the refurbishment and conversion of the Town Hall Building taking place pursuant to a different planning permission.

- d) Clause 15.26 – this would need to be varied with the addition of the following underlined words: "... Practical Completion of the whole of the Development being Implemented under the Planning Permission and (as applicable) the Practical Completion of the refurbishment and conversion of the Town Hall Building pursuant to a Further Planning Permission."

This continues to ensure the satisfactory timing of the Highway Improvement Works but caters for the refurbishment and conversion of the Town Hall Building taking place pursuant to a different planning permission.

- e) The new obligation (replacing condition 15 of the Existing Planning Permission):

"The Phase 1 works of repair and refurbishment to the Town Hall under this permission or substantially equivalent works of repair and refurbishment to the Town Hall pursuant to another permission shall be carried out and completed prior to the first occupation of the new residential development comprising Blocks A and B."

All the planning fees will be paid by a Haringey Council Internal Cost Code which is: 100 001 146, should there be any further information you require or issues you need to discuss, please do not hesitate to contact us.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Green', with a long horizontal flourish extending to the right.

**Stuart Green**  
**KEEGANS LTD**

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