

# **MINUTES OF MEETING Planning Sub Committee HELD ON Thursday, 7th March, 2024, 7:00-9:00pm**

## **PRESENT:**

**Councillors: Barbara Blake (Chair), Reg Rice (Vice-Chair), Nicola Bartlett, John Bevan, Scott Emery, Sue Jameson, Sean O'Donovan and Lotte Collett**

**ALSO ATTENDING: Kodi Sprott, Principal Committee Coordinator, Robbie McNaugher, Head Of Development Management and Enforcement, Matthew Barrett, Senior Legal Officer, Richard Truscott, Principal Urban Design Officer, Rob Krzyszowski, Assistant Director Planning Buildings and Sustainability, Philip Elliot, Principal Planning Officer, Gareth Prosser, Deputy Team Manager, Maurice Richards, Head Of Transport and Travel**

### **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 were received from Councillor Worrell, Councillor Dunstall, Councillor Brennan and Councillor Ibrahim. Councillor O'Donovan will be Councillor Brennan's substitute. This was in accordance with committee standing orders 53 to 56. Apologies for lateness were received from Councillor Bartlett.

### **4. URGENT BUSINESS**

There were no items of urgent business.

### **5. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **6. MINUTES**

#### **RESOLVED**

To approve the minutes of the Planning Sub Committee held on the 5<sup>th</sup> February as a correct record.

## 7. PLANNING APPLICATIONS

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

## 8. HGY/2023/0728 341A SEVEN SISTERS ROAD, TOTTENHAM, LONDON, N15 6RD

Phillip Elliot, Principal Planning Officer introduced the item. This report was for the construction of two new buildings to provide new warehouse living accommodation (Sui Generis (warehouse living)), ground floor café/ workspace (Use Class E) and associated waste collection and cycle parking. Erection of 10 stacked shipping containers (two storeys) to provide workspace/ artist studios (Use Class E), toilet facilities and associated waste collection and cycle parking. Landscape and public realm enhancements including the widening of and works to an existing alleyway that connects Seven Sisters and Tewkesbury Road, works to Tewkesbury Road, the creation of rain gardens, greening, seating, signage and artworks and all other associated infrastructure works, including the removal of an existing and the provision of a new substation to service the new development.

The following was noted in response to questions from the committee:

- HMOs are their own use; sui generis meant a class of its own. Potentially, the development might need specific licencing down the line. The single bed space rooms would be 7.5 square metres and double rooms would be 11.5 square metres. This would vary due to the size and location of the building.
- Officers had set out the requirements of policy DM39. This asked the developer to masterplan and as a part of that, they had completed an analysis of the warehouse district, it also looked at HMO standards.
- There are no restrictions in place regarding children living in this space, however, this was more suited for people wanting a living and working space in one place.
- The management plan would need to outline how the applicant would market the development and how they would target people who worked in the creative sector. This should set out what they would be doing on a continual basis to maintain that in the lifetime of the development. As this was a new build development, the rent was at the upper end of the spectrum for the warehouse district. Residents would get some of the other public benefits through the scheme through the commercial spaces and public realm improvements.
- Rents have not been set yet, there would likely be some variance for different floor levels of the building. The viability assessment had been run on the basis that each room would be rented for £950, and that viability supports the rest of the development, infrastructure works, and the public realm works.
- The workspaces below ground are not necessarily for noisy works, however there would be capacity for this because as this area is not a living space. Generally, warehouse living by its nature could be noisy.
- This space would adopt a communal nature, residents would have to communicate with one another regarding space usage concerns.
- Residents in Cotton Mill Yard have access to this space(at the rear of the site). Some of the objections raised concerns that they would no longer have access to this as part of the proposal., The conditions Specifically deal with that in that they required details to be submitted regarding access.

- Daylight sunlight tests have been run and there was no significant effect on amenity, officers regarded the effect as being an acceptable impact.
- The way the daylight sunlight works is that in the BRE guidance there was a 27% figure. Often in urban areas like London, the alternative target 15% is used as it's a denser location, where the expectation levels of daylight were slightly lower. That has been applied in this instance because it was more comparable to the existing area.
- The requirement is that the terms of reference would be submitted and approved by the local planning authority. This would include how they would select people to join the liaison group.
- The demographic of people focused on for this development is people working as creatives. A masterplan exercise had occurred which ensued talking to people in the community. There was a condition in the report regarding extraction, this could be extended to workspaces. Smaller units would have one shared space and larger units would have double height spaces.

