

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

Councillors: Basu, Beacham, Demirci (Chair), Erskine, Peacock (Vice-Chair), Reid, Rice, Schmitz and Waters

Also Present: Councillor Goldberg and Councillor Jenks

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>	<b>ACTION BY</b>
PC56.	<p><b>APOLOGIES</b></p> <p>At the start of the meeting it was agreed that agenda item 9, 550 White Hart Lane, be moved down the agenda, as no interested parties had registered to speak in respect of this item.</p> <p>There were no apologies for absence.</p>	
PC57.	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>	
PC58.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest at the start of the meeting.</p> <p>When it came to agenda item 7, Cllr Basu declared a prejudicial interest in the item as, in his capacity as Ward Councillor, he had held discussions with local residents and other Ward Councillors regarding this application in advance of the meeting.</p>	
PC59.	<p><b>DEPUTATIONS/PETITIONS</b></p> <p>There were no deputations or petitions.</p>	
PC60.	<p><b>MINUTES</b></p> <p>The Committee was advised that point (1.3) of the resolution for item PC42, 550 White Hart Lane, "<i>The applicant to enter into agreement to enter into a Construction training and Local Labour Agreement;</i>" should be deleted.</p> <p>Subject to this amendment it was:</p> <p><b>RESOLVED</b></p> <p>That the minutes of the meeting held on 12 September 2011 be approved and signed by the Chair.</p>	
PC61.	<p><b>16-52 HIGH ROAD, N15 6LS.</b></p>	

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

Cllr Basu declared a prejudicial interest in this item as, in his capacity as Ward Councillor, he had held discussions with local residents and other Ward Councillors regarding this application in advance of the meeting. Cllr Basu remained in the room but took no part in the discussion or vote.

The Committee considered a report of the Director of Place and Sustainability on the application for a new planning permission to replace an extant planning permission at 16-52 High Road, N15. The report set out details of the site and surroundings, planning history, relevant planning policy, consultation and responses and assessment of the application, and recommended that the application be granted, subject to conditions and a section 106 agreement. The Planning Officer gave a presentation outlining key aspects of the application and advised on an objection received from Cllr Claire Kober, which should have been included in the report under the section for consultation responses from Ward Councillors. The Committee was advised that Government guidance in respect of applications to extend the time limit of an extant planning permission was that these would be expected to be considered favourably unless there had been a material change in circumstances since the original permission was granted.

The following issues were discussed by the Committee in relation to this item:

- Concerns were raised regarding overlooking and overshadowing, in response to which the Committee was advised that the scheme had been designed so as to minimise overlooking, and the distance at the rear of the property at 1 Rostrevor Avenue was felt to be sufficient to minimise any impact on daylight and sunlight.
- Concerns were expressed by Committee members and by a local resident and Cllr Goldberg, Ward Councillor, regarding traffic levels and the impact that access to and from the site onto Rostrevor Avenue would have on an area under significant existing traffic and parking pressure from residents and people attending the synagogues local to the site. Concerns were expressed that this would lead to an increase in accidents and might preclude the current proposal for Rostrevor Avenue becoming one-way. Officers stated that, from a safety perspective, access onto Rostrevor Avenue was preferable to the High Road and that it was estimated that the development would lead to an increase of just 6 cars per morning peak time, which was considered to have no appreciable impact on safety issues. It was also confirmed that the development would have no impact on whether or not a one-way system was implemented on Rostrevor Avenue. A full road safety

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

assessment would be undertaken prior to implementation of any scheme and funding for highways improvements was also included in the proposed section 106 agreement.

- Officers reminded the Committee of the Government guidance in respect of dealing with applications to extend the time limit of extant planning permissions.

Cllr Rice proposed a motion, seconded by Cllr Reid, that this application be deferred to the next meeting of the Committee in order for a full transport report to be prepared to assist the Committee in its deliberations. On a vote of 2 in favour and 5 against, this motion fell.

Additional conditions were proposed in respect of the application;

- i) Notwithstanding any future amendment to the Town and Country Planning Order 1995 or other relevant legislation, which allows a change from commercial to residential use without the need to apply for planning permission, the commercial units shall not be used for residential use.
- ii) A full transport study is to be submitted to the Planning Authority before work is commenced on construction.

