

# Addendum

This page is intentionally left blank

Addendum Report

Planning Sub Committee – 24 April 2023

ADDENDUM REPORT

UPDATE FOR CONSIDERATION AT PLANNING SUB-COMMITTEE Item No.9

<b>Reference Nos:</b> HGY/2022/0708 & HGY/2022/0709	Ward: White Hart Lane
<b>Address:</b> 550 White Hart Lane, London, N17 7RQ	

**7. RECOMMENDATION**

GRANT PERMISSION subject to conditions in Appendix 1.

**Appendix 4: Representations from Local Residents & Ward Councillors**

(Received since publication of the agenda – full written comments attached in appendix 1 and summarised below)

<b>Matter Raised</b>	<b>Response</b>
Residents received re-consultation letters late. It is questioned whether officers took this into account and extended the consultation period. Even if officers did – many residents may not have seen the letter and may not have responded as the consultation period had come to an end. Therefore, the number of comments received may not reflect the extent of opposition.	Officers note this concern. The re-consultation letters were received late by residents, due to issues with the external postal system. Noting this, officers extended the re-consultation period by an extra 14 days to allow residents to comment on the applications. Officers have also explained that any comments from residents received after the close of the consultation period would still be taken into account.
The noise from unloading and loading HGVs at night-time would cause serious deterioration of the amenity of local residents. The proposed mitigation does not go far enough.	Officers acknowledge this concern. The submitted Noise Impact Assessment and the Noise Survey Report have drilled down into this potential issue, and conclude that the proposals would not materially harm the living conditions of nearby residential properties. The results of these documents are based on a 'worst case scenario', which involves simultaneous HGV arrival, manoeuvring/unloading via forklift and continuous use of Unit 2 as a woodworking workshop. Therefore, these documents have considered noise from HGVs loading/unloading. The Noise Management Plan contains mitigation

## Addendum Report

	measures so to avoid noise disturbance by loading and unloading.
The use of tools or vehicles should take place inside the units with the doors closed during the hours of 23:00 – 6:00.	The submitted Noise Management Plan notes that 'Noise generating activities including use of tools or vehicles should take place inside the units with doors closed during the hours of 2300 – 0600'. Therefore, the suggested mitigation measures have been incorporated into the proposals which would form part of any planning permission.  A condition has been included to ensure this is adhered to.
The acoustic fence will not be effective for residents living on Devonshire Hill Lane.	The Noise Impact Assessment and Noise Survey Report conclude that the living conditions of residential properties can be protected with an acoustic fence installed on the western side of the site. The properties on Devonshire Hill Lane are approximately 35 metres away (closest house) from the nearest point of the site. The site is also, topographically at a lower level than the houses on Devonshire Hill Road and as such, noise is 'contained' within the site, therefore, an acoustic fence in this proximity of the site is not required. The Noise Impact Assessment and Noise Survey Report conclude that the installation of any other acoustic fence is not required.
Reviews need to be put in place.	It would not be possible through the determination of these planning applications to put in place further reviews of the proposals. The Noise Impact Assessment and Noise Survey Report conclude that altered activities on the site would not result in material noise or disturbance impacting nearby residential properties. Notwithstanding this, the Noise Management Plan notes that local residents will be provided with the contact details of a member of staff who can be contacted in the event of any concerns or complaints.

**Additional condition (for both applications - HGY/2022/0708 & HGY/2022/0709)**

**Condition**

On commencement of the operating hours hereby approved, the noise mitigation measures as specified in section 2.2 of the Noise Management Plan dated 13<sup>th</sup> April 2023 (reference RP02-20420-R2) shall be strictly adhered to.

**Reason**

In order to safeguard the living amenity of surrounding residents.

**Appendix 1-**

As ward councilors we are supportive of the employment opportunities that have derived from the site and residents were consulted and engaged during the development.

However we do have the following concerns:

1.The consultation period.

Residents have complained about receiving consultation letters dated 9 February 2023 arriving on the 24 February 2023, a day after the purported closure date.

Did the council take this into account and extend the consultation period? Even if it did, many residents may not have seen this letter and not responded as the period had come to an end and so the number of comments received from residents may not reflect the extent of the opposition.

2. Removal of condition 6: “Deliveries” and 4 “Class of deliveries”.

We note that the noise officers’ and principal transport officer’s report acknowledge that if deliveries are to occur outside normal working hours - then this should happen without causing unacceptable nuisance to residents.

Residents have raised issues such as currently there is a level of noise from the sites that cause the degree of nuisance which one would expect – but the noise from unloading and loading of HGVs at night time would cause serious deterioration to the amenity that local residents have a right to expect in their own homes at night; also I concur that the proposed noise mitigation simply does not go far enough with regards to working, unloading and loading.