The following was noted in response to questions from the applicant:

- For each group of rooms there would be a large shared space, within this space there would be a kitchen area that would have a dining area, there would also be a shared workspace which would commensurate with the number of rooms that surround that space. There would be a shared workspace at the base of the building that was within the dedicated business space area.
- The Council was seeking to enforce against the warehouse district, what came out of that was a recognition that developers needed to improve standards in all buildings and create spaces that conformed to a given set of standards. That was where the HMO reference came in.
- There was 45 metres on the ground floor space and then another 25 metres in the space above, this equated to 70 metres overall; giving five metres of space per person.
- In terms of the management of the development, this would be light touch. The idea was to provide spaces where groups of people managed their own circumstances. As a landlord, the applicant would intervene if there was a dispute. People who tended to live within communal circumstances were accustomed to this. From experience, it was rare for disputes to arise. There would be day to day management and people on site, common spaces would also be managed.
- There had been substantial refurbishments of the buildings to bring them up to the standards that were now required and using HMO as a baseline. The applicant had tried to manage a balanced position, improve the buildings, expend money on the buildings but keep the rents at a level which were not an impediment to people living and working in the district. The occupational levels across the buildings and the constant waiting list suggested that people still wanted to live in these. People were routinely living in these spaces for 5-7 years. Part of the reason for new workspaces on Overbury Rd was to meet the demand from people who want to carry on living in the district but wanted to expand their business out of the common shared area and into a space of their own.
- In terms of managing the risk in the building, this was the first time that the applicant had proposed to build a new warehouse living building from scratch. Whilst doing this, the applicant ensured every relevant standard was met, in terms of the sustainability of the building, the performance of the building and the safety of the building. Compliance had been achieved in all these factors so there were not any present risks.
- Residents would pay council tax not business rates. In terms of commercial spaces, the applicant would provide commercial arrangements to have waste collected.

- This building's facade had been developed through extensive research of local materials and colour sampling. The key thing was that this building was a part of the warehouse district whilst addressing sustainability concerns and being a marker building as set out by the Council. A lot of work had been done alongside residents, they were vocal over concerns that this building looked like a generic development. The team researched into various materials, looking at everything from brick to metal cladding; ultimately the team set on a cementitious profile board, which reflected the rhythms within the warehouse. This was low carbon and a tested product. It was a sustainable and robust material; it was presented to the residents, and they felt that it fit within the DNA of the warehouse district.
- External amenity was a key consideration within the scheme. The double height space comprised a mix of work, living and dining spaces on the upper mezzanine. In front of that, the space spilled out onto a balcony which had a raised parapet to it.
- On Tewkesbury Rd, the applicant would put bicycle parking for all tenants and residents around the area.
- There would be a late-stage review, this would show if the applicant achieved a better result in terms of viability. If build costs reduced and or values go up, then there could be contribution towards affordable housing. Officer recommendation was that the contribution goes to affordable housing.
- In this case, the applicant would provide heating on a communal basis. So that would be an all-inclusive proposal for tenants.

The Chair asked Robbie McNaugher, Head of Development Management and Enforcement Planning to sum up the recommendations as set out in the report. The only change recommended was to condition four which controlled the extraction equipment; this was to broaden that to include all of the commercial spaces. The Chair moved that the recommendation be granted following a vote with 7 for, 0 against and 0 abstentions.

## RESOLVED

1. That the Committee authorise the Head of Development Management or the Assistant Director of Planning, Building Standards & Sustainability to **GRANT** planning permission subject to the conditions and informatives set out below and the completion of an agreement satisfactory to the Head of Development Management or the Assistant Director of Planning, Building Standards & Sustainability securing the obligations set out in the Heads of Terms below.
2. That delegated authority be granted to the Head of Development Management or the Assistant Director of Planning, Building Standards & 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 Planning Sub-Committee.
3. That the section 106 legal agreement referred to in resolution (2.1) above is to be completed no later than 28/06/2024 or within such extended time as the Head of Development Management or the Assistant Director Planning, Building Standards & Sustainability shall in their sole discretion allow; and
4. That, following completion of the agreement referred to in resolution (2.1) within the time period provided for in resolution (2.3) above, planning permission be granted in accordance with the Planning Application subject to the attachment of conditions.