The recommendations of the report, with the additional conditions proposed as above, were moved and on a vote of 6 in favour, 1 against and 1 abstention it was:

**RESOLVED**

- 1) That planning permission be granted in accordance with planning application no. HGY/2011/1062/1063 Drg No. 02, 03, 100, 101, 102, 103, 104, 105, 106, 107, subject to a pre-condition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under Section 106 of the Town and Country Planning Act 1990 (As Amended). The Agreement or Agreements is necessary in order to secure contributions of £24,960 toward local education facilities, £15,000 toward Transportation works in the form of traffic calming and for environmental improvements within the locality and £2,040 toward administrative charges.
- 2) i) That planning permission be granted in accordance with planning application no. HGY/2011/1062/1063 Drg No. 02, 03, 100, 101, 102, 103, 104, 105, 106, 107, subject to a pre-condition that the owners of the application site shall first have entered into a deed of variation to the current S106 Agreement and that following completion planning permission be granted in accordance with planning application no HGY/2011/1062/1063 and the Applicant's

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

drawing No.(s) 02, 03, 100, 101, 102, 103, 104, 105, 106, 107, subject to the following conditions:

ii) That in the absence of the Agreements referred to in resolution (i) above being completed within the time period provided for in resolution (ii) above, the planning application reference number HGY/2011/1062/1063 be refused for the following reason:

iii) The proposal fails to provide the Education contributions in accordance with the requirements set out in Supplementary Planning Guidance 10c 'Education needs generated by new housing developments' attached to the Haringey Unitary Development Plan.

iv) That, following completion of the Agreement referred to in resolution (1) within the time period provided for in Resolution (2) above, planning permission be granted in accordance with planning application reference number HGY/2011/1062/1063 and applicant's drawing No.s 02, 03, 100, 101, 102, 103, 104, 105, 106, 107, subject to the following 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 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 complete 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.

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in connection with the development hereby permitted have been submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.

4. That not more than 9 separate residential units, whether flats or houses, shall be constructed on the site.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

Reason: In order to avoid overdevelopment on the site.

5. The proposed development shall have a central dish/aerial system for receiving all broadcasts for all the residential units created, details of such a scheme shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property and the approved scheme shall be implemented and permanently retained thereafter.

Reason: In order to protect the visual amenities of the neighbourhood.

6. The development hereby authorised shall comply with BS 8220 (1986) Part1, 'Security Of Residential Buildings' and 'Designing Out Crime' principles.

Reason: In order to ensure that the proposed development achieves the require crime prevention elements as detailed by Circular 5/94 'Planning Out Crime'.

7. No development shall commence until 2) and 3) below are carried out to the approval of London Borough of Haringey.

1. The Applicant will submit a site-wide energy strategy for the proposed development. This strategy must meet the following criteria:

2. (a) Inclusion of a site-wide energy use assessment showing projected annual demands for thermal (including heating and cooling) and electrical energy, based on contemporaneous building regulations minimum standards. The assessment must show the carbon emissions resulting from the projected energy consumption.

(b) The assessment should demonstrate that the proposed heating and cooling systems have been selected in accordance with the following order of preference: passive design; solar water heating; combined heat and power for heating and cooling, preferably fuelled by renewables; community heating for heating and cooling; heat pumps; gas condensing boilers and gas central heating. The strategy should examine the potential use of CHP to supply thermal and electrical energy to the site. Resulting carbon savings to be calculated.

(c) Inclusion of onsite renewable energy generation to reduce the remaining carbon emissions (i.e. after (a) is accounted for) by 10% subject to feasibility studies carried out to the approval of LB Haringey.

3. All reserved matters applications must contain an energy statement demonstrating consistency with the site

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

wide energy strategy developed in 2). Consistency to be approved by LB Haringey prior to the commencement of development.

Reason: To ensure the development incorporates energy efficiency measures including on-site renewable energy generation, in order to contribute to a reduction in Carbon Dioxide Emissions generated by the development in line with national and local policy guidance.

8. A site history and soil contamination report shall be prepared; submitted to the Local Planning Authority and approved before any works may commence on site.

Reason: In order to protect the health of future occupants of the site.

9. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

INFORMATIVE: The development requires naming / numbering. Please contact Local Land Charges (tel. 0208 489 5573) at least 8 weeks before completion of the development to arrange allocation of suitable address(es).

INFORMATIVE: That all works on or associated with the public highway be carried out by The Transportation Group at the full expense of the developer. Before the Council undertakes any works or incurs any financial liability the developer will be required to make a deposit equal to the full estimated cost of the works.

**REASONS FOR APPROVAL**

The proposal accords with Policies HSG2 'Change of Use to Residential', EMP4 'Non Employment Generating Uses', UD3 'General Principles', UD4 'Quality Design', UD6 'Waste Storage, HSG4 'Affordable Housing and HSG8 'Density Standards' of the Haringey Unitary Development Plan. Appropriate car parking has been proposed on site which is situated in an area with High Public Transport accessibility and is considered consistent with Policy M10 'Parking for Development'. The proposal is also in accordance with the Council's Supplementary Planning Document on housing, SPG10 'Negotiation and Monitoring of Obligations' SPG12 'Educational need generated by new housing development and SPG8 'Waste and Recycling'.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

	Section 106: Yes	
<b>PC62.</b>	<p><b>16-52 HIGH ROAD, N15</b></p> <p>The Committee considered the report of the Director of Place and Sustainability on an application for a new planning permission to replace an extant planning permission in order to extend the time limit for Conservation Area Consent at 16-52 High Road, N15. The report recommended that application reference HGY/2011/1063 be granted subject to conditions and subject to a Section 106 Legal Agreement.</p> <p><b>RESOLVED</b></p> <p>That application HGY/2011/1063 be granted, subject to conditions and to a varied section 106 Legal Agreement.</p> <p>Subject to the following conditions:</p> <p>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.</p> <p>Reason: This condition is imposed by virtue of the provisions of the Planning &amp; Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.</p> <p>2. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works for redevelopment of the site has been made and planning permission 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></p> <p>The buildings being in commercial use comprising of garages does not have any architectural merit. Their demolition therefore would not be of any loss.</p> <p>Section 106: No</p>	
<b>PC63.</b>	<p><b>72-96 PARK ROAD, N8</b></p> <p>The Committee considered the report of the Director of Place and</p>	

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

Sustainability on an application for a new planning permission to replace an extant planning permission at 72 – 96 Park Road, N8. The report set out the site and surroundings, planning history, relevant planning policy, consultation and responses and analysis of the application. The report recommended that the application be granted, subject to conditions and to a Deed of Variation to the current S106 Agreement. The Planning Officer gave a presentation, outlining key aspects of the application.

- Cllr Jenks addressed the Committee in objection to the application, on the grounds that the extension of the Crouch End CPZ had been overlooked in the report as a material consideration. It was stated that there were existing parking pressures in the area, and that the limited provision of spaces on the site would lead to an increase in cars needing to park in the local area. In response to questions regarding the parking issues, officers clarified that a condition could be added to prevent residents from applying for parking permits for the CPZ area.
- Cllr Jenks also raised objections with regards to the sustainability proposals, and the lack of evidence supporting these. The Committee suggested that a condition could be added regarding sustainable design.
- The Committee expressed concern regarding access, and suggested that a condition should be added to ensure there was a lift servicing all four floors.

The recommendations of the report were moved, with the addition of three additional conditions to prevent residents from applying for CPZ parking permits, for sustainable design and for a lift servicing all four floors and a variation to the section 106 Agreement regarding residents not being able to apply for parking permits and it was unanimously:

**RESOLVED**

That planning permission be granted in accordance with planning application no. HGY/2011/0905 subject to a pre-condition that the owners of the application site shall first have entered into a deed of variation to the current S106 Agreement and following completion planning permission be granted in accordance with planning application no. HGY/2011/0905 and the Applicant's drawing No.(s) E01-00, 02-00, 02-01, 02-RF, 08-01, 08-02, P02-00B, 02-01B, 02-02B, 02-03B, 02-05A, 02-RF A, 08-04B, 08-05B, P-SCHED, 08-04, CN03-03, 04, 05, 03-03 WEST, 03-01 WEST, 03-01 EAST & 03-02.

Subject to the following conditions:

1. The development hereby authorised must be begun not later



**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

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 complete 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.

