



**Haringey** Council

---

## Planning Sub Committee

---

MONDAY, 12TH MARCH, 2012 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

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

This meeting may be filmed for live or subsequent broadcast via the Council's internet site. At the start of the meeting the Chair will confirm if all or part of the meeting is to be filmed. The Council may use the images and sound recording for internal training purposes.

Generally the public seating areas are not filmed. However, by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web-casting and/or training purposes.

If you have any queries regarding this, please contact the Principal Support Officer (Committee Clerk) at the meeting.

### **AGENDA**

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

The Chair will consider the admission of any late items of urgent business. Late items will be considered under the agenda item where they appear. New items will be dealt with at item 12 below.

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

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

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

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

### **5. MINUTES (PAGES 1 - 52)**

To confirm and sign the minutes of the Planning Sub Committee held on 13 February and the special Planning Sub Committee held on 20 February 2012.

### **6. 624 HIGH ROAD TOTTENHAM - PROPOSED VARIATIONS TO SECTION 106 AGREEMENT (PAGES 53 - 58)**

To consider the proposal by One Housing Group for a variation of the current s106 agreement for the 624 High Road Tottenham development as agreed in January 2010. No other changes for the planning application are sought.

### **7. PLANNING APPLICATIONS (PAGES 59 - 60)**

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

**8. 274 ARCHWAY ROAD, N6 5AU (PAGES 61 - 82)**

Demolition of existing workshop and erection of new 3 storey block to provide 2 x 3 bedroom and 5 x 2 bedroom self contained units incorporating garden areas to front and rear.

RECOMMENDATION: Grant permission subject to conditions and subject to s106 legal agreement.

**9. 274 ARCHWAY ROAD, N6 5AU (PAGES 83 - 88)**

Conservation Area Consent for demolition of existing workshop and erection of new 3 storey block to provide 2 x 3 bedroom and 5 x 2 bedroom self contained units incorporating garden areas to front and rear

RECOMMENDATION: Grant conservation area consent subject to conditions.

**10. ALDI STORE LTD, 570-592 HIGH ROAD, N17 (PAGES 89 - 150)**

Redevelopment of site comprising of single storey food store with 88 vehicle parking spaces, 4 disabled bays and 8 cycle parking spaces (Option B) (AMENDED PLANS RECEIVED)

RECOMMENDATION: Grant permission subject to conditions and subject to sec. 106 Legal Agreement

**11. UNITS 2, 3 (PART) & 4 BLOCK W, HALE VILLAGE, FERRY LANE N17 (PAGES 151 - 162)**

Change of use from A1/2/3/4/5/B1 to gym (D2)

RECOMMENDATION: Grant permission subject to conditions.

**12. NEW ITEMS OF URGENT BUSINESS**

To consider any items admitted at item 2 above.

**13. DATE OF NEXT MEETING**

Monday, 16 April 2012, 7pm.

David McNulty  
Head of Local Democracy  
and Member Services  
Level 5  
River Park House  
225 High Road  
Wood Green  
London N22 8HQ

Helen Chapman  
Principal Committee Coordinator  
Level 5, River Park House  
225 High Road, Wood Green  
London N22 8HQ

Tel: 0208 4892615

Email:

[helen.chapman@haringey.gov.uk](mailto:helen.chapman@haringey.gov.uk)

Friday, 02 March 2012



**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

Councillors: Basu, Beacham, Demirci (Chair), Egan, Hare, Mallett, Schmitz, Solomon and Waters

Apologies: Councillor Peacock, Councillor Rice and Councillor Erskine

Also Present: Councillor Strickland and Cllr Bevan

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>
<b>PC110.</b>	<p><b>APOLOGIES</b></p> <p>Apologies for absence were received from Cllr Peacock for whom Cllr Mallett was substituting, from Cllr Rice for whom Cllr Egan was substituting and from Cllr Erskine for whom Cllr Solomon was substituting.</p>
<b>PC111.</b>	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>
<b>PC112.</b>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>Cllr Hare raised a concern that, while the local authority's planning function was non-political, the application and the s106 changes had been presented by officers at a meeting to which Liberal Democrat Members, including those sitting on the Planning Sub Committee, had not been invited. This meant that Liberal Democrat Members had only a very short time to consider the paperwork for such a significant application; it was felt that this was not good practice and it was hoped that this did not set a precedent, as all Members should receive the necessary support from officers to enable them to carry out their duties.</p> <p>Allan Ledden, Legal, advised that all Members must come to their determination with an open mind, and that where reports on this issue had been considered elsewhere, this was always on the understanding that discretion ultimately lay with the Planning Sub Committee. Officers confirmed that all Members had been briefed; Cllr Schmitz stated that for such a large report Members would have welcomed longer to consider the paperwork.</p> <p>Cllr Demirci declared a personal interest as a supporter and former employee of the club (in the capacity of match day steward). His employment with the club had ended in April 2011 and he was not a season ticket holder. Cllr Demirci declared that he was able to come to this determination with an open mind.</p>
<b>PC113.</b>	<p><b>DEPUTATIONS/PETITIONS</b></p> <p>There were no deputations or petitions.</p>

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

PC114.	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <p>That the minutes of the meeting of the Planning Sub Committee held on 9 January 2012 be approved and signed by the Chair.</p>
PC115.	<p><b>TOTTENHAM HOTSPUR FC STADIUM REDEVELOPMENT (NORTHUMBERLAND DEVELOPMENT PROJECT) - REVISING THE S106 AGREEMENT TO SUPPORT A VIABLE DEVELOPMENT SCHEME</b></p> <p>Marc Dorfman, Assistant Director, Planning, Regeneration and Economy, introduced the way in which the applications would be presented. Resolutions for the three reports would be passed at the end of proceedings, after full discussion and deliberation of each item. An addendum sheet had been circulated, which outlined that a new appendix 1 to agenda item 6 had been tabled, and also set out a proposed additional condition to agenda item 8 in respect of the provision of details for disabled access and advised of a correction to agenda item 9, Table 1 Row 3, column 3 where the figure should read 733m<sup>2</sup> instead of 15,000m<sup>2</sup> as stated in the original report.</p> <p>Mr Dorfman gave a brief presentation on the details of the site and its location, the existing consented scheme and of the proposed changes represented by the reports before the Committee at this meeting. An outline of the three reports was presented. Mr Dorfman emphasised that the planning authority was obligated to consider issues of viability; that an independent assessment had been undertaken on behalf of the Council in respect of viability of the scheme, and a range of proposals had been brought forward to address the overall viability and deliverability of the scheme. The officer recommendation for all three reports was to grant consent.</p> <p>Terry Knibbs gave a presentation on the proposed revisions to the s106 agreement for the Northumberland Development Project, and advised that these revisions formed a key element of the viability of the scheme overall. It was the officer view that key impacts (identified as highway capacity and parking, improved access to stations, reducing the impact on buses and achieving a mode share target of 77% of journeys not being made by car, the impact of match day crowds and TV reception) would continue to be addressed; alternative funding arrangements would relieve some of the previous funding obligations, non-funding obligations remained in place and were in parts strengthened under the revised agreement.</p> <p>It was proposed that the requirement for 50% affordable homes in the development be deleted. As a result of funding regime changes for affordable housing, the provision of affordable housing would have a negative impact on the viability of the scheme. The Council's planning policy permitted flexibility in respect of affordable housing provision, subject to viability, and also encouraged developing a broad housing mix. It was noted that Northumberland Park currently had a high proportion of social housing, and that the creation of open market homes in the area would broaden the mix of housing locally.</p> <p>In respect of school place funding, it was recommended that the requirement</p>

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

for this funding be deleted in the revised s106 agreement. On the basis that the homes to be provided under the new outline planning application would all be open market, and the likelihood that the majority of these would be 1 and 2 bedroom units, it was anticipated that the number of children occupying the development would be reduced. It was further reported that separate arrangements were in place to increase primary school capacity.

New obligations added under the revised s106 agreement were the use of 'enabling' development value to support the Stadium, and the offer of a space to successor body to the PCT or an approved public sector healthcare provider to be used as a healthcare centre.

Mr Knibbs reported that Grant Thornton had been commissioned to undertake an independent assessment of the viability of the scheme; they had confirmed the existence of a funding gap in the development as consented and advised that the proposed revisions, including the revision of the s106 agreement, gave a reasonable prospect of a viable and deliverable scheme.

Mr Ledden gave a verbal update; further to paragraph 6.5 of the report, Counsel's advice had now been obtained in respect of state aid regulations, and that under the proposed revisions to the s106 agreement, the question of state aid should not be taken as arising.

The Committee asked what obligations in the revised s106 could be enforced in the event that the stadium was built elsewhere. Mr Knibbs advised that the phasing was such that obligations associated with Phase 1 (Northern Development) would be payable were the stadium not built on the site, but that the rest of the obligations were triggered by the letting of the stadium construction contract. It was noted that the club had made clear public announcements around their commitment to staying in Tottenham and it was further noted that there was now an additional s106 obligation requiring THFC to demonstrate how any land / development value at the Southern and Northern developments would contribute towards the stadium delivery.

The Committee asked about obligations payable to Enfield, and Mr Knibbs advised that the requirement to enter into an agreement with Enfield to fund a CPZ and highway improvements remained in place under the revised s106. The requirement in respect of a payment to Enfield for schools improvements was proposed to be deleted – Enfield had been consulted in regard to this but had yet to respond. It was confirmed that under the existing s106, this payment was not enforceable. The Committee noted the conclusions made by Grant Thornton, and asked what the risks were that they referred to in their report. Mr Knibbs explained that these related to external funding risks such as the delivery of the naming rights sponsor and bank lending.

The Committee asked how it would be possible to enforce obligations to ensure that a minimum of 77% of spectators travelled by non-car means to the ground for the main part of their journey, and for local labour; Mr Knibbs advised that there was an obligation on the club to undertake an annual travel survey, and that they would only be relieved of obligations in respect of this issue once the target had been met for 5 consecutive seasons. In respect of local labour, the club would be required to report regularly to the Council on

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

how it was approaching this and the Council would also set out detailed expectations with regard to what the club should be doing, It was clarified that "local labour" in this case specifically referred to Tottenham.

The Committee asked about the annual monitoring contribution for travel plans, THPT plan, LAMP and Open Space Management Plan; it was reported that the Council was coordinating existing monitoring resources in order to reduce costs. The Committee asked about the community events under non-funding obligations, whether the number indicated was a minimum or maximum and also who would control the nature of such events. Mr Knibbs advised that the revised s106 agreement would increase the number of community events from a minimum of 6 per year to a minimum of 12 per year. These events would be organised by the Tottenham Hotspur Foundation and the programme drawn up in consultation with the Council each year.

The Committee asked about the proposed deletion of the education contribution, and noted that, whilst there were arrangements in place to increase primary provision in the area, the children living at the site could be of any age. Mr Knibbs advised that, whilst the focus to date had been on primary capacity, the Southern development was not due for occupation until 2017/18 and further proposals would be brought forward on the basis of an annual review. In the context of the other benefits the scheme would bring, and the estimated reduction in the number of children occupying the site as a result of the other changes to the s106, it was felt that the loss of the education contribution was acceptable.

Mr Michael Clayden, Northumberland Park School, addressed the Committee with some concerns regarding the development, although made clear that overall he and the school were very supportive of the wider benefits to the local area that the scheme would bring. Mr Clayden sought reassurances that previous proposals for a service road from Park Lane, safe and attractive access across the new stadium site except during matches, the rebuilding of the full length of the school's boundary wall at the club's expense to maintain security and the layout of the north east quadrant of the space around the stadium such that it could be used as an extension to the school's supervised informal play facilities would not be adversely impacted on by the revised applications being considered at this meeting. Mr Clayden asked that provisions in respect of all of these issues be added to the conditions of any approval. In respect of the proposals for parts of the site to be used for education purposes, Mr Clayden requested that there should be a requirement for arrangements regarding the management of the control and conduct of pupils leaving their place of education and in the immediate vicinity to be jointly planned with existing education providers on the site, and that access to any new education provision be designed to minimise adverse interaction. Finally, Mr Clayden sought a condition requiring urgent provision of suitable controlled crossing arrangements in Tottenham High Road, taking account of the students attending the school in the interim period during construction and in the long term.

Cllr Alan Strickland, Cabinet Member for Economic Development and Social Inclusion, addressed the Committee in support of the recommendations of the report. Cllr Strickland advised that the scheme was a critical element of the



**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

future of Tottenham and needed to be brought forward. The economic downturn had negatively affected the viability of the scheme as consented, and the options for now delivering the scheme were either to wait until economic conditions improved, or look at how to address the issues – the importance of this scheme for the wider area made it clear that waiting was not an option. The recommendations set out in the report in respect of the s106 were the culmination of a long period of negotiations regarding viability and the Committee was asked to approve the report.

The Committee asked whether it was possible to link the concessions in obligations such that they were conditional on the stadium being delivered, and also whether, were it possible for a quid pro quo such as shares in the club being offered, such an arrangement would be welcomed. Cllr Strickland advised that the proposed phasing of the development addressed the issue of making concessions conditional on the building of the stadium. He emphasised that what was on offer was a £400m regeneration project and that lengthy negotiations with the Council, club and GLA had taken place at which various options had been considered and what was put forward was strongly felt to be the best of the options.

Mr Ledden advised the Committee that the acceptance of shares in the club in lieu of planning obligations may raise issues of bias, as the use of planning powers for economic gain. In respect of the issue around making concessions conditional on the construction of the stadium, Mr Ledden advised that the proposed housing development was on the site of the existing stadium, and therefore a replacement stadium would need to have been delivered in order to build the housing. Mr Ledden advised the Committee not to pursue the issue of shares or of making concessions on obligations conditional on delivery of the stadium.

The Committee asked whether other regeneration projects in the area were waiting on the delivery of the Northumberland Development Project, in response to which Cllr Strickland reported that it was expected that there would be a ripple effect, bringing wider regeneration benefits. The Committee asked whether there had been a scaling back in the plans for the stadium development to match the reduction in obligations which was now being sought. Cllr Strickland advised that there had been a significant joint exercise between the Council and the club on how to improve viability.