One suggestion to strengthen the mitigating factors would be that noise generating activities including the use of tools or vehicles should only take place inside the units with the doors closed between the hours of 23:00hours and 06:00.

Many of the objections are from my constituents who reside in Devonshire Hill Lane where their properties are on a hill and so the sound proofing fence is likely not to be as effective as hoped.

In summary, this site has worked consensually with residents round the development of this site and we remain supportive of the project.

However we would like the committee to consider the following:

1. Whether the consultation was flawed. If it was it should be re run.
2. Note that these conditions from which a variation is sought, were put in place for a reason . The Landlord will not be able to police the actions of the commercial tenants therefore it is necessary that the Council is clear about what it expects.

### Addendum Report

3. Greater clarity as to how this will be monitored - that a blanket approval should not be granted but reviews need to be put in place.
4. Given the location of the site and the proximity to residents' homes that the conditions are strengthened so that the use of tools or vehicles should take place inside the units with the doors closed during the hours of 23hours – 6pm.
5. The mitigation factors do not appear to be sufficient for this site , if the committee is minded to grant this then suggest that officers strengthen these conditions.

Councillor Anne Stennett and Councillor Ahmed Mahbub

This page is intentionally left blank



Planning Sub Committee – 24 April 2023

ADDENDUM REPORT

UPDATE FOR CONSIDERATION AT PLANNING SUB-COMMITTEE Item No. 10

<b>Reference No:</b> HGY/2021/2304	<b>Ward:</b> Tottenham Hale
<b>Address:</b> The Hale, London, N17 9JZ	
<b>Proposal:</b> Redevelopment of site including demolition of existing buildings to provide a part 7, part 24 storey building of purpose-built student accommodation [PBSA] (Sui Generis); with part commercial uses [retail] (Use Class E(a)) at ground and first floor; and associated access, landscaping works, cycle parking, and wind mitigation measures. - RE-CONSULTATION on design updates to accommodate an additional stair and lift for evacuation in the event of a fire.	

**Contents**

1. PROCEDURAL MATTERS
2. PLAN CHANGES & APPENDIX 5 UPDATE
3. ADDITIONAL CONSULTEE RESPONSES
4. UPDATES AND CORRECTIONS TO THE REPORT & APPENDIX 4

1. PROCEDURAL MATTERS

**Additional clarification on procedural matters**

This matter has come back to the Planning Sub-Committee (PSC) because:

- (1) after the resolution to grant planning permission dated 5<sup>th</sup> September 2022 further representations were received by the HSE;
- (2) in the light of discussions with the HSE, the applicant has amended the scheme to include a second staircase and
- (3) re-consultation has taken place as set out in the report.

The PSC resolution dated 5<sup>th</sup> September 2022 has therefore been overtaken by these developments and a fresh decision needs to be taken.

It is relevant that the Planning Sub-Committee decided to resolve to grant planning permission for a very similar scheme in September 2022. However, as a matter of law, the Sub-Committee must now make a fresh decision.

The Sub-Committee should keep in mind the public interest in consistent decision making but, if the sub-committee considers that there is a reason to make a different decision in the light of the changes made and/or because it takes a different view as to the overall merits of the proposal now under consideration, it can do so.

Its task is to decide whether the scheme which is now before it should be granted planning permission. Officers recommendation is to grant planning permission as out in paras 2.1-2.4 (Page 142) of the pack.

For the sake of good order, it is suggested that the resolution dated 05 September 2022 is revoked to make it clear that only the amended scheme can be granted planning permission.

On page 149 of the pack para 2.8 should be added to read as follows:

2.8 That the resolution dated 05 September 2022 shall be revoked for the sake of good order, to make it clear that only the amended scheme can be granted/refused planning permission.

## 2. PLAN CHANGES & APPENDIX 5 UPDATE

The plans have been corrected so that the labelling for the above ordnance datum (AOD) figures reflect what is proposed. There have been no changes to the size of the building, and this is just a labelling correction that would not warrant re-consultation. The plans as previously shown had an incorrect AOD figure for ground level meaning that the AOD labelling across the plans was incorrect. This has now been corrected.

This has resulted in the following drawings being updated as follows:

- 15411-A-PL-X-(03)-107 Rev 5- Roof Plan (*amendment pack dated 17<sup>th</sup> March 2023*) AOD corrected 21/04/2023
  - Revision number updated from 4 to 5
- 15411-A-PL-X-(05)-100 Rev 4- North-East & North-West Elevations (*amendment pack dated 17<sup>th</sup> March 2023*) (AOD corrected 21/04/2023)
  - Revision number updated from 3 to 4
- 15411-A-PL-X-(05)-101 Rev 6- South-West & South-East Elevations (*amendment pack dated 17<sup>th</sup> March 2023*) (AOD corrected 21/04/2023)
  - Revision number updated from 5 to 6
- 15411-A-PL-X-(05)-103 Rev 5- Courtyard Elevations (*amendment pack dated 17<sup>th</sup> March 2023*) (AOD corrected 21/04/2023)
  - Revision number updated from 4 to 5
- The Design and Access Statement (DAS) addendum has also been updated as it showed plans with incorrect AOD figures.