3. The development hereby authorised requires the applicant to provide 2 x 1100 litres refuse and 1 x 1100 recycling bin for domestic purposes and shall not be abused by the commercial units.

Reason: In order to provide adequate domestic refuse and prevent the abuse of the domestic refuse storage by those in the commercial units.

4. Before the commencement of any works a secure area for 14 bicycles to be parked shall be submitted and approved in writing to the Local Authority.

Reason: In order to meet the requirement as requested by the Transportation Team.

5. The commercial unit shown on the plans hereby approved shall be used for purposes falling within Class A1 (shops), Class A2 (financial and professional services) or Class B1 (Business) only and shall not be used for any other purpose.

Reason: In order to restrict the use of the premises to one compatible with the surrounding area because uses within other classes are not necessarily considered to be acceptable.

6. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

7. The car parking spaces shown on the approved drawings shall be marked out on the site to the satisfaction of the Local Planning Authority and these spaces shall thereafter be kept continuously available for car parking and shall not be used for any other

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

purpose without the prior permission in writing to the Local Planning Authority.

Reason: In order to ensure that adequate provision for car parking is made within the site.

8. Prior to the occupation of the residential units a scheme for the installation of bollards along the adjoining footway abutting the western and southeastern periphery of this site on Park Road and Lynton Road shall be submitted to and approved in writing by the Local Authority.

Reason: In order to prevent parking on the forecourt and improve the condition for pedestrians at this location.

9. The applicants must ensure that servicing lorries enter and exit Lynton Road from and onto Park Road respectively, in forward gear.

Reason: To minimise disruption to traffic and bus movements on Park Road.

INFORMATIVE: The development requires naming / numbering. Please contact Local Land Charges (tel. 0208 489 5573) at least 8 weeks before completion of the development to arrange allocation of suitable address(es).

**REASONS FOR APPROVAL**

The proposal is approved on the grounds that since the previous application there have been no over riding changes to Planning Policy or any new material considerations to take account of the proposal is found to be in accordance with Policies UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing Development', UD6 'Mixed Use Development', HSG10 'Dwelling Mix' and SPD Housing of the Haringey Unitary Development Plan.

Section 106: Yes

**PC64.**

**270 ARCHWAY ROAD, N6**

The Committee considered the report of the Director of Place and Sustainability on the application for planning permission in respect of 270 Archway Road, N6. The report set out the site and surroundings, planning proposal, planning history, relevant planning policy, consultation and responses and assessment of the application, and recommended that permission be granted, subject to conditions. The Planning Officer gave a presentation setting out key aspects of the application, and advised of a late representation received from Cllr Rachel Allison, expressing concern that the proposal would rival the neighbouring church in

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

height and bulk, and whether this was appropriate as it could detract from a place of worship. The planning officer then answered questions from the Committee.

- In response to a question from the Committee regarding materials, it was confirmed that the proposal for use of traditional materials to blend in with the existing structure.
- Cllr Bob Hare spoke on behalf of local residents and expressed concerns regarding the bulk and massing of the proposal and the impact this would have on residents to the rear of the site in respect of loss of daylight and sunlight and views of the sky. The Committee agreed to the submission of some photographs by Cllr Hare illustrating the resident's concerns.
- The Committee asked for greater information in respect of the daylight and sunlight study undertaken and submitted by the applicants, as residents expressed concern that the impact on their light would be greater than that indicated in the report, given the scale of the proposal. The applicant clarified the methodology undertaken for the daylight and sunlight study, and it was stated that the findings were that there would not be significant harm to nearby properties, and that there was compliance with good practice in respect of light issues, including the sky component.

The Committee agreed to suspend standing orders until 2230hrs.

The recommendations of the report were moved and on a vote of 8 in favour and 1 against it was:

**RESOLVED**

- 1) That planning permission be granted in accordance with planning application no. HGY/2011/1172 subject to a pre-condition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under Section 106 of the Town and Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974 in order to secure:
  - 1.1) A sum of £1,000.00 towards the management of the relevant Traffic Management Order(s) (TMO) controlling on-street parking in the vicinity of the site to reflect that the 6 new residential units shall be designated 'car free' and therefore no residents therein will be entitled to apply for a residents parking permit under the terms of this Traffic Management Order(s) (TMO);

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

1.2) The developer to pay an administration / monitoring cost of £500.00 in connection with this Section 106 Agreement.