Cllr Bevan, Cabinet Member for Housing, addressed the Committee in support of the recommendations of the report and the planning applications later on the agenda. Cllr Bevan thanked the design panel for their input and advised that the existing Council policy on housing reflected a need for a greater mix of housing, which would be achieved by the proposed revision to the s106 agreement. In respect of affordable housing provision, Council policy was flexible and took financial viability into account, which was the case in respect of this proposal. Cllr Bevan advised that there had been a complete change in the way social housing was funded by Government since the previous consent. Lyn Garner, Director of Place and Sustainability, confirmed that previously HCA funding for affordable housing was £130k per unit, but this had now reduced for certain types of development to £25k per unit, and for developments such as this, no funding at all would be received for affordable housing, the cost of

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

which had to be supported entirely by the development itself. In response to a question regarding increased rents, it was confirmed that this would be permissible but such a decision would be subject to the Council's housing policy; at the present time, the Council was not minded to accept rents at this level.

*The Committee took a 10-minute break at 8.30pm and reconvened at 8.40pm.*

A number of local residents addressed the Committee in support of the development. Derek Lewis, a local resident, local businessman and representative of the Tottenham Traders Partnership reported that he and the Tottenham Traders Partnership fully supported the development in its entirety and that delivery of the scheme needed to start as soon as possible.

Burk Gravis, Haringey Sports Development Trust, advised that he worked with the Tottenham Hotspur Foundation and that the benefits of having the club on board included the obvious physical regeneration but also employment opportunities for local young people, which was vital. Mr Gravis advised that all the Foundation's events were fully risk assessed and well-managed, and that the programmes brought money back to Haringey. As well as delivering one of the three best stadiums in London, this development would have the benefit of providing a wide range of beneficial activities outside of match days.

Martin Laheen, local resident and community volunteer, expressed support for the positive impacts the scheme would have in respect of local employment and the work of the Foundation, and advised the Committee to support all of the recommendations. Mr Laheen emphasised that it was important for the local community to be kept informed throughout the process.

Nicky Price, Tottenham Carnival, urged the Committee to enable the development to move forward as this was essential for Tottenham and Haringey as a whole. Mr Price advised that local businesses were already closing down and that if progress were not made now, there would be further negative impacts on local people. The scheme would bring business and investment to the area and would enable Tottenham to prosper.

Donna Cullen and Paul Phillips addressed the Committee on behalf of the applicants, Tottenham Hotspur Football Club. Ms Cullen, an Executive Director, expressed to the Committee the club's absolute commitment to the Northumberland Development Project and the significant investment by the club in the project to date. This scheme was felt to be the most important of the regeneration projects in Tottenham; there was a need to increase confidence in the area and get a sense that things were happening, in order to stimulate investment. Ms Cullen advised that she was also a trustee of the Foundation, and that it was hoped that the Committee would see the Foundation's work as a sign of the club's commitment to the local community; the facilities proposed in the development would enable the work of the Foundation to flourish. Ms Cullen noted that any major scheme required public sector support, and that the club was delighted to have reached a proposed scheme which, if approved at tonight's meeting, would enable the whole project to move forward. There was a real opportunity to make progress.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

Mr Phillips assured the Committee that the original proposals in respect of fencing for the boundary with Northumberland Park school remain unchanged, and that the club had no concerns in respect of the proposals for the shared space being used by the school subject to a management plan. With regards to safety for pupils accessing the site, it was reported that there were proposals for pelican crossings at the two raised podia to improve the current situation, and that it was confirmed that travel plans were in place to address issues of road safety for the interim period during construction of the scheme. In response to questions regarding savings being made by the club to match proposed concessions in planning obligations, Mr Phillips assured the Committee that they looked at every aspect of their design process to identify savings on an ongoing basis. The proposed revised application for the Southern development was felt to be more sensitive and offer an improved aspect onto Park Lane, and both applications presented an opportunity to increase commercial, job-creating floor space and to improve the viability of the scheme.

Mr Phillips advised that the development would be a catalyst for greater change in the area, creating a snowball effect, with more homes and jobs being created in Tottenham. It was reported that the revised s106 agreement was a vital public sector ingredient which would enable the delivery of private investment to move the project forward. The Committee were asked to approve the recommendations before them.

The Committee asked about the way in which the space above the supermarket would be used, and also how the space offered to the PCT or its successor would be used in the event that it was not taken up by a healthcare provider. With regards to the proposed education use of the space above the supermarket, Mr Phillips reported that this was an area of 50,000 sq feet with 2 courtyards and had been designed to be a very flexible space; discussions had taken place regarding using the space for school use, a 6<sup>th</sup> form provision and University Technical College – the key was the flexibility of the space, which could facilitate a range of uses. In respect of the health centre, it was advised that it was not anticipated that this would be ready for occupation for 5-6 years, in which time it was hoped that the opportunity to fund health services at this location would be possible, but would depend on circumstances at that time. Again, it was reported that this would be a very flexible space able to accommodate a range of potential uses, were a health provider not forthcoming. In the period before this aspect of the scheme was delivered, work would take place to identify appropriate occupiers of the site.

The Committee asked whether the proposed revisions to the s106 took into account the possibility that other aspects affecting the viability of the scheme, such as naming rights, might exceed expectations. Mr Phillips responded that the s106 agreement was just a part of a wider exercise around viability; while the naming rights figure could be higher or lower than expected, the construction and development costs could also increase or decrease, with a probability that costs would increase. The club needed to work to balance the various increases and decreases in costs and funds throughout the term of the project as best it could. Given this, the Committee asked about the significance of the reduction in s106 obligations, when this saving may well be offset by rising costs elsewhere, in response to which Mr Phillips advised that it was not

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

possible to look at one particular element of the development in isolation, it was necessary to challenge every cost across the project, regardless of its size, in order to maintain control and viability of the scheme.

The Committee asked whether the current economic climate meant that favourable agreements could be reached with contractors. Mr Phillips advised that this was the case, and wherever opportunities to realise savings had arisen, these had been taken. On a day to day basis the club was working to manage every aspect of the costs of the scheme.

The Committee asked for reassurance that the proposed changes did not have an impact on the club's arrangements with regards to protection against terrorism, and that these remained robust. It was reported that in developing the original proposals the club had liaised with the police and reviewed all elements of the scheme with specialist terrorism officers; recommendations made by the police had been incorporated into the design. The Committee was assured that none of the new proposals diminished the previous work on terrorism undertaken by the club and police.

The Committee asked for the club's response to the suggestion that share capital be transferred to the Foundation to reflect the planning obligations, and also the suggestion that the affordable housing obligation be reinstated, were the stadium not delivered. Mr Phillips responded that, were the stadium not delivered in Tottenham, this would leave a 17-acre development site; in this case, a completely new scheme was likely to come forward to maximise the potential of the entire site. The Committee was advised that the issue of shares could not be considered as this was not a planning matter.

In response to a question from the Committee regarding the durability of the proposed landscaping and street furniture, Mr Phillips advised that there had been no reduction in development quality to meet cost targets, and that the high quality of every element of design was maintained under the current proposals. It was reported that matches were categorised according to risk and the level of police resource required; in recent years there had been very little evidence of damage caused by football crowds and it was anticipated that the provision of high quality facilities would encourage people to respect their surroundings even more.

**PC116.**

**LAND OFF NORTHUMBERLAND PARK, TOTTENHAM, N17 AND LAND OFF PARK LANE, TOTTENHAM, N17**

Mr Dorfman gave a presentation on the application for planning permission for land off Northumberland Park, Tottenham, N17 and the application for outline planning permission for land off Park Lane, Tottenham, N17. The presentations included the location of the sites, details of the proposals, the existing consents in place, analysis of the applications against key planning issues and details of the consultation and responses received. The recommendation of both reports was that permission be granted, subject to conditions, a s106 legal agreement, the direction of the Mayor of London and the direction of the Secretary of State.

The Committee asked about the use of the podium space, who this would be available to and what it would be used for. Mr Dorfman advised that this large space would be managed by the club and open to the public throughout the

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

year, with a number of managed events. A Local Area Management Plan would be required to be in place, which would include a mechanism to consult the local community on how the podium and key access routes would be managed. In response to a question regarding pedestrian access to the upper floors of the Northern development, it was confirmed that this would be via the podium. The Committee asked about the green wall; it was confirmed that this would be the subject of a condition, with the details to be agreed with the local authority as the technology available in this area continued to develop.

The Committee asked whether there was any risk of disturbance to the Moselle culvert, in response to which Mr Dorfman advised that it was not believed that any disturbance would be caused, however a condition was proposed to check this. The Committee asked if it would be possible to explore the opportunity to drain surface water into the Moselle in order to improve the water quality and to add this as an informative. Mr Dorfman agreed that this could be looked at.

The Committee noted that the design panel had made some comments in respect of the design elements of the Southern development, and asked whether design aspects of this application could be reserved matters, to be brought back to the Committee for consideration. Mr Dorfman advised that there had been some debate at the design panel regarding the merits of the finger design over the crescent, with a general preference for the crescent – officers differed from this view and felt that the finger design would offer a better living standard for people living in the development, provide greater light and views towards the stadium and the podium and would create a more varied frontage onto Park Lane. The design panel had agreed that the key to making the development successful would be the quality of materials used, and this was within reserved matters. Other than the outline of the number of units deliverable on the site, all other aspects of this application were reserved matters. It was clarified that this included the design and decorative details.

The Committee asked about the proposed biomass boilers for the Northern development. Mr Dorfman advised that the Council had sought to maximise the amount of renewable energy to support the scheme. The term biomass covered a range of renewable resources, generally from waste management processes. While the GLA welcomed the inclusion of renewable energy in the scheme, some concern had been expressed regarding the impact on air quality, and a condition had been recommended to address this issue.

The Committee asked about sustainable transport issues, and the incorporation of adequate cycle parking provision. Mr Dorfman advised that it was necessary to balance the wish to reduce car numbers and the provision of appropriate cycle parking spaces with design needs, and the location of parking spaces. It was not proposed that there be a change in the previously consented number of cycle or car parking spaces as it was felt that the development could not accommodate an increase.

*At 9.55pm, the Committee agreed to suspend standing orders in order to complete the business already commenced.*

The Committee noted that the s106 obligations in relation to the Northern application would still be payable were the stadium not delivered, and asked

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

why this was not also the case for obligations associated with the Southern development. Mr Knibbs responded that the key objective of the scheme was the delivery of the stadium. Were the supermarket at the Northern site delivered at Phase 1 as planned, the associated highway works would still need to be completed and it was appropriate that the costs associated with this be repaid. At the Southern development, the stadium would need to have already been rebuilt in order to enable the construction of the housing units. The club had emphasised their commitment to the area but, were the stadium not to be delivered on the site, an entirely new scheme for the site would come forward. It was therefore felt that any further repayment obligations were unnecessary.

The Committee asked whether the biomass boilers would necessitate delivery of fuel by vehicles. Mr Dorfman advised that details were still to be determined, but it was possible that this would be the case in the short term, with medium to long term proposals for a piped network being considered.

Clarification was sought from the Committee as to the reasons why an obligation to require the repayment of the original education and affordable housing contributions in the event of the stadium not being delivered was not possible. Mr Dorfman advised that, were the proposed package approved, the club would be in a position to apply for other necessary funds in order to realise the delivery of this very complex scheme, and officers were happy to recommend the phased approach. It was not recommended that further conditions or obligations be imposed that would hinder this approach. Ms Garner addressed the issue of linking the obligation in respect of affordable housing to delivery of the stadium, and advised that it was likely that a new, large multi-use scheme would be put forward in the event that the stadium were not built and at that stage requirements could be put in place regarding affordable housing and education contributions. It was believed that the scheme proposed at this meeting was fundable, and the funding package was needed to ensure that the stadium could be delivered. It was not felt that increasing the level of affordable housing would be appropriate on this site.

Mr Clayden, Cllr Strickland, Cllr Bevan, supporters of the scheme and the applicants confirmed that they had no further points they wished to add to the comments they had raised earlier in the meeting.

The Committee considered the plans and model of the scheme.

In response to a final question from the Committee, Mr Dorfman advised that the room sizes proposed were in accordance with the existing GLA standards.

**PC117.**

**RESOLUTIONS**

Mr Dorfman summarised the issues covered earlier in the meeting:

- S106 – there had been several concerns regarding how to ensure delivery of the stadium, and whether there were the possibility of any claw-back, were the stadium not delivered. It was reported that a new obligation required enabling development to invest in the stadium. In respect of the loss of the education contribution, the revised proposal

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

was felt to have less impact on local education services and it was also acceptable to amend requirements on the basis of viability. With regards to affordable housing, the Council was committed to creating a mixed tenure, and Northumberland Park currently had a very high level of social housing.

- Concerns raised by Northumberland Park school – the applicants had responded to the points raised and it was proposed that informatives be added in respect of the issues of the boundary wall, layout and shared use of the space adjoining Northumberland Park school, the co-planning with any other educational establishment on the site of arrangements for the management and control of pupils accessing, leaving and in the immediate vicinity of the educational establishments, that routes to and from any education provision be designed to minimise any adverse interaction between students and that the Highways Authority take pedestrian safety and routing management into account in their works.
- Use of space – there was a need to be increasingly flexible in order to make the project viable. D1/D2 uses were felt to be appropriate in a town centre location such as this.
- Concerns had been raised regarding obtaining best value, the concessions being sought and the issue of quid pro quo. The Committee was advised that issues relating to shares were not planning matters. There had been long and detailed negotiations leading up to the proposed revisions to the s106 agreement, and officers supported the current proposals as being compliant with Council policy.
- Issues had been raised regarding terrorism, and the applicant had provided reassurance on this; questions raised regarding the use of space, the area management plan and quality of the streetscape had been addressed.
- Design – the design panel had overall supported the scheme although had differing views regarding the relative merits of the crescent and finger designs. It had been agreed that the quality of the detailing and materials was of the utmost importance and that if these were of a high enough quality, the scheme would be successful.
- Green issues – the Committee had looked at elements of the design such as the green wall and biomass boilers.
- In conclusion, the recommendations remained unaltered apart from the addition of informatives relating to the representation by Northumberland Park School, and the issue of looking at directing surface water into the Moselle culvert.