These amendments also change Appendix 5 accordingly.

## 3. ADDITIONAL CONSULTEE RESPONSES

### **LBH Local Lead Flood Authority/Drainage**

The previous response is still relevant and should be accepted as the formal consultation response in regard to HGY/2021/2304.

**Officer note:** *These comments reaffirm that the previous comments provided for the January consultation still stand (“We have no further comments to make on the application. We are content that the impact of surface water drainage has been addressed adequately.”).*

## 4. UPDATES AND CORRECTIONS TO THE REPORT & APPENDIX 4

### **Proposed development**

Paragraph 3.1.4. on Page 151 of the pack reflects the description of the changes submitted in January 2023. This has been corrected as follows to reflect the March 2023 submission, the reference to realignment of external walls to the courtyard has been deleted and updates have

also been made to the reduction figures to reflect the latest updates (updates in bold, deletions struck through):

- 3.1.4. The following changes have been made to the scheme assessed by Members at the 5th September 2022 Sub-Committee meeting:
- Additional stair and evacuation lift added between levels 24 and the ground floor;
  - ~~Realignment of external walls to the courtyard to align with site boundaries;~~
  - Loss of 32 cluster rooms, with provision of 12 additional post-grad rooms - Resulting in the net loss of 20 rooms;
  - The total number of student bedrooms – would now be 431 (equivalent to 172 homes), a reduction from 451 (equivalent to 180 homes);
  - Of the 20 rooms lost 5 are wheelchair accessible, the proposed scheme provides a greater range of wheelchair accessible/adaptable room types, 15% of rooms in total, in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings - Code of practice’;
  - ~~Reduction of 20sqm to the communal amenity space;~~
  - **Reduction of 31sqm to the communal amenity space;**
  - ~~Reduction of 45sqm to the shared kitchen lounges;~~
  - **Reduction of 54sqm to the shared kitchen lounges;**
  - ~~Reduction of 25sqm to the retail space;~~
  - **Reduction of 1sqm to the retail space;**
  - Reduction of 11sqm to the reception / co-working space;
  - ~~Gym reduced by 33sqm; and~~
  - **Gym reduced by 35sqm;** and
  - Minor elevational adjustments – comprising an additional exit onto The Hale to enhance escape from the building and window readjustments to serve the additional stair and evacuation lift.

**LOCAL REPRESENTATIONS**

For clarity the third bullet point of the officer note at para 5.6 on Page 159 of the pack is corrected as follows to better reflect the addendum report to the 5<sup>th</sup> September 2022 Planning Sub-Committee and the discussion at the meeting:

- *Officers consider the impacts of the proposal to be comparable to the mirror massing scheme. This was relayed through the reports and the discussion at the meeting of the 5<sup>th</sup> September 2022. The consultant representing the applicant team, within a wider explanation of the topic, definitively referred to the effect to daylight/sunlight in Building 3 created by the mirror image when compared with the proposal as ‘comparable’.*

These changes also correct Appendix 4 on Page 530 of the pack where a reference is made to this as follows:

Stakeholder	Objection/Support/Comment (summarised)	Response
-------------	---	----------

<p><b>Sage Housing Limited</b> <b>17/11/22</b></p>	<p><b>Failure to Report Increased Impacts</b> - the analysis in para 6.5.47 of the OR was significantly misleading in its claim that the impact of the proposed development “provides improvements” over the Building 4 envisaged in the masterplan. The material presented in OR is not fairly summarised.</p>	<p>Officers consider the impacts of the proposal to be comparable to the mirror massing scheme. This was relayed through the reports and the discussion at the meeting of the 5th September 2022. The consultant representing the applicant team, within a wider explanation of the topic, definitively referred to the effect to daylight/sunlight in Building 3 created by the mirror image when compared with the proposal as ‘comparable’.</p>
--	---	--

### Update to section 8.0 RECOMMENDATION

Updated to read as follows:

*The Planning Sub-Committee (PSC) should note its previous resolution to grant planning permission on 05 September 2022.*

*It should further note that since that date: -*

- (1) further representations were received by the HSE;*
- (2) the applicant has amended the scheme to include a second staircase; and*
- (3) re-consultation has taken place on the amended scheme.*

*It is therefore necessary for the PSC to make a fresh decision in respect of the (amended) scheme which is now proposed.*

The recommendation is as set out in paras 2.1-2.4 and 2.6-2.8 of the report on Page 142-149 of the pack and as amended in this addendum report.