

MINUTES OF THE PLANNING SUB COMMITTEE MEETING HELD ON MONDAY, 16TH JANUARY, 2023, 7.10 - 9.15 PM

PRESENT: Councillor Barbara Blake (Chair), Councillor Reg Rice (Vice-Chair), Councillor John Bevan, Councillor Lester Buxton, Councillor Luke Cawley-Harrison, Councillor George Dunstall, Councillor Ajda Ovat, Councillor Matt White, and Councillor Alexandra Worrell.

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

2. PLANNING PROTOCOL

The Chair referred to the planning protocol and this information was noted.

3. APOLOGIES

Apologies for absence were received from Councillors Nicola Bartlett and Yvonne Say.

4. URGENT BUSINESS

There were no items of urgent business.

5. DECLARATIONS OF INTEREST

Councillor John Bevan declared an interest in relation to Item 9, HGY/2022/2293 – 45-47 Garman Road, N17 0UN, as he had submitted comments in relation to the application but it was noted that these were neither in support or objection. It was clarified that he would be considering the item with an open mind and would take part in the discussion and voting on the item.

6. MINUTES

RESOLVED

That the minutes of the Planning Sub-Committee held on 5 September 2022 be confirmed and signed as a correct record.

7. PLANNING APPLICATIONS

The Chair referred to the note on planning applications and this information was noted.

8. HGY/2022/2723 - BRUNEL WALK, LONDON, N15 5HQ

The Committee considered an application for the redevelopment of Brunel Walk to provide 45 new Council rent homes in four buildings ranging from 3 to 4-storeys high including 39 apartments and 6 maisonettes. Provision of associated amenity and play space, cycle and refuse/recycling stores and 4 wheelchair parking spaces. Reconfiguration and enhancement of existing parking areas and outdoor communal areas and play spaces on the Turner Avenue Estate.

Valerie Okeiyi, Planning Officer, introduced the report and responded to questions from the Committee:

- In response to a query about the difference between Secured by Design accreditation and certification, the Head of Development Management explained that accreditation was undertaken at the start of the project and certification was provided following a site inspection.
- The Planning Officer confirmed that the previous building on the site had accommodated 36 1-bed units and this had now been demolished. It was noted that the new scheme proposed 45 homes.
- In relation to permeability, the Principal Urban Design Officer explained that the strategy for gates had been carefully considered. It was noted that the site currently had a high level of permeability which had led to some anti-social behaviour; there was local demand to tackle anti-social behaviour and to provide greater clarity on which areas were public, semi-private, and private. It was explained that each of the four blocks would have a dedicated front door accessible from the publicly accessible courtyard. The mews houses and their private, communal garden would be accessed through a key controlled gate. All residents would be given key access with the exact site access controls to be confirmed. It was added that there would also be Closed Circuit Television (CCTV) on the key controlled gates to improve access and mitigate anti-social behaviour.
- In relation to overlooking, the Planning Officer explained that the proposed bay windows would be located on the rear elevation to mitigate overlooking. It was added that the recommended separation distance was 18 metres and noted that there would be a 20-27 metre separation distance in this case. The Principal Urban Design Officer commented that almost all gardens were overlooked by windows and that the main concern was window to window, rather than window to garden, overlooking. It was also explained that there were a number of measures to mitigate overlooking, including privacy screens, the angle of the proposed windows which would increase perpendicular distance, the use of boundary trees, and the setting back of the top floor by two metres to avoid direct overlooking.

At 7.42pm, the Committee agreed a brief adjournment to resolve a technical issue. The meeting resumed at 7.44pm.

Anna Wainwright spoke in objection to the application. She explained that she was representing residents on Seaford Road. She asked for clarification about whether the proposal was seeking approval for the nature and size of the development or for the development itself. The Head of Development Management explained that the Council's development policy had identified that development was acceptable on the site and the current application was seeking approval for planning permission to develop on the site.