The Committee asked about the reserved matters in respect of the Southern development application, and whether these would be brought back to the Committee due to their importance. Mr Dorfman advised that it would be most appropriate for these to be brought back to the design panel for consideration.

The Chair moved the recommendations in respect of the report on revising the s106 agreement to support a viable development scheme, taking into account the replacement appendix 1 to this report tabled at the meeting and it was unanimously:

**RESOLVED**

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

- 1) That the Sub Committee approve the heads of terms set out in the revised appendix 1 as tabled at the meeting for a new s106 legal agreement (to replace the s106 agreement dated 20 September 2011) between the Council, Tottenham Hotspur Football Club (and associated companies) and Transport for London related to the 'Northumberland Development Project';
- 2) That the Sub Committee authorise the Assistant Director Planning Regeneration and Economy, in consultation with the Chair of the Sub Committee, to approve the detailed wording of the new s106 agreement including agreeing minor changes to heads of terms as a result of continuing negotiations and/or detailed drafting;
- 3) That the Sub Committee agree that, subject to the Sub-Committee's decisions in respect of the two THFC planning applications reported separately on this agenda, the revised s106 agreement approved in recommendation 1) above should relate to the original consented Northumberland Development Project scheme (granted planning permission on 20 September 2011) as well as the new planning applications (if approved by the Sub Committee) for the Phase 1 (Northern) and Phase 3 (Southern) Developments.

The Chair moved the recommendations of application HGY/2011/2350, subject to the additional condition 41, tabled at the meeting in respect of disabled access, and the addition of informatives relating to the issues of the boundary wall of Northumberland Park School, layout and shared use of the space adjoining Northumberland Park school, the co-planning between Northumberland Park school and any other educational establishment on the site of arrangements for the management and control of pupils accessing, leaving and in the immediate vicinity of the educational establishments, that routes to and from any education provision be designed to minimise any adverse interaction between students and those of Northumberland Park School, that the Highways Authority take pedestrian safety and routing management for those attending Northumberland Park school into account in their works, and relating to the issue of improving the water quality in the Moselle culvert by means of surface water from the site and it was unanimously:

**RESOLVED**

That planning application HGY/2011/2350 be granted subject to:

- Conditions as below
- A legal agreement under s106 of the Town and Country Planning Act 1990 (as amended)
- The direction of the Mayor of London; and
- The direction of the Secretary of State; and

In accordance with the approved plans and documents as follows:

<b>DOCUMENTS</b>
<b>Title</b>
Planning Statement Dec 2011
Design & Access Statement 21 Dec 2011



**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

Statement of Community Involvement 21 Dec 2011
Transport Statement and Draft Travel Plan 20 Dec 2011
Environmental Statement 2010 and addendum Dec 2011
Water Strategy May 2010 and Addendum Dec 2011
Waste Strategy Dec 2011
Energy Strategy Aug 2010 and Addendum Dec 2011
Sustainability Statement May 2010 and Addendum Dec 2011

**PLANS**

<b>Plan Number</b>	<b>Rev.</b>	<b>Plan Title</b>
11580/001	P1	Planning Application Boundary
11580/002	P1	Planning Application Boundary
11580/005	P1	Proposed Site Plan
11580/100	P1	Ground Floor Plan
11580/101	P1	First Floor GA Plan
11580/102	P1	Second Floor GA Plan
11580/103	P1	Third Floor GA Plan
11580/104	P1	Fourth Floor GA Plan
11580/105	P1	Roof Plan

Conditions:

**TIME LIMIT**

- 1. The development hereby permitted shall commence within three years of the date of this planning permission**

Reason: This condition is imposed by virtue of Section 92 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

**ARCHAEOLOGY**

- 2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation has been submitted by the applicant and approved by the Local Planning Authority.**

Reason: To ensure the proper investigation and recording of archaeological sites within the Borough, in accordance with CSV8.  
Informative: The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

**DRAWINGS**

- 3. Prior to the opening of the supermarket, the applicant shall submit**

for approval to the Council as local planning authority detailed drawings at an appropriate scale (elevations 1:20, plans 1:50) of the rear boundary works to the northern terrace, showing materials, and access arrangements.

Reason: To preserve the setting and appearance of the listed buildings, and to ensure a high quality development to preserve and enhance the character and appearance of the North Tottenham Conservation Area in accordance with policies CSV1, CSV3, CSV4 CSV5 AND CSV7, UD1, UD2, UD3 and UD4 of the London Borough of Haringey Unitary Development Plan 2006.

#### **MATERIALS**

4. **Full details of the development, including samples of all materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”. Samples shall include sample panels, glazing and a roofing material sample combined with a schedule of the exact product references.**

Reason: To ensure a comprehensive and sustainable development and to achieve good design throughout the development, in accordance with policies UD1, UD2, UD3 and UD4 of the London Borough of Haringey Unitary Development Plan 2006.

5. **All approved materials shall be erected in the form of a samples board to be retained on site throughout the works period for the development and the relevant parts of the works shall not be carried out otherwise than in accordance with the approved details.**

Reason: To ensure a comprehensive and sustainable development and to achieve good design throughout the development, in accordance with policies UD1, UD2, UD3 and UD4 of the London Borough of Haringey Unitary Development Plan 2006. Stadium and Major Event Conditions

#### **CCTV**

6. **Prior to the commencement of the development hereby permitted with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”, a scheme showing full details of a closed-circuit television surveillance system and security lighting shall be submitted to and approved in writing by the Local Planning Authority and the relevant works shall not be carried out otherwise than in accordance with the approved details.**

Reason: In order to ensure that the proposed development achieves the

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

safer places attributes as detailed by Planning Policy Statement 1: Safer Places: The Planning System & Crime Prevention and to prevent crime and create safer, sustainable communities in accordance with policy UD4 of the London Borough of Haringey Unitary Development Plan 2006.

**LIGHTING**

- 7. Prior to the commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”, an external lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The details of the external lighting for each phase shall be in accordance with the approved strategy.**

Reason: In order to ensure that the proposed development achieves the safer places attributes as detailed by Planning Policy Statement 1: Safer Places: The Planning System & Crime Prevention and to prevent crime and create safer, sustainable communities in accordance with policy UD4 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

**SIGNAGE**

- 8. The applicant shall submit within 2 years of commencing the development hereby permitted a fully detailed design strategy for any signage to be displayed on any part of the development permitted under ref. no. HGY/2010/1000.**

Reason: To achieve good design throughout the development, in accordance with policies UD1, UD2, UD3 and UD4 of the London Borough of Haringey Unitary Development Plan 2006.

**LANDSCAPE MAINTENANCE**

- 9. Within 2 years of commencing the development hereby permitted, the applicant shall submit a landscape maintenance scheme for approval by the Local Planning Authority. Any trees or areas of planting which die, are removed or become seriously damaged or diseased within 5 years of completion of the landscaping scheme, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.**

Reason: To ensure a comprehensive and sustainable development, to ensure good design, to ensure that the landscaping is secured in accordance with the Environmental Impact Assessment, in accordance with policies UD3 and UD4 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

**REFUSE & RECYCLING**

10. **Prior to commencement of the development hereby permitted with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”, details of the arrangements for storage and collection of refuse, including location, design, screening, operation and the provision of facilities for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with the details so approved and shall be permanently retained thereafter.**

Reason: To ensure good design, to safeguard the amenity of the area and ensure that the development is sustainable and has adequate facilities, in accordance with the Environmental Impact Assessment, in accordance with policies UD3, UD4 and ENV13 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

**PARKING**

11. **Unless otherwise agreed in writing by the Local Planning Authority, the car parking provision within the development shall not exceed 401 spaces for the food store and 23 spaces (outside the site) for the upper floor uses.**

Reason: In order to ensure the appropriate level of car parking in the scheme are not exceeded in accordance with policies M3, and M5 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

**CYCLE PARKING**

12. **Prior to the commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”, a detailed cycle parking layout shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with the details so approved.**

Reason: In order to ensure that well designed safe and appropriate levels of cycle parking in the scheme are provided in accordance with policies M3, M5 and UD4 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

**DISABLED PARKING**

13. **A minimum of 23 disabled car parking spaces shall be provided in the supermarket car park.**

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

Reason: In order to ensure well designed and adequate parking for disabled and mobility impaired in accordance with policies UD3, M3 and M5 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

- 14. No staff, with the exception of Blue Badge holders, are permitted to use the supermarket car park between the hours of 8:00am and 19:00pm Monday to Saturday.**

Reason: In order to ensure the appropriate levels of car parking in the scheme are not exceeded in accordance with policies M3, and M5 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

**GROUND CONTAMINATION**

- 15. Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until a Ground Contamination, Soil Remediation and Disposal Strategy supported by site history has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure a comprehensive and sustainable development in accordance with the Environmental Impact Assessment, and in accordance with policies ENV7 and ENV11 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

**SITE DRAINAGE**

- 16. Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of "site investigations and site preparation", until details of site drainage works including an impact study of existing sewerage infrastructure, suitable connection point of foul water drainage system and details of surface water discharge for that part of the site have been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker.**

Reason: To ensure a comprehensive and sustainable development and to enhance and protect the water environment in accordance with the Environmental Impact Assessment, and policies ENV2, ENV4, ENV5 and ENV7 of the London Borough of Haringey Unitary Development Plan 2006.

**WATER SUPPLY**

- 17. Unless otherwise agreed in writing by the Local Planning Authority, no development shall be commenced, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of "site investigations and site preparation", until a Water Supply**

**Impact Study, including full details of anticipated water flow rates, and detailed site plans have been submitted to, and approved in writing by the Local Planning Authority (in consultation with Thames Water).**

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand in accordance with policy ENV3 of the London Borough of Haringey Unitary Development Plan 2006.

#### **HOURS OF DEMOLITION & CONSTRUCTION**

- 18. No demolition, construction or building works shall be carried out except between the hours of 0800 and 1800 hours (Monday to Friday) and 0800 and 1200 hours (Saturday) and not at all on Sundays or bank holidays unless written approval from the Local Planning Authority has been obtained prior to works taking place.**

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties in accordance with the Environmental Impact Assessment and policy ENV6 of the London Borough of Haringey Unitary Development Plan 2006.

#### **CONSTRUCTION VEHICLES**

- 19. Lorries delivering plant or materials during the construction phase of the development will only use designated routes agreed in writing in advance with the Local Planning Authority.**

Reason: To minimise the impact of lorry traffic in local residential roads in accordance with the Environmental Impact Assessment and policy ENV6 of the London Borough of Haringey Unitary Development Plan 2006.

- 20. Vehicles may arrive, depart, be loaded or unloaded during the construction phase of the development within the general area of the application site only between 0700 hours and 1800 hours Monday to Friday and 0800 hours and 1200 hours on Saturday and not at all on Sunday or Bank Holidays except with the prior written approval of the Local Planning Authority.**

Reason: In order to ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway or effect the amenity of local residents in accordance with the Environmental Impact Assessment and policy ENV6 of the London Borough of Haringey Unitary Development Plan 2006.

#### **CONSTRUCTION IMPACT MITIGATION**

- 21. Prior to the commencement of the development hereby permitted, details of a scheme for monitoring and mitigating noise and dust emissions for all plant and processes shall be submitted to and approved in writing by the Local Planning Authority.**

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

Reason: In order to protect the amenities of the locality in accordance with the Environmental Impact Assessment and policies ENV6 and ENV7 of the London Borough of Haringey Unitary Development Plan 2006.

- 22. No development shall be commenced unless a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the arrangements for the temporary use and/or management (as appropriate) of those parts of the sites awaiting redevelopment. The development shall be carried out in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to protect the amenities of the locality and to ensure the efficient use of resources and reduce the impact of the proposed development on the environment in accordance with the Environmental Impact Assessment and policies G1, ENV6 and ENV7 of the London Borough of Haringey Unitary Development Plan 2006.

**SUSTAINABLE URBAN DRAINAGE SYSTEM**

- 23. Prior to commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of "site investigations and site preparation", details of a scheme for surface water drainage works (including the provision of a Sustainable Urban Drainage System and the provision of petrol/oil interceptors in all car parking/washing/repair facilities) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to ensure the satisfactory surface water drainage of the site and to prevent pollution of the surface water drainage system in accordance with the Environmental Impact Assessment and policies UD4, ENV1, ENV2 and ENV 7 of the London Borough of Haringey Unitary Development Plan 2006.

**NOISE**

- 24. At 1 metre outside the windows of any neighbouring habitable rooms the level of noise from plant and machinery shall be at all times at least 5 decibels below the existing background noise levels, expressed in dB(A) at such locations. Where the noise from plant and machinery is tonal in character the differences in these levels shall be at least 10dB(A).**

Reason: In order to protect the amenities of the locality in accordance with the Environmental Impact Assessment and policy ENV6 of the London Borough of Haringey Unitary Development Plan 2006.

#### **MECHANICAL PLANT**

- 25. Technical specification details of the mechanical plant to be installed within the plant areas shown on the approved floor plans, together with an accompanying acoustic report, shall be submitted to and approved by the Local Planning Authority prior to installation of this plant. The plant shall not be operated other than in complete accordance with such measures as may be approved.**

Reason: In order to protect the amenities of the locality in accordance with the Environmental Impact Assessment and policy ENV6 of the London Borough of Haringey Unitary Development Plan 2006. 15. Amenity Conditions

- 26. Unless otherwise agreed in writing by the Local Planning Authority, no roof top facilities shall be in use between the hours of 2300 - 0700 hours any day of the week.**

Reason: In order to protect the amenities of the locality in accordance with the Environmental Impact Assessment and policies ENV6 and ENV7 of the London Borough of Haringey Unitary Development Plan 2006.