- 2) That in the absence of the Agreement referred to in the resolution above being completed by 31<sup>st</sup> January 2012, planning application reference number HGY/2011/1172 be refused for the following reason:

In the absence of a formal undertaking to secure a Section 106 Agreement for the additional flatted units associated with this proposal to be 'car free' the proposal is considered contrary to policy M10 'Parking for Development' of the adopted Haringey Unitary Development (2006).

- 3) In the event that the Planning Application is refused for the reason set out above, the Assistant Director (PEPP) (in consultation with the Chair of Planning 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 (PEPP) 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 (1) above to secure the obligations specified therein.

- 4) That following completion of the Agreement referred to in (1) above, planning permission be granted in accordance with planning application no HGY/2011/1172 and the Applicant's drawing No.(s) 1011-PL-002a, 1011 003B, 1011-PL-004B, 1011-PL-011H, 1011-PL-010J, 1011-PL-012F, 1011-PL-013F, subject to the following conditions:

**IMPLEMENTATION**

1. 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.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

2. The development hereby authorised shall be carried out in complete 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.

**TRANSPORTATION**

3. A Delivery and Service Plan shall be submitted to and approved by the Local Planning Authority prior to occupation - detailing how vehicular servicing to site will be managed to minimise impact on the TLRN of deliveries.

Reason: In order that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

**MATERIALS**

4. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the external materials to be used in connection with the development hereby permitted have been submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.

5. Notwithstanding the application plans, elevations and sections, fully annotated and dimensioned elevation and section drawings of the proposed front shopfronts shall be submitted to and approved in writing by the Planning Authority prior to the commencement of work.

Reason: To ensure that the development is of a highest quality standard to preserve the character and appearance of Highgate Conservation Area.

**CONSTRUCTION**

6. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1300 hours on Saturday and not at all on Sundays or Bank Holidays

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

7. The retail floorspace hereby permitted shall not be used for

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

Class A3, A4 or A5 purposes within the Schedule to the Town and Country Planning Use Classes Order 1987 (as amended), or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To ensure the retail floorspace associated with this development does not adversely affect the residential amenities of residents occupying the building or neighbouring residents.

8. Notwithstanding the Provisions of Article 4 (1) and part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, no satellite antenna shall be erected or installed on the building hereby approved. The proposed development shall have a central dish or aerial system for receiving all broadcasts for the residential units created: details of such a scheme shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property, and the approved scheme shall be implemented and permanently retained thereafter.

Reason: In order to prevent the proliferation of satellite dishes on the development

9. The proposed rear timber screening and existing rear wall hereby approved shall be retained and maintained to the satisfaction of the local authority.

Reason: To safeguard the amenity of neighbouring properties with regard to overlooking.

10. Notwithstanding the detail shown on Drawing Ref: 1011-PL-010J, subdivision of the proposed commercial space to the ground floor shall not take place until precise details of the subdivision and the associated facilities to be implemented in connection with the development hereby permitted have been submitted to and approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.

Reason: In order to maximise viability of the proposed commercial unit.

INFORMATIVE: The new development will require naming/numbering. The applicant should contact the Transportation Group at least six weeks before the development is occupied (tel: 020 8489 5573) to arrange for the allocation of a suitable address.

**REASONS FOR APPROVAL**

The scale, bulk, mass and design of the proposed extension to

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

this building are considered acceptable and will achieve an acceptable relationship with adjoining buildings and will not adversely affect the residential amenities of adjoining occupiers. The design and treatment to the frontage onto Archway Road will help improve the appearance of this part of the High Road as well as its vitality and viability. The detailing and materials associated with the proposal will be sensitive to distinctiveness and character of the surrounding area and overall the proposal will preserve and enhance the character and appearance of the Conservation Area. The development is considered to be consistent with policies UD3 'General Principles', UD4 'Quality Design', HSG9 'Density Standards', HSG1 'Dwelling Mix', G10 'Conservation', CSV1 'Development in Conservation Areas', CSV5 'Alteration and Extensions in Conservation Areas', TCR1 'Development in Town and Local Shopping Centres' of the adopted Haringey Unitary Development Plan and Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology', SPG6a 'Shopfront, Signage and Security' and the Council's 'Housing' SPD.