Anna Wainwright acknowledged that the proposal had some benefits but that, for residents in the area, the building on the site would be doubling in size. It was stated that there had been explanations about the design but there were still concerns about overlooking and it was not considered that the angle of the building or replacement trees would provide adequate mitigation. In relation to the impact on light, concerns were expressed that the assessment did not give sufficient weight to the recommended standards. In relation to anti-social behaviour, it was suggested that there were further opportunities for reduction and it was felt that social investment would be more appropriate. It was stated that the temporary buildings on the site had been demolished with three weeks' notice; the demolition had resulted in vibrations over the course of two months and residents did not feel that there had been proper engagement. For the proposed development, there would be construction over three years and there were concerns about the impact on residents. It was commented that the engagement with residents had not fully explained the process from start to finish or made it clear when residents could be involved.

Helen Evans spoke in objection to the application. She stated that she lived on Elmar Road and would be very close to the access for the development and believed that this would result in additional noise, littering, loitering, and anti-social behaviour. She added that locating an access point in the proposed location would not benefit the new residents as it was further away from transport links; it was suggested that the access should be located on Turner Avenue or Braemar Road which were closer to transport links. It was also commented that there was some confusion about the exact location of the access point and whether it would be set back from 1 Elmar Road.

It was noted that the proposed Block A would be constructed on an area that was currently green space. It was stated that the previous buildings had been demolished due to increased crime and anti-social behaviour but that the proposals would result in a larger estate and it was felt that there would be no resources to manage issues. Residents were concerned that the proposal would result in overlooking, a reduction in light, and additional noise, including noise from balconies. It was believed that there would be issues with parking as, although the development was car free, this would not prevent residents from having cars. It was stated that there was a Controlled Parking Zone (CPZ) from 8am-6.30pm from Monday to Saturday but that permit holders had difficulty parking in the area outside of these times. Helen Evans asked for the proposal to be reconsidered and for the objections and consultation to be incorporated.

In response to the points raised in the objections, the following responses were provided:

- In response to a question about the engagement process, Anna Wainwright clarified that she had not understood when residents could engage and influence the process.
- In relation to anti-social behaviour, Anna Wainwright explained that she did not believe that strategic paths or gates would prevent or reduce anti-social behaviour and she believed that significant social change was required.
- Some members noted that the proposal included a woodland garden and other greening elements. Helen Evans explained that her concerns related to the small, green space adjacent to 1 Elmar Road near her house which she felt would become a main thoroughfare.

Members of the applicant team addressed the Committee. Martin Cowie, Housing Planning Advisor, stated that he would clarify some points and explain how the applicant had sought to address concerns. It was noted that the scheme had been designed to optimise the number and range of affordable, council homes and to develop the current, redundant site within the estate whilst improving the external environment. It was stated that a range of housing options had been considered for the site, including terraces, detached properties, and different block configurations and that the current scheme was considered to provide the maximum number of viable affordable homes and other benefits such as external improvements. It was explained that the four blocks of flats and houses would provide a range of units to meet local housing need and that the external spaces would be delivered to a high standard for existing and new residents.

It was acknowledged that the objectors raised important points and it was stated that the proposal sought to ensure that the blocks were an appropriate scale that did not overshadow the area. It was explained that the blocks were separated by 18 metres to protect views from Seaford Road and were set back from surrounding residential properties by 20-27 metres and it was considered that the configuration did not adversely impact existing residential amenity. The applicant team stated that there had been substantial engagement from 2021, including a statutory housing consultation, wider public engagement, written communications to approximately 950 properties, and both online and on-site engagement events. In response to consultation comments, the proposals had been set back from Elmar Road and Seaford Road and the location of blocks had been revised to avoid overlooking and loss of sunlight and daylight.

The applicant team responded to questions from the Committee:

- Some members noted that there was significant housing need and enquired whether the right balance had been achieved between providing council homes and safeguarding the amenity of local residents. The applicant team noted that meeting different interests was challenging but it was considered that they had reached a satisfactory balance; it was commented that the proposal would provide a good number of homes and would deliver some improvements to the external environment.
- It was asked whether there would be engagement in relation to construction and whether issues such as parking stress and anti-social behaviour would be monitored. The applicant team stated that the construction period would last approximately two years and that there would be careful monitoring and delivery. It was noted that there was a requirement to prepare a Construction and

Environment Management Plan and a Construction Logistics Plan which would set out the stages in significant detail. It was commented that the applicant would need to engage with residents at key stages and that there would be a presence on site to address any concerns raised during the process. In relation to parking, it was explained that the development was in an accessible location and new residents would not be able to apply for parking permits locally. It was added that the parking impact would be investigated over time as part of the monitoring process. The applicant team stated that there would be a requirement to undertake a comprehensive resident satisfaction survey and that the applicant would seek to engage with residents on the delivery of the development.