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

- 1) 3-year time limit
- 2) Approved Plans & Documents
- 3) Accessible Accommodation
- 4) Commercial Units - Ventilation/Extraction
- 5) Commercial Units - Café/restaurant Opening Hours
- 6) BREEAM Certificate
- 7) Below ground works impact mitigation measures
- 8) Commercial Units – Noise Attenuation
- 9) Noise Attenuation – Warehouse Living Accommodation
- 10) Fire Statement
- 11) Landscape Details
- 12) Biodiversity
- 13) External Materials and Details
- 14) Artwork Details
- 15) Living roofs
- 16) Energy Strategy
- 17) Overheating (Warehouse Living)
- 18) Overheating (Commercial areas)
- 19) Building User Guide
- 20) Metering Strategy
- 21) DEN Connection
- 22) Urban Greening Factor
- 23) Secured by Design
- 24) Circular Economy
- 25) Whole Life Carbon
- 26) Land Contamination
- 27) Unexpected Contamination
- 28) Cycle Parking details
- 29) Delivery and Servicing Plan
- 30) Warehouse Living Waste Management Plan

- 31) Commercial Waste Management Plan
- 32) Detailed Construction Logistics Plan (PRE-COMMENCEMENT)
- 33) Public Highway Condition (PRE-COMMENCEMENT)
- 34) Demolition/Construction Environmental Management Plans (PRECOMMENCEMENT)
- 35) Management and Control of Dust (PRE-COMMENCEMENT)
- 36) Non-Road Mobile Machinery 1
- 37) Non-Road Mobile Machinery 2
- 38) Piling Method Statement (PRE-PILING WORKS)
- 39) Construction Near Water Main (PRE-CONSTRUCTION within 5m of a water main)
- 40) Business and Community Liaison Construction Group (PRECOMMENCEMENT)
- 41) Telecommunications
- 42) Water Efficiency Condition
- 43) Noise from building services plant and vents
- 44) Anti-vibration mounts for building services plant / extraction equipment
- 45) London Underground Infrastructure Protection 1 (PRECOMMENCEMENT)
- 46) London Underground Infrastructure Protection 2
- 47) London Underground Infrastructure Protection 3
- 48) Landscape and Ecological Management Plan (LEMP)
- 49) Wind Mitigation – Terraces
- 50) Details of bed decks
- 51) Warehouse Living Management Plan
- 52) Public Right of Way (PROW) rerouting, design, and management details
- 53) Requirement to enter into a s278 agreement

#### Informatives

- 1) Working with the applicant
- 2) Community Infrastructure Levy
- 3) Hours of Construction Work
- 4) Party Wall Act
- 5) Numbering New Development
- 6) Asbestos Survey prior to demolition
- 7) Dust

- 8) Disposal of Commercial Waste
- 9) Piling Method Statement Contact Details
- 10) Minimum Water Pressure
- 11) Paid Garden Waste Collection Service
- 12) Sprinkler Installation
- 13) Designing out Crime Officer Services
- 14) Land Ownership
- 15) Site Preparation Works
- 16) s106 Agreement and s278 Agreement
- 17) Revised Fire Statement required with any revised submission
- 18) Building Control
- 19) Building Regulations – Soundproofing
- 20) Thames Water Groundwater Risk Management Permit

Section 106 Heads of Terms (HoTs):

1) Provision of workspace for residents & management plan Workspace to be provided within the below ground workshop spaces in Block A for the use of residents of the development in perpetuity from initial occupation. A management plan shall also be submitted to outline how the workspace will be allocated and managed to optimise usage and support residents that work in the creative industries. If spaces are not taken up by residents, then space could be used by other creatives.

2) Affordable workspace 10% of the commercial floorspace to be let out at an affordable rent. Obligations shall identify the location of this floorspace and secure it as affordable in perpetuity in line with the Planning Obligations SPD.

3) Viability Review Mechanism

- a. Early-Stage Review if not implemented within 2 years;
- b. Development Break review – review if construction is suspended for 2 years or more; and
- c. Late-Stage Review with a cap equivalent to 50% affordable housing.

4) Employment & Skills Plan

All relevant clauses stated in the Planning Obligations Supplementary Planning Document (SPD) 2018. In summary to include:

Construction Phase Skills and Training

- To include planning obligations relating to Notification of Vacancies, Local Labour, and Apprenticeships.
- A commitment to being part of the borough's Construction Programme

for the construction phase.

- To include a support fee, and any in lieu financial contribution, payable upon agreement of a Local Training and Employment Plan.
- Work placement, and STEM and career education workshops.
- Monitoring – Submitting monthly reports and evidence.