Section 106: Yes

**PC65.**

**TREE PRESERVATION ORDERS**

The Committee considered the report of the Director of Place and Sustainability which recommended that Tree Preservation Orders be confirmed against trees located at; 65 Mountview Road N4, 29 Ridge Road N8 and Southwood Hall, Wood Lane N6.

- A local resident, Mr Whent, addressed the Committee regarding the confirmation of the TPO at 65 Mountview Road. It was clarified that the tree affected by the TPO in question was that marked T1 in the Committee report and that T2 was not the subject of a TPO. Mr Whent advised that, without correct maintenance, the tree in question could pose a threat to his property, as in the past a significant amount of the tree had fallen into his garden. Mr Whent felt that given this fact, and that the tree was not a rare species, a TPO should not be confirmed.
- Officers advised that it was not possible to add a condition to a TPO requiring adequate maintenance, but that there was a statutory duty in law to ensure that trees were maintained so as not to pose any danger, and that an informative could be added to advise that adequate maintenance be undertaken.
- It was clarified that a TPO did not mean that no works could be carried out on a tree, just that the necessary application needed to be made. It was confirmed that the application process was free of charge, although some

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

concern was expressed that the application process might put people off carrying out works.

On a vote of 5 in favour and 3 against, it was:

**RESOLVED**

That the TPO against T1 at 65 Mountview Road, N4, be confirmed, with an informative that adequate maintenance to the tree be undertaken.

The Committee advised the objector that the owner of the tree did have a legal responsibility to maintain any tree to prevent it from becoming dangerous, and suggested that he may wish to seek legal advice if necessary to resolve the matter. It was also suggested that he speak to his Ward Councillors.

It was further:

**RESOLVED**

That authority for the confirmation of the remaining TPOs outlined in the report be delegated to officers.

**PC66.**

**550 WHITE HART LANE N17**

The Committee considered the report of the Director of Place and Sustainability regarding the application for planning permission at 550 White Hate Lane, N17. The report set out the site and surroundings, proposal, planning history, relevant planning policy, consultation and responses and analysis of the application, and recommended that the application be granted, subject to conditions and subject to a section 106 Legal Agreement or deed of variation to the current s106 Agreement. The Planning Officer gave a presentation outlining key aspects of the report, and advised that an additional recommendation was proposed such that the Section 106 Agreement could provide for a £70k highways contribution for the works. The agreement would note the intention that only £70k in total be payable as a highways contribution between this and the scheme for the Bridisco site approved on 12 September 2011.

- In response to a question regarding whether the vehicle movement figures given in the report related to the entire site, or just the section covered by this proposal, it was confirmed that they related to the site as a whole. It was clarified that, while the applicant had referred to the morning peak as 9 to 10am, the council defined this as 8 to 9am, which accounted for any discrepancy in the figures regarding the morning peak.
- It was proposed that an additional condition be added



**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

regarding local employment.

The Chair moved the recommendations of the report including the additional recommendation that the Section 106 Agreement include a £70k highways contribution and the additional local employment condition and it was unanimously:

**RESOLVED**

- 1) That planning permission be granted in accordance with planning application no. HGY/2011/1566, subject to a pre-condition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under Section 106 of the Town & Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974 in order to secure:
  - 1.1) Highways Contribution – a sum of £70,000 (seventy thousand pounds) to be used by the Council towards the cost of highways works.
  - 1.2) 'Haringey Guarantee Sum' – a sum of £20,000 (twenty thousand pounds) to be used by the Council towards the cost of securing training and employment opportunities for residents of Haringey.
  - 1.3) 'Community Benefits Sum' – a sum of £10,700 (ten thousand seven hundred pounds) to be used by the Council towards the carrying out of environmental improvements in the vicinity of the Site.
  - 1.4) Monitoring Sum – a sum of £1000 (one thousand pounds) to be used by the Council in monitoring the performance of this Deed.
  - 1.5) Local labour – that jobs on the site during construction and after completion be first advertised in the local area before being advertised on a wider basis.