#### **FLOOD RISK ASSESSMENT**

- 27. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA). Ref: BDRP0001, Version 6, Final, May 2010 and the following mitigation measures detailed within the FRA:**
- i. Reducing the surface water runoff from the site by at least 50% for all storm events up to and including the 1 in 100 year critical storm, taking into account the effects of climate change. The peak discharge must not exceed 150/l/s/ha.**
  - ii. Provision of storage on site to attenuate all flood events up to and including the 1 in 100 year event, taking into account the effects of climate change.**
  - iii. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.**

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of the surface water from the site, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants and site users.

#### **SITE INVESTIGATION & CONTAMINATION**

- 28. Prior to commencement of the development hereby permitted (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:**



**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

1. a preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site;
2. a site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
3. the site investigation results and detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
4. a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure that the risks to the health and welfare of future occupiers and to the environment are mitigated or eliminated to acceptable standards.

29. If, during development, contamination not previously identified is found to be present at the site then no further development (unless agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure protection of controlled waters.

#### **FOUNDATIONS**

30. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure protection of controlled waters.

#### **SERVICING AND DELIVERIES**

31. Deliveries to the supermarket shall only take place between the hours of 5.00am and 11.00pm on any day. In addition to implementing the noise mitigation measures described in the approved Environmental Statement, Servicing Route A via the

junction of Tottenham High Road (A1010) and Northumberland Park (as identified in Figure 4.1, Volume 8 of the approved Transport Assessment) shall be utilised unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity.

#### **LOCAL SHOPPING**

- 32. The Supermarket hereby approved must encourage the use of local shopping facilities by allowing local shoppers to stay in the car park for up to 3 hours.**

Reason: In order to sustain the regeneration of Tottenham High Road and protect the viability of local shops in accordance with policies M3 and M4 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

#### **BRAND CENTRE**

- 33. The use as a 'brand centre' of part of the upper floors of the development hereby permitted shall be used only in conjunction with events in the nearby Stadium for the display of goods and not for general retail or wholesale sale of goods (unless otherwise agreed in writing by the local planning authority).**

Reason: To enable proper control of the use of this space in the interest of the amenity of surrounding residents and the impact on the local area.

#### **ELECTRIC VEHICLES**

- 34. Details of the provision of electric vehicle charging points within the parking areas shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: In order to ensure adequate provision of electric vehicle infrastructure within the development.

#### **DELIVERY AND SERVICE PLAN**

- 35. The developer provides a delivery and servicing plan for each aspect of development at least 2 months before they are occupied. The servicing and delivery plan should include:**
- a) Programme deliveries outside the AM and PM peak periods in order to reduce congestion on the highway network.**
  - b) Details of refuse collection to be provided as part of the service and deliver plan.**
  - c) Spaces for Taxis to drop off and pick up**

Reason: In order to minimise the impact of servicing and deliveries on local traffic and highway conditions.

#### TRAVEL PLANS

36. The applicant/developer shall provide a Travel Plan for each element of the development at least 3 months before the development is occupied. The travel plans should include:
- a) The developer or occupier of the development must provide showers and lockers as part of their Travel Plan.
  - b) The developer/ occupier to provide financial incentives to increase cycle modal share.
  - c) The developer/occupier to use reasonable endeavours to start a bicycle user group (BUG).

Reason: In order to minimise residential parking demand on the local highway network and encourage the use of sustainable modes of transport for journeys to/from the site.

#### PARKING STEWARDS

37. The applicant/developer shall commit to providing stewards inside the food store car park.

Reason: In order to maximise the capacity of the food store carpark.

#### GREEN WALL & GREEN/BROWN ROOFS

38. Prior to the commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of "site investigations and site preparation", details of the green/brown roof(s) and 'green wall' shall be submitted and approved in writing by the Local Planning Authority.

Reason: In order to secure a comprehensive and sustainable development and to achieve good design.

#### PILING METHOD

39. No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

on 0845 850 2777 to discuss the details of the piling method statement.

**SUSTAINABILITY**

- 40. Prior to the commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”, a Environmental Sustainability Plan shall be submitted and approved in writing by the Local Planning Authority. The Environmental Sustainability Plan shall demonstrate:**

(a) how the proposed building design(s) realise(s) opportunities to include design and technology energy efficiency measures;

(b) the reduction in carbon emissions achieved through these building design and technology energy efficiency measures, compared with the emissions permitted under the national Building Regulations prevailing at the time the application(s) for approval of reserved matters are submitted;

c) the specification for any green and/or brown roofs;

(d) how energy shall be supplied to the building(s), highlighting;

i. how the building(s) relate(s) to the site-wide strategy for district heating incorporating tri-generation from distributed combined heat and power;

ii. how the building(s) relate(s) to the strategy for using biofuel boilers to supplement the energy supplied through district heating systems;

iii. the assessment of the cost-effectiveness and reliability of the supply chain for biofuels;

iv. any other measures to incorporate renewables.

v. the floor area of the energy centre

vi. details of appropriate air quality abatement measures including consideration alternative energy technologies

(e) The incorporation of bird boxes, bat roosts and other wildlife features on buildings.

Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development in accordance with the Environmental Impact Assessment, in accordance with policies G1, UD1, UD2, and ENV2, of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

**41. INCLUSIVE ACCESS**

**Prior to commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local**

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

**Planning Authority the definition and details of “site investigations and site preparation”, full details of disabled access shall be submitted to, approved in writing by, and implemented in accordance with the requirements of the Local Planning Authority.**

REASON: In order to ensure full disabled access to the development.

**INFORMATIVES:**

- A: All design details shall be prepared and submitted by the architects who prepared the applications or other such architects of comparable skill and experience as the Council may agree
- B: In addition it is essential that a scheme implementation working group is created to deliver the highways works. This should include the following stakeholders: developer representative, DTO coordinator and Senior Borough engineer. The developer must use their best endeavour to ensure DTO joins the project delivery group. The Council cannot be held liable for any implications due to delays to scheme resulting from DTO actions (or lack of them).
- C: The applicant is advised to agree a scheme with Northumberland Park School for the rebuilding of the entire length of the school’s boundary wall. The cost of such a scheme should be borne by the applicant.
- D: The applicant is advised to allow the use of the shared space around the north-east quadrant of the stadium site as a supervised informal play area for students of Northumberland Park School during non-match days.
- E: The applicant is advised to ensure, through conditions on letting agreements or other appropriate means, that the operator of any future educational facility occupying the site jointly agree a plan with Northumberland Park School for the management and control of pupils accessing, leaving and being within the immediate vicinity of these facilities. Routes to and from these facilities must be designed to minimise any adverse interaction between students.
- F: The Highways Authority is advised to take into consideration pedestrian safety and routing management for those attending Northumberland Park School during the planning and undertaking of highway works.
- G: The applicant is advised to consider diverting surface water into the Moselle culvert in order to improve its water quality.

The Chair moved the recommendations of Planning Application HGY/2011/2351, subject to the additional condition 46, tabled at the meeting in respect of disabled access, and the addition of informatives relating to the issues of the boundary wall of Northumberland Park School, layout and shared use of the space adjoining Northumberland Park school, the co-planning

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

between Northumberland Park school and any other educational establishment on the site of arrangements for the management and control of pupils accessing, leaving and in the immediate vicinity of the educational establishments, that routes to and from any education provision be designed to minimise any adverse interaction between students and those of Northumberland Park School, that the Highways Authority take pedestrian safety and routing management for those attending Northumberland Park school into account in their works, and relating to the issue of improving the water quality in the Moselle culvert by means of surface water from the site and it was unanimously:

**RESOLVED**

That outline permission be granted in respect of planning application HGY/2011/2351, subject to:

- Conditions as below
- A legal agreement under s106 of the Town and Country Planning Act 1990 (as amended)
- The direction of the Mayor of London; and
- In accordance with the approved plans and documents as follows:

**DOCUMENTS**

**Title**

Planning Statement Dec 2011

Design & Access Statement 21 Dec 2011

Statement of Community Involvement 21 Dec 2011

Transport Statement and Draft Travel Plan 20 Dec 2011

Environmental Statement 2010 and addendum Dec 2011

Water Strategy May 2010 and Addendum Dec 2011

Waste Strategy Dec 2011

Energy Strategy Aug 2010 and Addendum Dec 2011

Sustainability Statement May 2010 and Addendum Dec 2011

**PLANS**

**Plan Number**

**Rev.**

**Plan Title**

11581/400 P1 Planning Boundary

11581/401 P1 Building Footprints

11581/402 P1 Maximum & Minimum Building Heights

11581/403 P1 Use Plan – CP1/Ground Floor

11581/404 P1 Use Plan – CP2

11581/405 P1 Use Plan – Level 1

11581/406 P1 Use Plan – Level 2

11581/407 P1 Use Plan – Typical Upper Floor

11581/408 P1 Site Access

11581/409 P1 Maximum Parameter Elevation – Park Lane

Conditions:

**RESERVED MATTERS**

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

- 1. The permission is granted in OUTLINE, in accordance with the provisions of Regulations 3 & 4 of the Town & Country Planning (General Development Procedure) 1995 and before any development is commenced, the approval of the Local Planning Authority shall be obtained to the following reserved matters, namely: a) appearance, b) scale and c) landscaping .**

Reason: This condition is imposed by virtue of Section 92 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

**TIME LIMIT**

- 2. An application for the first reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this planning permission. That part of the development hereby permitted shall be begun either before the expiration of seven years from the date of this planning permission, or before the expiration of two years from the date of the approval of the last reserved matters application, whichever is the later.**

Reason: This condition is imposed by virtue of Section 92 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

**ARCHAEOLOGY**

- 3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation submitted by the applicant and approved by the Local Planning Authority.**

Reason: To ensure the proper investigation and recording of archaeological sites within the Borough, in accordance with CSV8. Informative: The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

**RESIDENTIAL DEVELOPMENT**

- 4. The residential development hereby permitted shall not exceed 285 separate dwelling units, whether flats or houses.**

Reason: To ensure a comprehensive and sustainable development in order to control the overall density levels within the development in accordance with the London Borough of Haringey's Housing SPD adopted October 2008.

**DWELLING MIX**

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

- 5. Prior to the start of development the bedroom size mix of the proposed dwellings shall be submitted to and approved in writing by the local planning authority.**

Reason: To ensure an acceptable mix of dwelling sizes

**LIFETIME HOMES**

- 6. At least 10% of the dwellings shall be capable of being converted for wheelchair access and 100% of the dwellings shall be built to meet Lifetime Homes standards, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to ensure adequate accessibility for disabled and mobility impaired throughout their lifetime in accordance with policy HSG1 of London Borough of Haringey's Unitary Development Plan 2006.

**SUSTAINABILITY**

- 7. Applications for the Reserved Matters approval in respect of the development shall be accompanied by an Environmental Sustainability Plan. The Environmental Sustainability Plan shall demonstrate:**

(a). how the proposed building design(s) realise(s) opportunities to include design and technology energy efficiency measures;

(b) the reduction in carbon emissions achieved through these building design and technology energy efficiency measures, compared with the emissions permitted under the national Building Regulations prevailing at the time the application(s) for approval of reserved matters are submitted;

(c) the specification for any green and/or brown roofs;

(d) how energy shall be supplied to the building(s), highlighting;

i. how the building(s) relate(s) to the site-wide strategy for district heating incorporating tri-generation from distributed combined heat and power;

ii. how the building(s) relate(s) to the strategy for using biofuel boilers to supplement the energy supplied through district heating systems;

iii. the assessment of the cost-effectiveness and reliability of the supply chain for biofuels;

iv. any other measures to incorporate renewables.

v. the floor area of the energy centre

vi. details of appropriate air quality abatement measures including consideration alternative energy technologies

(e) how the proposed building(s) have been designed to achieve a BREEAM and/or Eco homes rating of "very good" (or an equivalent assessment method and rating) or better;



**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

(f) The incorporation of bird boxes, bat roosts and other wildlife features on buildings.

Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development in accordance with the Environmental Impact Assessment, in accordance with policies G1, UD1, UD2, and ENV2, of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

**MATERIALS**

- 8. Full details of the development, including samples of all materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced except site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”. Samples shall include sample panels, glazing and a roofing material sample combined with a schedule of the exact product references.**

Reason: To ensure a comprehensive and sustainable development and to achieve good design throughout the development, in accordance with policies UD1, UD2, UD3 and UD4 of the London Borough of Haringey Unitary Development Plan 2006.

- 9. All approved materials shall be erected in the form of a samples board to be retained on site throughout the works period for the development and the relevant parts of the works shall not be carried out other than in accordance with the approved details.**

Reason: To ensure a comprehensive and sustainable development and to achieve good design throughout the development, in accordance with policies UD1, UD2, UD3 and UD4 of the London Borough of Haringey Unitary Development Plan 2006. Stadium and Major Event Conditions

**CCTV**

- 10. Prior to the commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”, a scheme showing full details of a closed-circuit television surveillance system and security lighting shall be submitted to and approved in writing by the Local Planning Authority and the relevant works shall not be carried out other than in accordance with the approved details.**

Reason: In order to ensure that the proposed development achieves the safer places attributes as detailed by Planning Policy Statement 1: Safer

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

Places: The Planning System & Crime Prevention and to prevent crime and create safer, sustainable communities in accordance with policy UD4 of the London Borough of Haringey Unitary Development Plan 2006.

**LIGHTING**

- 11. Prior to the commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of "site investigations and site preparation", an external lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The relevant works shall be carried out only in accordance with the approved strategy.**

Reason: In order to ensure that the proposed development achieves the safer places attributes as detailed by Planning Policy Statement 1: Safer Places: The Planning System & Crime Prevention and to prevent crime and create safer, sustainable communities in accordance with policy UD4 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

**SIGNAGE**

- 12. The applicant shall submit within 2 years of commencing the development hereby permitted a fully detailed design strategy for any signage to be displayed on any part of the development.**

Reason: To achieve good design throughout the development, in accordance with policies UD1, UD2, UD3 and UD4 of the London Borough of Haringey Unitary Development Plan 2006.