#### End-user Phase Skills and Training

- The developer shall be required to work with the Council to maximise opportunities for local residents in the development and provide career education where practicable.

#### 5) Travel Plans for Warehouse Living and Commercial uses and monitoring

##### Warehouse Living Travel Plan:

- Within six (6) months of first occupation of the proposed Warehouse Living a Travel Plan for the use must be submitted to and approved in writing by the Local Planning Authority detailing means of conveying information for new occupiers and techniques for advising residents of sustainable travel options.
- The Travel Plan shall then be implemented in accordance with a timetable of implementation, monitoring, and review to be agreed in writing by the Local Planning Authority,
- The following measures to be included as part of the travel plan in order to maximise the use of sustainable modes of active transport.
  1. The developer must appoint a travel plan co-ordinator, working in collaboration with the Estate Management Team, to monitor the travel plan initiatives annually for a minimum period of 5 years.
  2. Provision of welcome induction packs containing public transport and cycling/walking information to every new resident, along with a £200 voucher for active travel related equipment purchases.
  3. Pay a sum of, £3,000 (three thousand pounds) per year for a period of five years £15,000 (fifteen thousand pounds) in total for the monitoring of this travel plan initiative.
  4. Parking management plan which monitors the provision of disabled car parking spaces for the site and triggers any necessary provision on the local highways network.

##### Commercial Travel Plan:

- Within six (6) months of first occupation of the proposed commercial spaces a Travel Plan for the use must be submitted to and approved in writing by the Local Planning Authority.
- The Travel Plan shall then be implemented in accordance with a timetable of implementation, monitoring, and review to be agreed in writing by the Local Planning Authority,



The following measures to be included as part of the travel plan in order to maximise the use of sustainable modes of active transport.

1. The developer must appoint a travel plan co-ordinator, working in collaboration with the Estate Management Team, to monitor the travel plan initiatives annually for a minimum period of 5 years.

2. Provision of commercial induction packs containing public transport and cycling/walking information, available bus/rail/tube services, showers, lockers, map and timetables to all new staff, travel pack to be approved by the Councils transportation planning team.

3. The developer will be required to provide, showers lockers and changing room facility for the commercial element of the development where practicable.

4. The developer is required to pay a sum of £2,000 (two thousand pounds) per year per travel plan for monitoring of the travel plan for a period of 5 years.

5. The first surveys should be completed 6 months post occupation or on 50% occupation whichever is sooner.

6) Car capping (£4,000 contribution)

No future occupiers (except those with a blue badge) will be entitled to apply for a resident or business parking permit under the terms of the relevant Traffic Management Order controlling on-street parking in the vicinity of the development. £4,000 for revising the associated Traffic Management Order.

7) Car Club

Use all reasonable endeavours to establish a car club facility in the form of an on-street car club bay in the vicinity of the application site for the occupants of the development. To include the provision of three years' free membership for all residents and £100 (one hundred pounds in credit) per year/per resident for the first 3 years.

8) Considerate Constructors Scheme

A commitment to sign up to the scheme for the entirety of construction works.

9) Ultrafast broadband connectivity

All rooms of accommodation must have access to high-quality digital connectivity (above 100MB/s) for occupants through ultrafast broadband connections.

10) Carbon Management & Sustainability

Be Seen commitment to uploading energy data

Energy Plan to recalculate the performance at commencement

Sustainability review to confirm the performance prior to occupation

DEN connection (and associated obligations) if this becomes available within the next 10 years

11) Carbon offsetting

Indicative carbon offset contribution (and associated obligations) of £20,805, plus a 10% management fee; an indicative carbon offset contribution to be recalculated at £2,850 per tCO<sub>2</sub> at the Energy Plan stage with a 50% payment prior to implementation, and actual

carbon offset contribution calculation at Sustainability Review stage following completion and payment for the remaining amount due prior to occupation.

#### 12) Monitoring costs

Based on 5% of the value of the financial planning obligations included in the agreement (capped at £55,000), and £500 per non-financial planning obligation in the agreement. Section 278 Highways Legal Agreement Heads of Terms

#### 13) Public Realm works

The developer shall be required to enter into an agreement with the Highway Authority under Section 278 of the Highways Act to pay for any necessary highway works relating to the delivery of the footway and Tewksbury Yard/Road public realm part of the proposals.

#### 14) Street works

The works include but are not limited to the removal of the crossover to the site to reinstate the footway and / or the creation of at least 3 on-street disabled car parking bays and their electrification.