- Some members enquired about the recent demolition on the site. The applicant team stated that the scheme had tight timescales, particularly for funding. It was noted that the properties had been vacated, that the former tenants had been rehoused, and that the units were mainly void. It was added that the properties had been experiencing security issues and cost implications. An application had been submitted for demolition which had included advertisement on the site and a period of consultation; it was noted that this had been mentioned as part of previous resident engagement and it was considered beneficial to demolish at this time in order to spread out works on the site.
- It was noted that building D2 was proposed to be a series of townhouses with separate flats on the top floor; it was enquired why the flats were included and why these had not been individual homes. The applicant team explained that a range of options had been considered and that the current proposal aimed to optimise the number of family homes and smaller units, both of which were needed in the borough. It was highlighted that the flats would have separate entrances.
- In relation to anti-social behaviour, the applicant team stated that they had worked closely with the Metropolitan Police and the Council's Asset Team to understand the area and introduce appropriate measures and they were satisfied that the proposals would create a more contained area with less permeability and a greater sense of place. It was explained that the proposed green spaces and thoroughfares would include activity, lighting, and CCTV which was expected to lead to improvements. It was added that there was also a programme of improvements for the wider estate which would result in upgrades to windows, entrances, and internal communal spaces.
- The applicant team confirmed that there would be internal post boxes for each block which would be key controlled. It was acknowledged that post boxes on external walls had been an issue in previous developments and the applicant team was working closely with the Metropolitan Police's Secured by Design officers, the Council's Asset Team, and the Post Office.
- In relation to the privacy of balconies, the applicant team noted that there would be appropriate screening. The balconies would face into the internal courtyard rather than the main street frontage and the balcony railings were designed so that they were not visible from all angles.
- Some members expressed concerns about the design and maintenance of the lobbies. The applicant team explained that this level of detail would be determined later in the process but comments relating to the importance of creating a welcoming environment, ensuring longevity, and reducing maintenance were noted.
- In response to a query about internal cycle storage, the applicant team noted that cycle storage was considered to be secure; the design had been discussed with

Metropolitan Police Secured by Design officers and there would be CCTV in all cycle storage areas. It was added that the use of cycle stores would be monitored and residents would be invited to respond to a satisfaction survey which would provide an opportunity to provide any feedback.

- Some members expressed concerns about the proposed landscaping and how this would be maintained to the required standards. The applicant team noted that this had been discussed with the Council's Asset Team and that resources would be put in place to ensure that the landscaping would be maintained. It was added that the landscape architects had been instructed to incorporate landscaping with the lowest possible levels of maintenance. It was noted that between two and five years of maintenance would be provided by the external contractors.
- The Chair noted that gardening clubs would be encouraged as part of the development and she welcomed this opportunity.

It was confirmed that the recommendation was to grant planning permission, as set out in the report and the addendum.

Following a vote with 9 votes in favour, 0 vote against, and 0 abstentions, it was

RESOLVED

1. To GRANT planning permission and that the Head of Development Management or the Assistant Director of Planning, Building Standards & Sustainability is authorised to issue the planning permission and impose conditions and informatives subject to an agreement providing for the measures set out in the Heads of Terms below.
2. That delegated authority be granted to the Head of Development Management or the Assistant Director Planning, Building Standards and Sustainability to make any alterations, additions or deletions to the recommended measures and/or recommended conditions as set out in this report and to further delegate this power provided this authority shall be exercised in consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee.
3. That the agreement referred to in resolution (1) above is to be completed no later than 23/01/2023 within such extended time as the Head of Development Management or the Assistant Director Planning, Building Standards & Sustainability shall in his sole discretion allow; and
4. That, following completion of the agreement(s) referred to in resolution (1) within the time period provided for in resolution (3) above, planning permission be granted in accordance with the Planning Application subject to the attachment of the conditions.