**HOARDINGS**

- 13. Prior to the commencement of development full details of a scheme for the provision of hoardings around the site during the construction period including details of design, height, materials and lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works (unless otherwise agreed in writing by the Local Planning Authority). The development shall be carried out only in accordance with the scheme as approved.**

Reason: In order to protect the amenity of the locality and to ensure a comprehensive and sustainable development and to achieve good design throughout the development, in accordance with policy UD3 and UD4 of the London Borough of Haringey Unitary Development Plan 2006.

**PLANTING AND LANDSCAPING**

- 14. The applicant shall submit within 1 year of commencing the development hereby permitted, a programme for commencing and**

**completing the planting and laying out of the approved landscaping scheme and the detailed scheme(s) shall be carried out only in accordance with the approved programme.**

Reason: To ensure a comprehensive and sustainable development, to ensure good design and to ensure that the landscaping is carried out within a reasonable period in accordance with the Environmental Impact Assessment, and in accordance with policies UD3 and UD4 of the London Borough of Haringey Unitary Development Plan (UDP) 2006

#### **LANDSCAPE MAINTENANCE**

- 15. Within 1 year of commencing the development hereby permitted, the applicant shall submit a landscape maintenance scheme for approval by the Local Planning Authority. Any trees or areas of planting which die, are removed or become seriously damaged or diseased within 5 years of completion of the landscaping scheme, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.**

Reason: To ensure a comprehensive and sustainable development, to ensure good design, to ensure that the landscaping is secured in accordance with the Environmental Impact Assessment, in accordance with policies UD3 and UD4 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

#### **REFUSE & RECYCLING**

- 16. Prior to the commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of "site investigations and site preparation", details of the arrangements for storage and collection of refuse, including location, design, screening, operation and the provision of facilities for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with the details so approved and shall be permanently retained thereafter.**

Reason: To ensure good design, to safeguard the amenity of the area and ensure that the development is sustainable and has adequate facilities, in accordance with the Environmental Impact Assessment, in accordance with policies UD3, UD4 and ENV13 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

#### **PARKING**

- 17. Unless otherwise agreed in writing by the Local Planning Authority, the car parking provision within the development shall not exceed**

200 spaces.

Reason: In order to ensure the appropriate level of car parking in the scheme are not exceeded in accordance with policies M3, and M5 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

#### **CYCLE PARKING**

18. Prior to the commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of "site investigations and site preparation", a detailed cycle parking layout shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with the details so approved.

Reason: In order to ensure that well designed safe and appropriate levels of cycle parking in the scheme are provided in accordance with policies M3, M5 and UD4 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

#### **SITE INVESTIGATION & CONTAMINATION**

19. Prior to commencement of the development hereby permitted (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
1. a preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site;
  2. a site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
  3. the site investigation results and detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
  4. a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure that the risks to the health and welfare of future occupiers and to the environment are mitigated or eliminated to

acceptable standards.

20. **Unless otherwise agreed in writing by the Local Planning Authority, no development, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation” shall commence, until a Ground Contamination, Soil Remediation and Disposal Strategy supported by site history has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure a comprehensive and sustainable development in accordance with the Environmental Impact Assessment, and in accordance with policies ENV7 and ENV11 of the London Borough of Haringey Unitary Development Plan (UDP) 2006.

#### **SITE DRAINAGE**

21. **Unless otherwise agreed in writing by the Local Planning Authority, no development, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation” shall commence, until details of site drainage works including an impact study of existing sewerage infrastructure, suitable connection point of foul water drainage system and details of surface water discharge for that part of the site have been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker.**

Reason: To ensure a comprehensive and sustainable development and to enhance and protect the water environment in accordance with the Environmental Impact Assessment, and policies ENV2, ENV4, ENV5 and ENV7 of the London Borough of Haringey Unitary Development Plan 2006.

#### **WATER SUPPLY**

22. **Unless otherwise agreed in writing by the Local Planning Authority, no development, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation” shall commence, until a Water Supply Impact Study, including full details of anticipated water flow rates, and detailed site plans have been submitted to, and approved in writing by the Local Planning Authority (in consultation with Thames Water).**

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand in accordance with policy ENV3 of the London Borough of Haringey Unitary Development Plan 2006.

#### HOURS OF DEMOLITION & CONSTRUCTION

- 23. No demolition, construction or building works shall be carried out except between the hours of 0800 and 1800 hours (Monday to Friday) and 0800 and 1200 hours (Saturday) and not at all on Sundays or bank holidays unless written approval from the Local Planning Authority has been obtained prior to works taking place.**

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties in accordance with the Environmental Impact Assessment and policy ENV6 of the London Borough of Haringey Unitary Development Plan 2006.

#### CONSTRUCTION VEHICLES

- 24. Lorries delivering plant or materials during the construction phase of the development will only use designated routes agreed in writing in advance with the Local Planning Authority.**

Reason: To minimise the impact of lorry traffic in local residential roads in accordance with the Environmental Impact Assessment and policy ENV6 of the London Borough of Haringey Unitary Development Plan 2006.

- 25. Vehicles may arrive, depart, be loaded or unloaded during the construction phase of the development within the general area of the application site only between 0700 hours and 1800 hours Monday to Friday and 0800 hours and 1200 hours on Saturday and not at all on Sunday or Bank Holidays except with the prior written approval of the Local Planning Authority.**

Reason: In order to ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway or effect the amenity of local residents in accordance with the Environmental Impact Assessment and policy ENV6 of the London Borough of Haringey Unitary Development Plan 2006.

#### CONSTRUCTION IMPACT MITIGATION

- 26. Prior to the commencement of the development hereby permitted, details of a scheme for monitoring and mitigating noise and dust emissions for all plant and processes shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: In order to protect the amenities of the locality in accordance with the Environmental Impact Assessment and policies ENV6 and ENV7 of the London Borough of Haringey Unitary Development Plan 2006.

- 27. No development, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of "site investigations and site preparation", shall be commenced unless a Construction and Environmental Management Plan has been**

submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the arrangements for the temporary use and/or management (as appropriate) of those parts of the sites awaiting redevelopment. The development shall be carried out in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority. This plan shall include a Considerate Constructor Plan.

Reason: In order to protect the amenities of the locality and to ensure the efficient use of resources and reduce the impact of the proposed development on the environment in accordance with the Environmental Impact Assessment and policies G1, ENV6 and ENV7 of the London Borough of Haringey Unitary Development Plan 2006.

#### **SUSTAINABLE URBAN DRAINAGE SYSTEM**

28. Prior to commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”, details of a scheme for surface water drainage works (including the provision of a Sustainable Urban Drainage System and the provision of petrol/oil interceptors in all car parking/washing/repair facilities) and an assessment of the hydrological and hydrogeological context of the development shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the satisfactory surface water drainage of the site and to prevent pollution of the surface water drainage system in accordance with the Environmental Impact Assessment and policies UD4, ENV1, ENV2 and ENV 7 of the London Borough of Haringey Unitary Development Plan 2006.

#### **ECOLOGY**

29. Unless otherwise agreed in writing by the Local Planning Authority, full details of a site wide ecology management strategy and associated pollution prevention strategy shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the LPA the definition and details of “site investigations and site preparation”.

Reason: In order to ensure that the proposed development maximise the ecological potential of the site and prevents pollution of the environment prior to the commencement of development in accordance with the Environmental Impact Assessment and policies ENV7 and OS11 of the London Borough of Haringey Unitary Development Plan 2006.

**NOISE**

- 30. At 1 metre outside the windows of any neighbouring habitable rooms the level of noise from plant and machinery shall be at all times at least 5 decibels below the existing background noise levels, expressed in dB(A) at such locations. Where the noise from plant and machinery is tonal in character the differences in these levels shall be at least 10dB(A).**

Reason: In order to protect the amenities of the locality in accordance with the Environmental Impact Assessment and policy ENV6 of the London Borough of Haringey Unitary Development Plan 2006.

**MECHANICAL PLANT**

- 31. Technical specification details of the mechanical plant to be installed within the plant areas shown on the approved floor plans, together with an accompanying acoustic report, shall be submitted to and approved by the Local Planning Authority prior to installation of this plant. The plant shall not be operated other than in complete accordance with such measures as may be approved.**

Reason: In order to protect the amenities of the locality in accordance with the Environmental Impact Assessment and policy ENV6 of the London Borough of Haringey Unitary Development Plan 2006. 15. Amenity Conditions

- 32. Unless otherwise agreed in writing by the Local Planning Authority, no roof top facilities shall be in use between the hours of 2300 - 0700 hours any day of the week.**

Reason: In order to protect the amenities of the locality in accordance with the Environmental Impact Assessment and policies ENV6 and ENV7 of the London Borough of Haringey Unitary Development Plan 2006.

**FLOOD RISK ASSESSMENT**

- 33. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA). Ref: BDRP0001, Version 6, Final, May 2010 and the following mitigation measures detailed within the FRA:**
- i. Reducing the surface water runoff from the site by at least 50% for all storm events up to and including the 1 in 100 year critical storm, taking into account the effects of climate change. The peak discharge must not exceed 150/l/s/ha.**
  - ii. Provision of storage on site to attenuate all flood events up to and including the 1 in 100 year event, taking into account the effects of climate change.**
  - iii. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.**



**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of the surface water from the site, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants and site users.

**CONTAMINATION**

- 34. If, during development, contamination not previously identified is found to be present at the site then no further development (unless agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.**

Reason: To ensure protection of controlled waters.

- 36. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.**

Reason: To ensure protection of controlled waters.

**PARKING PERMITS**

- 37. The residential units shall not be entitled to apply for a residents parking permit.**

Reason: In order to minimise residential parking demand on the local highway network and encourage the use of sustainable modes of transport for journeys to/from the site.

**CAR CLUB**

- 38. The developer shall provide a car club scheme as part of the travel plan to be secured as part of the S.106 agreement. The developer must ensure that the car club is in operation before the completion of development.**

Reason: In order to minimise residential parking demand on the local highway network and encourage the use of sustainable modes of transport for journeys to/from the site.

**PILING METHOD**

- 40. No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to**

prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

#### **ELECTRIC VEHICLES**

41. **Details of the provision of electric vehicle charging points within the parking areas shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: In order to ensure adequate provision of electric vehicle infrastructure within the development.

#### **DELIVERY AND SERVICE PLAN**

42. **The developer provides a delivery and servicing plan for each aspect of development at least 2 months before they are occupied. The servicing and delivery plan should include:**
- d) Programme deliveries outside the AM and PM peak periods in order to reduce congestion on the highway network.**
  - e) Details of refuse collection to be provided as part of the service and deliver plan.**
  - f) Spaces for Taxis to drop off and pick up**

Reason: In order to minimise the impact of servicing and deliveries on local traffic and highway conditions.

#### **TRAVEL PLANS**

43. **The applicant/developer shall provide a Travel Plan for each element of the development at least 3 months before the development is occupied. The travel plans should include:**
- d) The developer or occupier of the development must provide showers and lockers as part of their Travel Plan.**
  - e) The developer/ occupier to provide financial incentives to increase cycle modal share.**
  - f) The developer/occupier to use reasonable endeavours to start a bicycle user group (BUG).**

Reason: In order to minimise residential parking demand on the local highway network and encourage the use of sustainable modes of transport for journeys to/from the site.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

**PODIUM DISABLED ACCESS**

- 44. The applicant is to agree disabled ramp access beneath the south-east residential block to enable disabled access to the podium.**

Reason: In order to improve disabled access to the podium.

**SOUND PROOFING**

- 45. Prior to commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”, details of a suitable soundproofing scheme to provide effective resistance to the transmission of airborne and impact sound shall be submitted to, approved in writing by, and implemented in accordance with the requirements of the Local Planning Authority.**

Reason: In order to ensure that the proposed use does not give rise to an unacceptable loss of amenity for occupiers within the property as a direct result of inadequate soundproofing.

**INCLUSIVE ACCESS**

- 46. Prior to commencement of the development hereby permitted, with the exception of site investigations and site preparation subject to the applicant agreeing in writing with the Local Planning Authority the definition and details of “site investigations and site preparation”, full details of disabled access shall be submitted to, approved in writing by, and implemented in accordance with the requirements of the Local Planning Authority.**

REASON: In order to ensure full disabled access to the development.