Or

Subject to a pre-condition that the owners of the application site shall first have entered into a deed of variation to the current S106 Agreement for the broader Bridisco site in connection with application reference HGY/2011/0814.

- 2) That in the absence of the Agreement referred to in the resolution above being completed by 31<sup>st</sup> January 2012, planning application reference number HGY/2011/1566 be

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

refused for the following reason:

In the absence of a formal undertaking to secure a Section 106 Agreement for appropriate contribution for highway and access improvements to this site the proposal is contrary to Policy UD8 'Planning Obligations' of the adopted Haringey Unitary Development Policy (2006) and Supplementary Planning Guidance SPG10a 'The Negotiation, Management and Monitoring of Planning Obligations'.

- 3) In the event that the Planning Application is refused for the reason set out above, the Assistant Director (PEPP) (in consultation with the Chair of Planning 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 (PEPP) 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 1) above to secure the obligations specified therein.
- 4) That following completion of the Agreement referred to in 1) above, planning permission be granted in accordance with planning application no. HGY/2011/1566 and the Applicant's drawing No.(s) B001, B002, D001, Yard Plan 4 (date 21.03.11) and subject to the following conditions:

**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 complete 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.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

**EXTERNAL APPEARANCE / SITE LAYOUT**

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in connection with the new front boundary treatment, including landscaping, have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with such approved detail and prior to the occupation of the residential units hereby approved.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.

4. Notwithstanding the details shown on the approved drawings details of a scheme of hard and soft landscaping including details of the front boundary treatment shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted, is commenced.

Reason: To ensure a satisfactory appearance to the development.

5. Prior to the commencement of construction works on site full details of the all proposed external lighting have been submitted to and approved in writing by the Local Planning Authority. Details shall include appearance and technical details and specifications, intensity, orientation and screening of lamps, siting and the means of construction and layout of cabling. Lighting is to be restricted to those areas where it is necessary with additional shielding to minimise obtrusive effects. The approved scheme is to be fully completed and shall be permanently maintained thereafter.

Reason: In the interest of design quality, residential amenity and public and highway safety.

**CONTROL ON USE/ ACTIVITIES WITHIN THE SITE**

6. Any noise generated by virtue of this development shall not cause an increase in the pre-existing background noise level or more than 5db (A) when measured and corrected in accordance with BS 4142:1967, as amended, titled 'Method of Rating Industrial Noise Affecting Mixed Residential & Industrial Areas'. In this context, the background level is construed as measuring the level of noise which is exceeded for 90% of the time.

Reason: In order to protect the amenities of nearby residential occupiers.

7. No deliveries shall be loaded or unloaded within the site

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

between the hours of 2100 and 0600 Monday to Saturday or after 1800 hours Saturday until 0600 hours the following Monday.

Reason: In order to ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their property.

8. There shall be no external storage of materials, or construction or placing of racks and bins or other storage containers outside the building on site, other than that shown on the approved drawing (Yard Plan 4 - Date 21.03.11), without the prior written approval of the Local Planning Authority.

Reason: In order to safeguard the visual amenity of the area.

9. No additional floorspace other than as stated within the application shall be created inside the buildings approved without the prior written consent of the Local Planning Authority.

Reason: To ensure that the car parking provided meets the needs of the buildings approved and that traffic generation does not exceed the allocated capacity.

10. No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the roof of any building.

Reason: In order to safeguard the visual amenity of the area.

11. No external lighting shall be installed on the site without the prior written consent of the local Planning Authority.

Reason: In order to safeguard the visual amenity of the area.

**PARKING / TRANSPORTATION**

12. The designated Site Travel Plan Co-ordinator shall implement the measures as detailed in the Travel Plan submitted as part of the application.

Reason: To minimise the traffic impact of this development on the adjoining highway network and promote sustainable travel to and from the site.

13. Before the development hereby permitted is occupied the parking spaces shown on the approved plans shall be provided and shall not thereafter be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the Local Planning Authority's standards.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

**SUSTAINABILITY / RENEWABLE ENERGY**

14. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

" The greatest reduction in surface water runoff rates that is practicably possible, with greenfield rates being the target.

" The maximisation of Sustainable Drainage Systems (SUDS) on site.