Conditions

- 1) Three years
- 2) Drawings
- 3) Materials
- 4) Boundary treatment and access control

- 5) Landscaping
- 6) Lighting
- 7) Site levels
- 8) Secure by design accreditation
- 9) Secure by design certification
- 10) Unexpected Contamination
- 11) NRMM
- 12) Demolition/Construction Environmental Management Plan
- 13) Arboricultural Impact Assessment
- 14) Tree Protection Measures
- 15) Cycle parking
- 16) Construction Logistics Plan
- 17) Satellite antenna
- 18) Restriction to telecommunications apparatus
- 19) Piling Method Statement
- 20) Architect retention
- 21) Energy strategy
- 22) Sustainability Review
- 23) Be Seen
- 24) Future DEN Connection Removed
- 25) Overheating
- 26) Living roofs
- 27) Biodiversity
- 28) Residents Satisfaction Survey
- 29) Wheelchair accessible dwellings
- 30) Future DEN Connection
- 31) Balcony privacy screens
- 32) Land Contamination

Informatives

Co-operation
 CIL liable
 Hours of construction
 Party Wall Act
 Street Numbering
 Sprinklers
 Water pressure
 Asbestos
 Secure by design
 Thames Water Groundwater Risk Management Permit

Planning obligations:

5. Planning obligations are usually secured through a S106 legal agreement. In this instance the Council is the landowner of the site and is also the local planning authority and so cannot legally provide enforceable planning obligations to itself.

6. Several obligations which would ordinarily be secured through a S106 legal agreement will instead be imposed as conditions on the planning permission for the proposed development.
7. It is recognised that the Council cannot commence to enforce against itself in respect of breaches of planning conditions and so prior to issuing any planning permission measures will be agreed between the Council's Housing service and the Planning service, including the resolution of non-compliances with planning conditions by the Chief Executive and the reporting of breaches to portfolio holders, to ensure compliance with any conditions imposed on the planning permission for the proposed development.
8. The Council cannot impose conditions on planning permission requiring the payment of monies and so the Director of Placemaking and Housing has confirmed in writing that the payment of contributions for the matters set out below will be made to the relevant departments before the proposed development is implemented.

Heads of Terms:

- Council rent housing
- Employment and Skills Plan and Skills contribution
- Physical changes and/or stopping up of the public highway for the accesses to the parking courts off Turner Avenue
- £4000 towards amendment to the Traffic Management Order (TMO)
- Implementation of a Travel Plan for a period of 5 years
- Travel Plan Monitoring Contribution – £3,000
- Car Club - a credit of £50 per annum for a period of three years from the Occupation Date in respect of each Residential Unit to the Occupiers of each residential Unit up to a maximum of two
- Carbon Offset Contribution (and associated obligations) based on £2,850 per tonne of carbon emissions
- Obligations monitoring fee

At 8.35pm, the Committee agreed a brief adjournment. The meeting resumed at 8.40pm.

9. HGY/2022/2293 - 45-47 GARMAN ROAD, N17 0UN

The Committee considered an application for the redevelopment of the site to provide a self-storage facility (Use Class B8) with associated car and cycle parking, refuse storage, landscaping and other associated works ancillary to the development.

Kwaku Bossman-Gyamera, Planning Officer, introduced the report and responded to questions from the Committee:

- In response to a query about the scale of the development, the Planning Officer noted that permission had been approved for two buildings to the south of site

which were similar in scale, that there was a power station adjacent to the site, and that there was a significant development underway to the north of the site; it was considered that the proposed scheme would not detract from the area given the emerging context.