**INFORMATIVES:**

- A: All design details shall be prepared and submitted by the architects who prepared the applications or other such architects of comparable skill and experience as the Council may agree
- B: The applicant is requested to consider the inclusion of a foyer scheme either within the development or in the local area.
- C: The applicant is advised to agree a scheme with Northumberland Park School for the rebuilding of the entire length of the school's boundary wall. The cost of such a scheme should be borne by the applicant.
- D: The applicant is advised to allow the use of the shared space around the north-east quadrant of the stadium site as a supervised informal play

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 13 FEBRUARY 2012**

	<p>area for students of Northumberland Park School during non-match days.</p> <p>E: The applicant is advised to ensure, through conditions on letting agreements or other appropriate means, that the operator of any future educational facility occupying the site jointly agree a plan with Northumberland Park School for the management and control of pupils accessing, leaving and being within the immediate vicinity of these facilities. Routes to and from these facilities must be designed to minimise any adverse interaction between students.</p> <p>F: The Highways Authority is advised to take into consideration pedestrian safety and routing management for those attending Northumberland Park School during the planning and undertaking of highway works.</p> <p>G: The applicant is advised to consider diverting surface water into the Moselle culvert in order to improve its water quality.</p>
<p><b>PC118.</b></p>	<p><b>NEW ITEMS OF URGENT BUSINESS</b></p> <p>There were no new items of urgent business.</p>
<p><b>PC119.</b></p>	<p><b>DATE OF NEXT MEETING</b></p> <p>Monday, 20 February 2012, 7pm.</p> <p>The meeting closed at 22:30hrs.</p>

COUNCILLOR ALI DEMIRCI

Chair

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

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

Also Present: Councillor Martin Newton

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>
<b>PC120.</b>	<p><b>APOLOGIES</b></p> <p>Apologies for absence were received from Cllr Erskine, for whom Cllr Wilson was substituting.</p>
<b>PC121.</b>	<p><b>URGENT BUSINESS</b></p> <p>There were no new items of urgent business.</p> <p>The Committee was advised that agenda items 6 and 7, in respect of 274 Archway Road, were to be deferred to the next meeting, as well as agenda item 9.2, in respect of a TPO at St Luke's Hospital.</p> <p><b>NOTED</b></p>
<b>PC122.</b>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>
<b>PC123.</b>	<p><b>DEPUTATIONS/PETITIONS</b></p> <p>There were no deputations or petitions.</p>
<b>PC124.</b>	<p><b>274 ARCHWAY ROAD, N6 5AU</b></p> <p>This item was deferred to the next meeting.</p>
<b>PC125.</b>	<p><b>274 ARCHWAY ROAD, N6 5AU</b></p> <p>This item was deferred to the next meeting.</p>
<b>PC126.</b>	<p><b>TREE PRESERVATION ORDERS</b></p> <p>The Chair requested that the agenda be varied in order to take items 9 and 10 next.</p> <p><u>St Luke's Hospital, Woodside Avenue, N10</u></p> <p>This item was deferred to the next meeting of the Sub Committee.</p> <p><u>1 Parham Way, N10</u></p>

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

The Committee considered a report seeking to confirm the TPO placed on a tree at 1 Parham Way. Alex Fraser, Arboricultural Officer, advised that a number of TPOs had been implemented at this site – the location of the tree in question was not that as set out in the plan attached report, but was located south of the specimen identified on the plan. An objection had been submitted that a TPO would prevent work being undertaken on the tree, although it was confirmed that permission could be sought in order to carry out necessary works. It was also felt that the distance of the tree from the nearest property meant that damage to the property was unlikely. The specimen was described as a mature ash in good health, with a predicted remaining lifespan of over 40 years. The tree was felt to be beneficial to wildlife and the local amenity.

The Committee noted that the report provided referred to a Lawson Cypress – it was confirmed that this was not the tree under discussion, but was one of the other trees on the site where TPOs had been implemented.

The Committee sought legal advice on making a decision based on a report which referred to a different tree. Serinther Atkar, Legal Officer, advised that the TPO procedure was predicated on consultation; in the event that local residents may not have had the correct information on which to take a view, it was advised that this decision should be deferred and brought back with a correct report. Otherwise there was a risk that the decision could be challenged.

The Committee requested that, when the report was brought back to the Committee, information be provided on the height of the tree and its distance from the closest structural foundations. It was also requested that report title should be updated to reflect the correct location of the specimen in question.

The Committee noted that, as the tree was situated within a Conservation Area, it had a level of protection under the legislation governing Conservation Areas, regardless of the implementation of a TPO.

**RESOLVED**

That this item be deferred to the next meeting of the Sub Committee.

Cascade Avenue, Tennis Courts, N10

Mr Fraser reported that the TPO had been requested as the site was being sold and may be developed. An inspection of the trees in question had found them to be of high amenity value, in good health and with a predicted remaining lifespan of more than 40 years. Objections had been received on the grounds that the trees were ill-formed, of low amenity value and in an inappropriate location, and a local resident had expressed concern regarding the proximity of one of the trees to their property. It was the view of the arboricultural officer that the trees could be appropriately managed by pruning, both were healthy and the closest tree to the neighbouring property was over 20m away.

In response to a question from the Committee, Mr Fraser advised that the

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

	<p>trees were 10-15m in height.</p> <p><b>RESOLVED</b></p> <p>That the TPO on the trees specified in the report at Cascade Avenue, Tennis Courts, N10 be confirmed.</p>
<p><b>PC127.</b></p>	<p><b>APPEAL DECISIONS</b></p> <p>The Committee considered the report on appeal decisions determined by the Department for Communities and Local Government during December 2011 and January 2012. It was noted that the proportion of appeals allowed during this period was higher than earlier in the year and impacted negatively on performance rates overall for the year.</p> <p>In response to a question from the Committee, Mr Dorfman advised that no single reason had been identified for number of appeals allowed during the period. Increased resources were now available for management of appeals and an improved system was in place; performance had been positive for the rest of the year, and it was felt that this period represented an anomaly.</p> <p>The Committee asked about the decision in respect of 30 Alexandra Park road, which had been allowed when other crossovers on the same road had been refused. It was reported that a decision would only be contested in the event that the Inspector had made a procedural or legal error – Mr Dorfman confirmed that he would look into the case to determine whether it was felt that there were grounds to challenge the decision, and would also consider whether it was felt that there was the risk of a precedent being set, and would write to the Committee regarding these issues. Malcolm Smith, Transportation, also agreed that he would look into this case in more detail.</p> <p>The Committee questioned the win / loss approach to appeals, as it was most important that good planning decisions were being made for the benefit of the Borough. It was also suggested that it might be useful to have a summary of each decision included in the report. Mr Dorfman advised that it was expected nationally that a planning authority would lose around 30-40% of appeals; previous performance had demonstrated that Haringey had been supporting planning policy well and that decisions made had been robust. Each appeal report was up to 10 pages in length – Mr Dorfman agreed that he was happy to make these available to Committee Members if they wished, but that it might be cumbersome to incorporate them into the report. It was suggested that analysis of appeals performance could be considered at Regulatory Committee.</p> <p>In response to a request from Cllr Schmitz, Mr Dorfman agreed to supply him with a copy of the Inspector's report in respect of 155 Lordship Lane.</p> <p><b>RESOLVED</b></p> <p>That the content of the report be noted.</p>
<p><b>PC128.</b></p>	<p><b>LAND AT GILSON PLACE AND COPPETTS ROAD N10 1JP</b></p>

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

The Committee considered a report, previously circulated, on the application for planning permission for land at Gilson Place and Coppetts Road, N10. The report set out details of the proposal, site and surroundings, planning history, relevant planning policy, consultation and responses and analysis of the application. The report recommended that consent be granted, subject to conditions and a section 106 legal agreement. The Planning Officer gave a presentation outlining key aspects of the report, and advised of changes to the report as circulated, namely;

- The contribution towards education facilities at (1.1) of Recommendation 1 of the report be amended to £178,000.00.
- That affordable social housing in the penultimate line of (1.2) of Recommendation 1 of the report be amended to “affordable rent housing”.
- That the total amount given in (1.6) of Recommendation 1 in the report be amended to £293,000.00.
- In addition it was noted that the s106 would secure local employment and the offer of apprenticeships (during construction); the details of which would be considered by Officers
- There were a number of revised plan numbers as follows: 012C, 013C, 014C, 15C, 016D, 22D & 23A
- The wording of condition 10 as set out in the report to be amended to *“A supporting statement shall be submitted demonstrating consistency with submitted Energy Assessment including the siting of the PV panels. Thereafter the renewable energy technology/ system shall be installed in accordance with the details approved and an independent post-installation review, or other verification process as agreed, shall be submitted to the Local Planning Authority confirming the agreed technology has been installed prior to the occupation of the buildings hereby approved.”*
- The wording of condition 14 as set out in the report to be amended to *“Prior to the commencement of the development a Construction Logistics Plan (CLP) and a serving and delivery management plan should be submitted for the approval of the LPA. The CLP should show the routeing of traffic around the immediate road network and reasonable endeavours ensure that deliveries are timed to avoid the peak traffic hours.”*

The Committee was referred to PPS4 of the national guidance, which established a flexible approach to employment land, and was also advised of the new ‘Haringey Employment Land Update’, February 2012, which indicated a general need to assess sites on their individual merits.

The Planning Officer responded to questions from the Committee, and the following points were covered in discussion:

- In response to a question as to why change of use was recommended, it was reported that the site had been vacant for a long time, there was no current employment use and there were constraints regarding the delivery of employment use such as warehousing or distribution, as this would disturb neighbouring residents. It was further reported that



**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

there was an oversupply of B1 floor space, and that this was not an ideal location for such use, as it was in an area with a low PTAL assessment.

- The Committee asked about access to the North Circular, and the impact of this on the site's viability for employment use. It was reported that access between the site and North Circular would be shared with the residential estate, which would create problems in respect of B8 usage (storage and distribution), such as pedestrian safety and noise nuisance.
- The Committee asked about the evidence supplied by the applicants in respect of the marketing of the site. It was reported that the only evidence supplied was the planning statement. Concerns were expressed regarding the lack of independent information to verify the assertions made in respect of the way in which the site had been marketed; it was reported that this site was not a designated employment area and that empty floorspace should be brought back into use where possible – the officer's recommendation was that this site was more suitable for residential use. Officers had witnessed for sale signs at the site for in recent years, and the site had remained vacant.
- The Committee questioned the recommendations of the report, and whether these were permitted under the Council's existing scheme of delegations – it was agreed that Recommendations 2 and 3 as set out in the report be deleted.
- The Committee noted the criticisms of the scheme made by the design panel, and asked about the status of the design panel's observations; it was reported that, further to the panel's comments regarding the courtyard layout, this element of the scheme had been redesigned so as to partly break up the courtyard, although it was still necessary to incorporate the appropriate number of parking spaces. It was felt that the new design of the courtyard space was an improvement in respect of delineation of space and landscaping.
- The Committee asked about the internal layout of the blocks; it was reported that it was felt that the internal layout worked well, as individual access to each block removed the need for long corridors, and access had now been included via the front of the blocks in order to improve navigation of the space.

Cllr Martin Newton, Ward Councillor, and two local residents addressed the Committee in objection to the application, and raised the following points:

- The privacy and amenity of long term residents would be negatively impacted by this development – the proposal would lead to overlooking of neighbouring properties and gardens.
- This was one of several car-dependent new developments in the area, but there had been no associated improvements to local infrastructure to support them.
- The Committee had previously requested a condition that change of use at this site should not be 'waved through' and that there would be consultation on any proposal to change the use. Any decision to change the use from employment needed to be rigorously tested before such a decision was taken.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

- The previous scheme was reduced to single-storey with office accommodation in the roof, following a previous refusal. The previously-consented office accommodation had been conditional on the incorporation of frosted glazing and would not have caused overlooking, but this would not be the case with the current proposals for two-storey residential accommodation, which would look straight into the gardens and rear rooms of neighbouring houses.
- The proposed location of the new houses was too close to existing houses, and the boundary wall was not high enough to protect residents' privacy. There was particular concern regarding the loss of privacy to neighbouring gardens in summer.
- The proposal may impact neighbours' sunlight in the early evening.

Local residents showed a photograph of the proximity of the proposed houses to their properties. The Committee examined the plans and drawings.

The Committee asked further questions of officers:

- It was confirmed that a summary of the marketing undertaken for the site was set out in the report at paragraph 7.9 on page 49 of the agenda pack.
- In response to a request by the Committee, it was confirmed that the existing condition relating to landscaping could be amended to address the boundary treatment, with a view to increasing the level of screening between the site and existing properties, and also ensure the provision of trees with the courtyard area.
- It was also confirmed that the existing condition relating to parking spaces would be re-worded such that plans for the design and layout of the parking spaces must be submitted to the Council for approval, in order to facilitate pedestrian access to the building.
- It was confirmed that cycle parking provision was 1 space per one- or two-bedroom units and 2 spaces per larger dwelling.
- In response to a question regarding the consultation that was promised in respect of change of use, it was confirmed that this was part of this planning application process, which was consulted on in the usual way. It was confirmed that no separate consultation process was required.

The Chair moved recommendations 1 and 4 of the report, with the wording of the existing conditions in respect of landscaping and parking to be amended to reflect the Committee's requests that landscaping at the boundary of the site address the issue of screening, that trees be located within the courtyard area and that the design of the parking spaces layout be submitted to the Council for approval, and it was:

**RESOLVED**

- i) That planning permission be granted in accordance with planning application no. HGY/2011/1833, subject to a pre-condition that the owners of the application site shall first have entered into Agreement or Agreements with the Council under Section 106 of the Town and Country Planning Act 1990 (As Amended ) and

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

Section 16 of the Greater London Council (General Powers) Act 1974 in order to secure:

- (1.1) A contribution of £178,000.00 towards educational facilities within the Borough (£86,000.00 for primary and £92,000.00 for secondary) according to the formula set out in Policy UD8 and Supplementary Planning Guidance 10c of the Haringey Unitary Development Plan July 2006;
- (1.2) The identified 5 residential units to be provided as affordable intermediate housing and the identified 6 residential units to be provided as affordable rent housing and retained in perpetuity as such;
- (1.3) A contribution of £110,000.00 is being sought for a range of highway improvement measures to facilitate sustainable travel to and from the site;
- (1.4) To submit and agree a Travel Plan prior to the commencement of the development, prepared in line with TFL travel guidance and to comply with the TFL ATTrBuTE;
- (1.5) Schedule B of the Agreement dated 15 December 2005, entered into between Lynx Express Ltd, George Wimpey North London Ltd and the Mayor and Burgesses of the London Borough of Haringey (relating to the "Commercial Land"), shall cease to have effect;
- (1.6) Securing local employment and the offer of apprenticeships (during construction);
- (1.7) The developer to pay an administration / monitoring cost of £5,000.00 in connection with this Section 106 agreement. This gives a total amount of £293,000.00

- ii) That following completion of the Agreement referred to in (1) above, planning permission be granted in accordance with planning application no. HGY/2011/1833 and the Applicant's drawing No's 10/055/010B, 011B, 012C, 013C, 014C, 15C, 016D, 017A, 018, 019b, 020A, 021A, 022D, 023A, 024. JBA11/80-01.

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.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

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.

**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 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. The hard landscaping shall be completed before the premises are first occupied. The soft landscaping shall be completed within 12 months, or by the end of the first planting season, after the completion of the development to the satisfaction of the Local Planning Authority.

Any trees, or plants which die within a period of 5 years from the completion of the development; are removed, or become seriously damaged, or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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 approved landscaping plans details of additional planting to be provided along rear boundary of the gardens to the terrace properties shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved.