Reason: To minimise the risk of flooding, and to improve and protect water quality.

15. Prior to the commencement of development, details of energy efficient design and the potential for the use of renewable energy sources shall be submitted to and approved by the Local Planning Authority and shall be implemented prior to the commencement of the use hereby permitted and maintained thereafter for the life of the development.

Reason: To ensure the development incorporates energy efficiency measures including on-site renewable energy generation, in order to contribute to a reduction in carbon dioxide emissions generated by the development in line with national and local policy guidance.

16. Prior to the commencement of development in terms of any unit / building hereby approved, the developer shall provide a copy of the final Building Research Establishment (BRE) certificate confirming that the building design achieves a minimum BREEAM rating of Very Good. The BREEAM Post Construction Assessment shall be carried out on a sample of the development in accordance with an agreed methodology to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability.

**CONSTRUCTION**

17. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

the enjoyment of neighbouring occupiers of their properties.

18. No development shall take place until site investigation detailing previous and existing land uses, potential land contamination, risk estimation and remediation work if required have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: In order for the Local Planning Authority to ensure the site is contamination free.

19. Prior to the commencement of the development a Construction Logistics Plan (CLP) should be submitted for the approval of the LPA. The CLP should show the routing of traffic around the immediate road network and reasonable endeavours ensure that freight and waste deliveries are timed to avoid the peak traffic hours.

Reason: To minimise vehicular conflict at this location.

INFORMATIVE: The issue of water supply within the site has been considered and in order to provide an adequate water supply for fire fighting, the London Fire Brigade (LFB) recommends the instillation of 2 Private Fire Hydrants in the position indicated in red on the enclosed map. The hydrants should be numbered P100119 and P109079 respectively.

INFORMATIVE: At the present time the London Fire Brigade has a policy of free annual inspections. If you would like your premises to be included in the test programme then please notify the London Fire Brigade, 169 Union Street, London SE1 0LL Tel 0208 555 1200.

**REASON FOR APPROVAL**

The reasons for the grant of planning permission are as follows:

(a.) The proposal is considered to be consistent with existing national strategic, London Plan and local planning policy, namely policies UD2 'Sustainable Design and Construction', UD3 'General Principles', UD4 'Quality Design', EMP3 'Defined Employment Area', EMP5 Promoting Employment Uses' and M10 'Parking for Development' of the adopted Haringey Unitary Development Plan (2006) and the Councils SPG1a 'Design Guidance', SPG7a 'Vehicle and Pedestrian Movement', and SPG8b 'Materials' of the Haringey Supplementary Planning Guidance (October 2006).

(b.) The proposal is acceptable for the following reasons:

I. The siting, built form, design and appearance of this

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

	<p>proposed industrial unit and its associated access point are considered acceptable;</p> <p>II. The proposal would also be compatible with adjoining land-use activities and would not detract from current levels of amenity as enjoyed by neighbouring residents.</p> <p>Section 106: Yes</p>	
<b>PC67.</b>	<p><b>APPEAL DECISIONS</b></p> <p>Report of the Director of Place and Sustainability to advise on Appeal decisions determined by the Department for Communities and Local Government during August 2011.</p> <p><b>NOTED</b></p>	
<b>PC68.</b>	<p><b>DELEGATED DECISIONS</b></p> <p>Report of the Director of Place and Sustainability to inform the Sub Committee of decisions made under delegated powers by the Head of Development Management and the Chair of the Sub Committee.</p> <p><b>NOTED</b></p>	
<b>PC69.</b>	<p><b>PERFORMANCE STATISTICS</b></p> <p>Report of the Director of Place and Sustainability to advise the Sub Committee of performance statistics on Development Management, Building Control and Planning Enforcement.</p> <p><b>NOTED</b></p>	
<b>PC70.</b>	<p><b>NEW ITEMS OF URGENT BUSINESS</b></p> <p>There were no new items of urgent business.</p>	
<b>PC71.</b>	<p><b>DATE OF NEXT MEETING</b></p> <p>Monday, 14 November 2011, 7pm.</p> <p>The meeting closed at 10.20pm.</p>	

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 10 OCTOBER 2011**

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COUNCILLOR ALI DEMIRCI

Chair