- It was commented that there was an issue with Japanese Knotweed in the area and it was enquired whether this would be addressed in any conditions or informatives. The Planning Officer noted that a statement in relation to Japanese Knotweed had been submitted by the applicant and that the requirements would be included in an informative to make sure that they were communicated to the applicant.
- It was enquired whether the s278 highway works agreement would include a requirement to improve the pavement in the area. The Head of Development Management acknowledged that it would be appropriate to clarify that works would include pavement improvements as this would be an acceptable mitigation in response to the development bringing additional footfall to the area. Some members noted that the s278 agreement and subsequent funding was not referenced in the conditions. The Head of Development Management explained that this had been discussed with the applicant but that there had not been sufficient time to include this information in the addendum; it was confirmed that officers would be seeking to include details as part of the s278 highway works agreement, as set out in Condition 24.
- In relation to the proposed fencing, the Planning Officer explained that this would be largely landscaping rather than a physical fence. The Head of Development Management added that, under Condition 3, the details of the fencing would be subject to agreement with the Local Planning Authority.
- It was confirmed that the materials of the building would also be controlled by condition to ensure high quality.
- It was noted that the proposed use class was not subject to the Urban Greening Factor target of 0.3 but that the development would still be expected to set out the measures taken to achieve urban greening on-site. The Climate Change Manager explained that, although this was not a requirement, it was useful to set out the target in the conditions; this was set out in Condition 19.
- In response to a question about whether the development should be larger in scale, the Planning Officer noted that there were some designated areas in the borough where tall buildings would be encouraged but highlighted that the site was not located in such an area. It was confirmed that, taking into account the emerging context of the area, the proposal was considered to be acceptable.
- It was noted that the application proposed six car parking spaces. The Transport Planning Team Manager stated that there would be some parking for employees but that, for a development of this nature, there were low levels of staff and the parking was considered to be acceptable for staff and customers. It was added that the applicant might be able to provide further information.
- Some members commented that larger lorries could become stuck on Garman Road and it was enquired whether this could become a one-way street. The Transport Planning Team Manager noted that there was a turning area at the end of the road which required a two-way street. It was added that any changes to this road would need to be part of a larger scheme, including consultation, and could not be achieved through this planning application.

The applicant team responded to questions from the Committee:

- In relation to parking, Richard Byatt, Shurgard UK Ltd, noted that there would be limited vehicular activity with approximately three or four vehicle movements per hour in and out of the site. It was added that staff were encouraged to use public transport where possible and approximately one parking space would be used by staff at any time; it was considered that there was ample parking on site.

It was confirmed that the recommendation was to grant planning permission as set out in the report and the addendum and with the following amendments:

- To amend Condition 24 to ensure that the s278 (Highway Works) Agreement included pavement improvements as this would be an acceptable mitigation for the development bringing additional footfall to the area.
- To include an additional Informative to highlight the applicant's obligations in relation to Japanese Knotweed.

Following a vote with 9 votes in favour, 0 votes against, and 0 abstentions, and subject to the amendments above, it was

RESOLVED

1. To GRANT planning permission and that the Head of Development Management is authorised to issue the planning permission and impose conditions and informative subject to the signing of a section 106 Legal Agreement providing for the obligation set out in the Heads of Terms below.
2. That the agreement referred to in resolution (1) above is to be completed no later than 24th February 2023 or within such extended time as the Assistant Director Planning, Building Standards & Sustainability/Head of Development Management shall in her/his sole discretion allow; and
3. That, following completion of the agreement(s) referred to in resolution (1) within the time period provided for in resolution (2) above, planning permission be granted in accordance with the Planning Application subject to the attachment of the conditions.
4. That delegated authority be granted to the Head of Development Management or the Assistant Director Planning, Building Standards and Sustainability to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions as set out in this report and to further delegate this power provided this authority shall be exercised in consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee.