Reason: In the interest of the visual amenity of the area and neighbouring residents.

6. Notwithstanding the approved plans and details the development hereby approved shall not commence until a revised site layout plan showing car parking layout, including the provision of a least 2 disabled parking space and pedestrian access points to the buildings shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with these approved details.

Reason: To ensure a satisfactory layout; to ensure parking is provided in accordance with the Council's standards and in the interests of pedestrian and highway safety.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

7. Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins and/or other refuse storage containers shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

8. Details including the type, specification and location of external lighting shall be submitted to and approved in writing by the Local Planning Authority before the residential units are occupied and thereafter carried out in accordance with the approved details.

Reason: To prevent adverse light pollution to neighbouring properties

**TREE PROTECTION**

9. All works associated with this development shall be undertaken in accordance with the detail as specified in the Arboricultural Report & Method Statement.

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

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

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

**ENERGY EFFICIENCY / SUSTAINABILITY**

11. A supporting statement shall be submitted demonstrating consistency with submitted Energy Assessment including the siting of the PV panels. Thereafter the renewable energy technology/ system shall be installed in accordance with the details approved and an independent post-installation review, or other verification process as agreed, shall be submitted to the Local Planning Authority confirming the agreed technology has been installed prior to the occupation of the buildings hereby approved.

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.

12. Details of electric vehicle charging points to be provided for the

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

development shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development.

Reason: In order to contribute to a reduction in carbon dioxide emissions generated by the development in line with national and local policy guidance.

**CONSTRUCTION**

13. Before the development commences other than for investigative work:

a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved investigation being carried out on site. The investigation must be comprehensive enough to enable:-

- o a risk assessment to be undertaken,
- o refinement of the Conceptual Model, and
- o the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

14. 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

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

15. Prior to the commencement of the development a Construction Logistics Plan (CLP) and a serving and delivery management plan should be submitted for the approval of the LPA. The CLP should show the routeing of traffic around the immediate road network and reasonable endeavours ensure that deliveries are timed to avoid the peak traffic hours.

Reason: To minimise vehicular conflict at this location.

**PERMITTED DEVELOPMENT**

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

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

17. 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 any 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

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

**INFORMATIVE:** Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**REASONS FOR APPROVAL**

The proposed redevelopment of this site for residential use is considered acceptable as it is compatible with surrounding uses. The siting, design, form, detailing of the residential block and terrace are considered sensitive to its surrounding and character of the area. The proposal will not give rise to significant overlooking or loss of privacy to neighbouring. As such the proposal is considered to be in accordance with Policies: G2 'Development and Urban Design', UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing Development', HSG9 'Density Standards', HSG10 'Dwelling Mix' of the adopted Haringey Unitary Development Plan 2006 and with

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 20 FEBRUARY 2012**

	<p>supplementary planning guidance SPG1a 'Design Guidance and Design Statements', and the Council's 'Housing' Supplementary Planning Document (2008).</p> <p>Section 106: Yes</p>
<p><b>PC129.</b></p>	<p><b>DELEGATED DECISIONS</b></p> <p>The Committee considered a report on decisions made under delegated powers by the Head of Development Management and the Chair of the Sub Committee between 19 December 2011 and 29 January 2012.</p> <p><b>RESOLVED</b></p> <p>That the content of the report be noted.</p>
<p><b>PC130.</b></p>	<p><b>DATE OF NEXT MEETING</b></p> <p>Monday, 12 March 2012.</p> <p>The meeting closed at 8:55pm.</p>

COUNCILLOR ALI DEMIRCI

Chair





Haringey Council

Agenda item:

**[No.]****Planning Sub Committee****12<sup>th</sup> March 2012**Report Title. **624 High Road Tottenham - Proposed Variations to Section 106 Agreement**Report of **Head of Development Management**

Signed :

Contact Officer : **Paul Smith, Head of Development Management Telephone 020 8489 5507**Wards(s) affected: **Tottenham Hale**Report for: **Sub-Committee****1. Purpose of the report**

- 1.1. To consider the proposal by One Housing Group for a variation of the current s106 agreement for the 624, High Road Tottenham development as agreed in January 2010. No other changes to the planning application are sought.

**2. Summary**

- 2.1. Planning Consent was granted In January 2010 to One Housing Group for a 42 residential unit development at 624 High Road, including units for social rent and shared ownership. A Social Housing Grant Allocation of £1,770,000 was made in respect of the scheme, but this has subsequently been withdrawn by the HCA, thus, the project at the assumed rates is no longer viable. One Housing Group are committed to the project and seek a variation to the s106 Agreement attached to the original planning permission in order to make the scheme viable and progress with construction.

**3. Recommendation**

- 3.1. That the Committee agrees the following variations to the existing s106 Agreement attached to planning permission (HGY/2009/1532) for the development of 624 High Road, Tottenham.

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

##### Background

- 4.1 The Council's planning policies aim to promote development in appropriate locations and, as far as possible, in ways and for uses that will provide significant benefits for the wider area. Impacts of developments need to be mitigated adequately. In considering the form of a development, the mix and type of uses and the degree to which the impacts of that development are mitigated, it is reasonable to take into account the potential benefits, in planning terms, of the whole development.
- 4.2 Promoting regeneration in High Road, Tottenham has long been a Council priority but even more so since the riots last summer. Since then many local people have been saying to the Council that they want to see change and improvements happening in the area. They want to see the image of Tottenham improved.
- 4.3 The Minister for Decentralisation and Cities' 'Statement on Growth' in March 2011 calls for local authorities to review existing s106 agreements on schemes that are unviable. Where necessary and possible, obligations should be modified to allow development to proceed provided this continues to ensure that the development remains acceptable in planning terms.
- 4.4 The Draft National Planning Policy Framework (July 2011) also encourages local planning authorities to avoid non-essential conditions or obligations when they would undermine the viability of development proposals.

#### 5.0 Detailed Considerations

##### The Scheme

- 5.1 Planning consent was granted in January 2010 for a 42 unit residential development, including 14 units for social rent and 4 shared ownership (a total of 18 affordable units, see Table 1), in addition to 24 private units. A Social Housing Grant Allocation of £1,770,000 was made in respect of the scheme, but this has subsequently been withdrawn by the HCA. Due to various circumstances, mainly the governments' comprehensive spending review, grant funding for the project at assumed rates is no longer available. As a consequence of this loss of funding, the scheme as consented is no longer viable.
- 5.2 One Housing Group is committed to delivering a residential scheme on this site, which has been vacant since 2005 and has a detrimental impact on the surrounding area. In order to improve viability, One Housing Group has worked both to reduce costs and to increase revenue. Through a process of negotiation and design development, the applicant has worked with the developer to modify the tenures by **increasing the private element of the scheme from 24 to 30 units** (see Tables 1 & 2), thereby increasing the scheme return.
- 5.3 The impact of this second change is to **reduce the affordable housing from 18 to 12 units, as well as converting the proposed social rented housing to affordable rent**. On this basis the scheme generates a residual land value. which although lower than the residual value of the consented scheme assuming grant, is sufficient to indicate a viable scheme. This recommendation was made by consultants, Jones Lang LaSalle who undertook an affordable housing viability study on behalf of One Housing Group.

5.4 **A variation to the s106 agreement imposed on the original planning consent is recommended** as the most suitable option to ensure the development becomes viable now that grant funding is no longer available.

5.5 The existing s106 agreement permitted the following residential tenure:

Table 1. Existing split of residential units in original, proposed scheme.

Unit Type	Private for Sale	Shared Ownership (affordable)	Social Rent (affordable)
1 Bed	10 (20)	0	3 (6)
2 Bed	9 (27)	4 (12)	1 (3)
3 Bed	5 (20)	0	7 (28)
4 Bed	0	0	3 (15)
Total	24 (67)	4 (12)	14 (52)
		<b>Total Units</b>	<b>42 (131)</b>

() – Habitable Rooms

5.6 Following the withdrawal of the grant, the applicant is seeking to revise the tenure mix in order to maintain the viability of the scheme (see Table 2 below).

Table 2. Proposed split of residential units under variation of Section 106.

Unit Type	Private for Sale	Shared Ownership (affordable)	Affordable Rent (affordable)
1 Bed	11 (22)	0	2 (4)
2 Bed	13 (39)	1 (3)	0
3 Bed	6 (24)	1 (4)	5 (20)
4 Bed	0	0	3 (15)
Total	30 (85)	2 (7)	10 (39)
		<b>Total Units</b>	<b>42 (131)</b>

() – Habitable Rooms

## 6.0 Existing Section 106 Agreement Clauses Requested for Variation

The officers recommend that the principle of the following variations are accepted:

### 6.1 Affordable Housing - Definition

Subsidised housing that will be available to persons who cannot afford to rent or buy housing generally available on the open market which shall include Social Rented Housing, Affordable Rented Housing and Intermediate Housing. This is in line with the revised PPS3 (June 2011) to reflect the introduction of Affordable Rent.

### 6.2 Affordable Housing Units - Definition

That part of the development comprising not less than 55 habitable rooms (i.e. not less than 38% of the habitable rooms) making up the development and comprising 3 no. 4

bed units for 'Discounted Affordable Rent' and 9 units for 'Affordable Rent' or Intermediate Housing.

6.3 New - Affordable Rented Housing - Definition

Rented housing let by registered providers of social housing to households who are eligible for social rented housing at a rent of no more than 80 per cent of the local market rent.

7.0 **Recommendation**

7.1 Through discussions between One Housing Group and the officers, it is agreed that in order to make the proposed development at 624 High Road, Tottenham viable, a variation to the existing s106 obligations attached to the existing planning permission should be agreed.

7.2 This variation is sought due to the removal of grant funding for the project at assumed rates. Thus, the officers recommends that the Committee accept the changes to the housing tenure (Table 2) and the variation to the clauses to the original s106 Agreement as outlined above.



This page is intentionally left blank



Agenda item:

[ ]

Planning Sub-Committee

On 12<sup>th</sup> March 2012

Report Title: Planning applications reports for determination

Report of: Lyn Garner Director of Place and Sustainability

Wards(s) affected: All

Report for: Planning Sub-Committee

1. Purpose

Planning applications submitted to the above Planning Sub-Committee for determination by Members.

2. Summary

All applications present on the following agenda consists of sections comprising a consultation summary, an officers report entitled planning considerations and a recommendation to Members regarding the grant or refusal of planning permission.

3. Recommendations

See following reports.

Report Authorised by: .....

Marc Dorfman  
Assistant Director Planning, Regeneration & Economy

Contact Officer: Ahmet Altinsoy  
Development Management Support Team Leader

Tel: 020 8489 5114

4. Local Government (Access to Information) Act 1985

Planning staff and application case files are located at 6<sup>th</sup> Floor, River Park House, Wood Green, London, N22 8HQ. Applications can be inspected at those offices 9.00am – 5.00pm, Monday – Friday. Case Officers will not be available without appointment. In addition application case files are available to view print and download free of charge via the Haringey Council website: [www.haringey.gov.uk](http://www.haringey.gov.uk). From the homepage follow the links to 'planning' and 'view planning applications' to find the application search facility. Enter the application reference number or site address to retrieve the case details.

The Development Management Support Team can give further advice and can be contacted on 020 8489 1478, 9.00am – 5.00pm, Monday – Friday.

This page is intentionally left blank



Planning Committee 12<sup>th</sup> March 2012

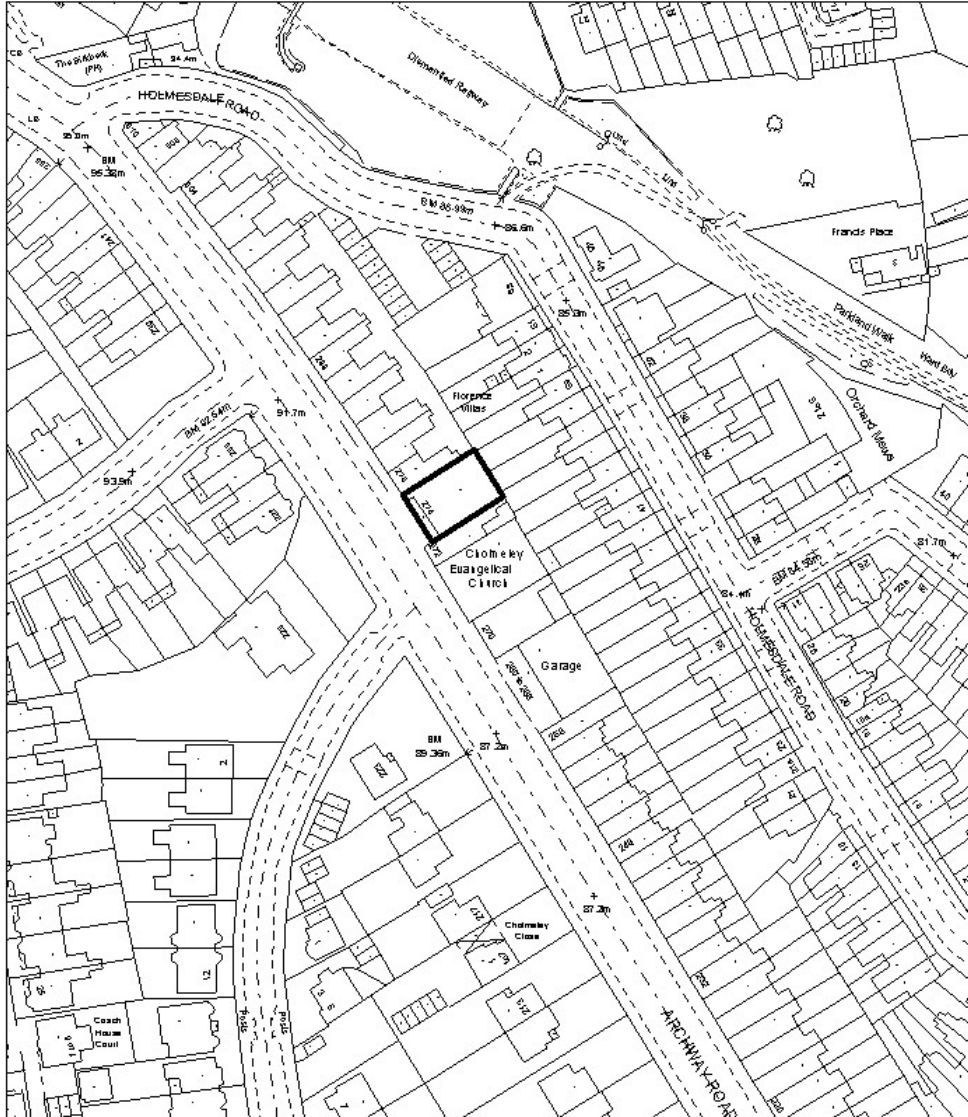
Item No.