#### 15) Works to the TLRN on Seven Sisters Road

Planters and cycle parking to be agreed with TfL and secured via s278 agreement.

2.5 In the event that members choose to make a decision contrary to officers' recommendation members will need to state their reasons.

2.6 That, in the absence of the agreement referred to in resolution (2.1) above being completed within the time period provided for in resolution (2.3) above, the planning permission be refused for the following reasons:

1. In the absence of a legal agreement securing 1) workspace for residents & an associated management plan and 2) viability review mechanisms - the proposals would fail to provide sufficient workspaces for Warehouse Living in accordance with Development Management DPD policy DM39, and comply with Policy H5 of the London Plan and the Mayor's Affordable Housing and

Viability Supplementary Planning Guidance (SPG).

2. In the absence of a legal agreement securing Affordable workspace, the scheme would fail to accord with Development Management DPD policy DM39.

3. In the absence of legal agreement securing 1) Travel Plans and financial contributions toward travel plan monitoring, 2) Traffic Management Order (TMO) amendments to change car parking control measures - the proposals would have an unacceptable impact on the safe operation of the highway network and give rise to overspill parking impacts and unsustainable modes of travel. As such, the proposal would be contrary to London Plan Policies T5, T1, T2, T3, T4 and T6. Spatial Policy SP7, and DM DPD Policy DM31.

4. In the absence of an Employment and Skills Plan the proposals would fail to ensure that Haringey residents' benefit from growth and regeneration. As such, the proposal would be contrary to London Plan Policy E11 and DM DPD Policy DM40.

5. In the absence of a legal agreement securing the implementation of an energy strategy, including the prioritisation of a connection to a DEN, and carbon offset payments - the proposals would fail to mitigate the impacts of climate change. As such, the proposal would be

unsustainable and contrary to London Plan Policy SI 2 and Strategic Policy SP4, and DM DPD Policies DM 21, DM22 and SA48.

6. In the absence of a legal agreement securing the developer's participation in the Considerate Constructor Scheme, the proposals would fail to mitigate the impacts of demolition and construction and impinge the amenity of adjoining occupiers. As such the proposal would be contrary to London Plan Policies D14, Policy SP11 and Policy DM1.

2.7 In the event that the Planning Application is refused for the reasons set out in resolution (2.6) above, the Head of Development Management or the Assistant Director of Planning, Building Standards & 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 Head of Development Management or the Assistant Director of Planning, Building Standards & Sustainability 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 agreements contemplated in resolution (2.1) above to secure the obligations specified therein.

## **9. PRE-APPLICATION BRIEFINGS**

The Chair referred to the note on pre-application briefings and this information was noted.

## **10. PPA/2024/0005 30-48 LAWRENCE ROAD, LONDON, N15 4EG**

Gareth Prosser introduced the report for partial demolition and refurbishment of existing light industrial building (Class E) and erection of residential building (Class C3), including ground floor workspace (Class E), cycle parking, hard and soft landscaping, and all other associated works.

The following was noted in response to questions from the committee:

- In terms of the shared ownership levels, there had been discussions between consultants and the Council's housing department. The team understood where their priorities were and were aware of the guidance in terms of affordable housing. There was an ongoing viability review process with the Council as independent assessors. Currently, there was a range between 14 to 19% of affordable housing, this would be up to 9 units in shared ownership.
- Following the Chair Review QRP there had been some layout changes. One bedrooms were single aspects and 2/3 bedrooms would be dual aspect. Materials had been discussed recently on where colours could be varied, the applicant was aware of consistency across the street.

- There had been discussions around safety, residential pedestrians and pedestrians would have access to the commercial unit. The second residential lobby service yard would not be used by residential pedestrians.

**11. UPDATE ON MAJOR PROPOSALS**

To advise of major proposals in the pipeline including those awaiting the issue of the decision notice following a committee resolution and subsequent signature of the section 106 agreement; applications submitted and awaiting determination; and proposals being discussed at the pre-application stage.

- TFL had run into funding issues regarding the Tottenham Hale underground station footbridge proposal.
- Regarding Highgate School, officers seemed to have a clearer programme of when things would move forward on that. A further update would be provided in due course.

**RESOLVED**

To note the report.

**12. 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.

**13. NEW ITEMS OF URGENT BUSINESS**

There were no new items of urgent business.

**14. DATE OF NEXT MEETING**

It was noted that the date of the next meeting was tbc.

CHAIR: Councillor Barbara Blake

Signed by Chair .....Cllr Blake.....

Date .....17/04/2024.....