Summary Lists of Conditions, Informative and Heads of Terms

Summary Conditions (a full text of recommended conditions is contained in Appendix 1 of the report)

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Materials submitted for approval

- 4) Land contamination
- 5) Unexpected contamination
- 6) NRMM
- 7) Waste and recycling
- 8) Restrictive in use classes
- 9) CMP
- 10) Cycle parking Design and Layout
- 11) Surface Water Drainage
- 12) Management and Maintenance
- 13) Secure by design
- 14) Energy Strategy
- 15) Be Seen
- 16) Overheating
- 17) BREEAM Certificate
- 18) Living Roofs
- 19) Urban Greening Factor
- 20) External lighting
- 21) Boundary Treatment
- 22) Noise
- 23) Servicing and delivery plan
- 24) Section 278 (Highway Works) Agreement**

Informatives

- 1) Co-operation
- 2) CIL liable
- 3) Hours of construction
- 4) Party Wall Act
- 5) Hours of construction
- 6) Fire Brigade
- 7) Thames Water
- 8) Signage
- 9) Asbestos
- 10) Japanese Knotweed**

Section 106 Heads of Terms:

- 1) Energy Statement
 - a. An amended energy plan and Sustainability Review is to be provided on first occupation of the development.
 - b. Estimated carbon offset contribution (and associated obligation) of £11,685 plus a 10% management fee to be recalculated using Part L2013 software, based on £2,850 per tonne of carbon emissions.
- 2) Site – Wide Travel Plan

- a. To include details of welcome packs that will be provided to all new residents (to include information on public transport and cycling/walking connections).
- b. To appoint a travel plan co-ordinator to work in collaboration with the Estate Management Team, to monitor the travel plan initiatives for a minimum of five years.
- c. Provision of a contribution of £1,000 per annum for five years towards monitoring of the travel plan.

3) Employment and Skills

- a. Submission of an employment and skills plan
- b. No less than 20% of the peak construction workforce to be Haringey residents
- c. Provision of financial contribution £150,096.00 at which will be used by the council to provide and procure the support necessary for local people who have been out employment and / or do not have the skills set required for the jobs created.

5. That, in the absence of the agreement referred to in resolution (1) above being completed within the time period provided for in resolution (2) above, the planning permission be refused for the following reasons:

1. *The proposed development, in the absence of a legal agreement securing sufficient energy efficiency measures and/or financial contribution towards carbon offsetting, would result in an unacceptable level of carbon dioxide emissions. As such, the proposal would be contrary to Policies SI2 and SI 4 of the London Plan 2021, Local Plan 2017 Policy SP4 and Policy DM21 of the Development Management Development Plan Document 2017.*
2. *The proposed development, in the absence of a legal agreement securing sustainable transport measures, would have an unacceptable impact on the safe operation of the highway network, give rise to unsustainable modes of travel. As such, the proposal would be contrary to London Plan Policies T1, T2, T6, T6.1 and T7, Local Plan Policy SP7 and Policy DM31 of the Development Management DPD.*
3. *The proposed development, in the absence of a legal agreement to work with the Council's Employment and Skills team to provide employment initiatives would fail to support local employment, regeneration and address local unemployment by facilitating training opportunities for the local population. As such, the proposal is contrary to Policy SP9 of Haringey's Local Plan 2017.*

6. In the event that the Planning Application is refused for the reasons set out in resolution (5) above, the Head of Development Management or the Assistant Director of Planning, Building Standards and Sustainability (in consultation with the

Chair of Planning Sub-Committee) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:

- (i) There has not been any material change in circumstances in the relevant planning considerations, and;
- (ii) The further application for planning permission is submitted to and approved by the Assistant Director within a period of not more than 12 months from the date of the said refusal, and;
- (iii) The relevant parties shall have previously entered into the agreement contemplated in resolution (5) above to secure the obligations specified therein.

10. UPDATE ON MAJOR PROPOSALS

In response to a query about the Drapers Almshouses on Edmonton Close, the Head of Development Management explained that there had been a long pre-application process but that there was now a live planning application; consultation had been undertaken in late 2022 and the application was being assessed.

There were no other queries on the report. The Chair noted that any queries could be directed to the Head of Development Management.

RESOLVED

To note the report.

11. APPLICATIONS DETERMINED UNDER DELEGATED POWERS

There were no queries on the report. The Chair noted that any queries could be directed to the Head of Development Management.

RESOLVED

To note the report.

12. NEW ITEMS OF URGENT BUSINESS

There were no items of urgent business.

13. DATE OF NEXT MEETING

It was noted that the date of the next meeting was 6 February 2023.

CHAIR: Councillor Barbara Blake

Signed by Chair

Date