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2011/2229	<b>Ward:</b> Highgate
<b>Address:</b> 274 Archway Road N6 5AU	
<b>Proposal:</b> Demolition of existing workshop and erection of new 3 storey block to provide 2 x 3 bedroom and 5 x 2 bedroom self contained units incorporating garden areas to front and rear.	
<b>Existing Use:</b> Car Repair	<b>Proposed Use:</b> Residential
<b>Applicant:</b> Mr Modi Archway Exhausts Ex Tyres	
<b>Ownership:</b> Private	
<b>Date received:</b> 01/12/2011 <b>Last amended date:</b> DD/MM/YYYY	
<b>Drawing number of plans:</b> pB1106:1-5 Incl.	
<b>Case Officer Contact:</b> Matthew Gunning	
<b>PLANNING DESIGNATIONS:</b> Retrieved from GIS on 07/12/2011 Road Network: C Road, Conservation Area	
<b>RECOMMENDATION:</b> GRANT PERMISSION subject to conditions and subject to sec. 106 Legal	
<p><b>SUMMARY OF REPORT:</b> The current scheme for this site has been considered having regards to the previous refusal. The principle of residential use is now considered acceptable and will address the unsightly nature of the site, in particular removing the view of the single storey pitched workshop. The change of use of this space to residential use is compatible with the surrounding area. The building form, 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 Highgate Conservation Area. The proposal will not give rise to issues of loss of sunlight, daylight, outlook or privacy to neighbouring/ adjoining occupiers. Whilst the proposed scheme will involve the loss of a small commercial space suitable for employment use, the level of current employment with this site (3 people) is not considered to be significant. The marketing of the site and constraints associated with the site are noted, namely the poor physical condition of the building and the difficult parking/ access arrangements associated with the red route. The change of use of this space to residential use is compatible with the surrounding area. This application will be subject to a S106 agreement securing an education contribution and a 'car free' development.</p>	

<b>TABLE OF CONTENTS</b>	
1.0	SITE PLAN
2.0	IMAGES
3.0	SITE AND SURROUNDINGS
4.0	PLANNING PROPOSAL
5.0	PLANNING HISTORY
6.0	RELEVANT PLANNING POLICY
7.0	CONSULTATION
8.0	RESPONSES
9.0	ANALYSIS / ASSESSMENT OF APPLICATION
9. 29	HUMAN RIGHTS
9. 30	EQUALITIES
10. 0	CONCLUSION
11. 0	RECOMMENDATION

1.0 SITE PLAN



This map is reproduced from the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorised reproduction in this Crown copyright map may lead to prosecution or other proceedings. L8H Harlesey 100019199 (2005)

Site plan

**Directorate of  
Place &  
Sustainability**

Marc Dortman  
Assistant Director  
Planning, Regeneration & Economy

	Drawn by	AA
	Scale	1:1250
	Date	12/03/2012

2.0 IMAGES



**Views from Archway Road**



**Views from Holmesdale Road**



**Indicative Front/ Street Elevation**



**Indicative Front/ Street Elevation**

### **3.0 SITE AND SURROUNDINGS**

- 3.1 The application property is a car repair garage (car tyre and exhaust business) located on the eastern side of Archway and comprises of two buildings. The original building located to the rear, which runs parallel to the road, has a pitched roof with storage space in the loft area, while the front building sits at right angles to the road with a gable facing Archway Road. There is a full width crossover and a forecourt to front of the site which provides some off-street car parking spaces for this business. The site slopes steeply downwards from the front to the rear, and the rear building has a blank rear brick wall nearly 4 storeys high. Behind the site are 3-storey (including lower ground floors) terrace houses on Holmesdale Road. The site backs directly on to nos. 55 and 57. Each house has habitable room windows in the end of the rear extensions facing the high boundary wall, with 15m deep rear gardens.
- 3.2 To the north of the site is a long uniform 3-storey terrace of houses with full height front bays and long 4-storey (due to the fall in the land) “outrigger” extensions, with about 5m between the extensions and the rear boundary. This terrace is called ‘Prestwood Mansions’ and is possibly named after the ‘Prestwood Cottage’ seen in this site on the 1875 Ordinance Survey Map. The terrace has canted bay on each floor and original front doors, most of which still have stained glass in them, and all the porches have original brightly coloured tiles up to waist height. These terraces were designed as flats. There are no shops on the ground floor except for the last three houses on the corner of Holmesdale Road. Adjoining the site to the south is Cholmeley Evangelical Church, which has a relatively modern 2-storey frontage.
- 3.3 Archway Road is a very busy arterial road that has been designated as a Priority (Red) Route. It is generally densely developed, with a mixture of residential and commercial properties along each side of the road. Many of the properties along Archway Road and on the streets to the east and west of this arterial route have been converted into flats. The application site falls within the Archway Road Restricted Conversion Area. The application site is approximately 500m away from Highgate Tube Station.
- 3.4 The site also falls within the extensive Highgate Conservation Area; which is largely residential in character, with terraces of houses on streets to the west and east of Archway Road. These terrace houses are substantial Victorian terraces with good proportions and strongly consistent detailing with vertical emphasis to front elevations.

### **4.0 PROPOSAL**

- 4.1 The proposal is for the redevelopment of the site to provide a three storey block comprising of 7 bedroom self contained units (2 x 3 bedroom and 5 x 2 bedroom) incorporating garden areas to front and rear.

### **5.0 PLANNING HISTORY**

- 5.1 Planning Application History

HGY/2006/2223 - Demolition of existing single storey garage building and erection of 3 storey building with rooms in roof comprising 1 x one bed and 6 x two bed self contained flats with associated parking. – Refused 13/02/2007

5.2 Planning Enforcement History

No history

**6.0 RELEVANT PLANNING POLICY**

6.1 National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 3: Housing  
Planning Policy Statement: 5 Planning for the Historic Environment  
Planning Policy Statement 22: Renewable Energy

6.2 London Plan

Policy 3.3 Increasing housing supply  
Policy 3.4 Optimising housing potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 3.9 Mixed and balanced communities  
Policy 3.17 Health and social care facilities  
Policy 5.3 Sustainable design and construction  
Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.9 Heritage-led regeneration

6.3 Unitary Development Plan

G1 Environment  
G2 Development and Urban Design  
G10 Conservation  
UDI Planning Statements  
UD2 Sustainable Design and Construction  
UD3 General Principles  
UD4 Quality Design  
UD7 Waste Storage  
UD9 Planning Obligations  
EMP4 Non Employment Generating Uses  
ENV3 Water Conservation  
HSG1 New Housing Development  
HSG9 Density Standards

HSG10 Dwelling Mix  
 HSG11 Restricted Conversion Area  
 M3 New Development Location and Accessibility  
 M9 Car Free Residential Developments  
 M10 Parking for Development  
 CSV1 Development in Conservation Areas

6.4 Supplementary Planning Guidance / Documents

SPG1a Design Guidance and Design Statements  
 SPG2 Conservation and Archaeology  
 'Housing' Supplementary Planning Document 2008  
 SPG8a Waste and Recycling  
 SPG8b Materials  
 SPG9a Sustainability Statement  
 SPG10 The Negotiation, Management and Monitoring of Planning Obligations  
 SPG 12 Educational Needs Generated by New Housing Development  
 SPG 4.1 Revised Archway Road Neighbourhood Plan (2002)

7.0 **CONSULTATION**

<b>Internal</b>	<b>External</b>
Conservation & Design Transportation Policy Building Control Legal Services	Transport for London LFEPA  <u>Amenity Groups</u> Highgate CAAC The Highgate Society  <u>Local Residents</u> 270, 272, Cholmeley Evangelical Church, 278- 288 (even) & 225-233 (odd) (including all flats) Archway Road; 47-61 (odd) & 1 & 2 Florence Villas, Holmesdale Road



## 8.0 RESPONSES

- 8.1 Waste Management Services: This proposed development of 2 x three bedroom and 5 x two bedroom developments will require a waste storage area of suitable size to store 2x 1100 refuse bins and 1x 1100 recycling bin. The site plan for this application shows waste storage areas at the front of the building but does not show how many 1100 bins can be stored in the waste storage areas. Bulk waste containers must be located no further than 10 metres from the point of collection and the route from waste storage points to collection point must be as straight as possible with no kerbs or steps. Gradients should be no greater than 1:20 and surfaces should be smooth and sound, concrete rather than flexible. Dropped kerbs should be installed as necessary.
- 8.2 The site will require the managing agents to have a cleansing schedule to remove litter from the external areas of the site and cleansing of the waste storage areas. A clear instruction from the managing agents to residents of how and where to dispose of waste responsibly is recommended. This application has been given RAG traffic light status of AMBER for waste storage and collection arrangements.
- 8.3 Flat, 278, Archway Road, Comments by: Gerry Feeny & Poppy Mercer: We are the owner/residents of the ground floor flat, 278, Archway Road, which is directly adjacent to the proposed demolition and rebuild site. We do not have specific objections to the plans as presented, but would like to raise the following concerns, with a view to them being directly addressed to our satisfaction within any final application and consent.
1. Noise and disruption is inevitable, but construction and demolition is going to be within inches of our dividing wall. Life will be intolerable if there are not limits to working hours., and we would like assurances that demolition/building works will only occur during week days, and only between 8.30 -4.30.
  2. Demolition of existing back area of the property. The back side wall of the existing building creates the boundary to our back garden terrace. It is an apex wall of 3 storey height. It is in a dangerous condition, with bricks in the apex coming loose and falling into our garden where we sit, and near out W.C roof, and has been repaired/patched/pointed several times. It is sited where the plans indicate gardens. Its demolition is welcome but we have disturbance, safety and security concerns here:
    - a) How much access and encroachment to our land will occur during demolition / building works.
    - b) How will this be managed for our safety, privacy, security and ability to enjoy our garden during works.
    - c) What new boundary will be erected in place of the existing wall. We would prefer one of much lower height.

d) How will any ongoing clearing of arising building detritus, damage to property, and necessary repairs and making good after works be managed.

We are still thinking about the implications of this project and will send on supplementary comments as appropriate.

- 8.4 Flat 3, Souhwood Avenue This resident is mainly concerned with the increase in the numbers of vehicle parking that the redevelopment will introduce. There are also concerns with the waste disposal that the redevelopment of 7 new units would generate.
- 8.5 55 & 57 Holmesdale Road these neighbouring residents situated to the rear of the proposed dwelling are concerned with the possibility that the proposed redevelopment may generate an increased level of noise from the balconies which face toward the rear of 55 & 57 Holmesdale Road. No 55 & 57 have requested that a condition be applied restricting amplified music after 10pm.
- 8.6 London Fire brigade and Emergency Planning Authority: The Fire brigade is satisfied with the proposals with regards to the fire brigade Access and Compliance with Building Regulations "AD" B5
- 8.7 Environmental Health: Contaminated land:

Before development commences other than for investigative work:

a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:  
- a risk assessment to be undertaken, refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements. The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site. Where remediation of contamination on the site is required completion of the

remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

#### Reason

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

8.8 Transportation: The application site fronts onto highway controlled by TfL. We have therefore forwarded the consultation to TfL for comment. A response has been received from TfL, which reads as follows: With regards to the above mentioned site, TfL offers the following comments and recommendations:

1. The application site is situated on A1 Archway Road, which forms part of the Transport for London Road Network (TLRN).

2. A minimum of 2 cycle parking spaces should be provided to encourage use of cycling in inner London area.

3. It is recommended that the developer shall enter into S106 Car free 'agreement with the local authority to exempt future residents' eligibility for local permits.

4. Servicing for the proposed development should be undertaken in accordance with existing Red route stopping restrictions. Refuse collection strategy should be developed with agreed from the local authority.

5. It is requested that a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) shall be submitted for TfL and local authority's approval prior to construction work commences on site. The Plans should provide details on how construction work (inc. demolitions) would be undertaken in a manner that disruption to traffic and pedestrians on A1 would be minimised. It is also requested that construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods. Due to the importance of A1, on-going lane closure would not be permitted by TfL for the construction of the development.

6. No skip/ construction materials shall be kept on the footway or carriageway of A1 Archway Road at any time.

7. The developer shall enter into a S278 Agreement with TfL under Highways Act 1980 to remove existing vehicular crossovers and to improve/ renew footway along the frontage of the site on A1 Archway Road to TfL's requirement prior to the occupation of the site. TfL requests that the local planning authority shall condition this requirement. Subject to the above conditions being met, the proposal as it stands would not result in an unacceptable impact to the Transport for London Road Network (TLRN).

8.9 In addition to Transport for London comments above, whilst transport for London is the Highways authority for Archway Road, the Impact of the parking generated by the proposed 7 residential units will be on Cholmeley Park. Considering that this area has been identified by the Council's 2006 adopted UDP policy HSG 11 as are an area that suffers from high parking pressures we will also require the applicant to enter in to a S.106 agreement to dedicate the development proposal as a car free development in line with the councils UDP policy M9. We will also require the applicant to contribute to car club scheme to mitigate the impacts of the development.

8.10 Therefore, the highway and transportation authority has no objection to the above proposals subject to the imposition of a condition requiring the applicant to enter into a S106 agreement to secure that:

1. "The residential unit is defined as 'car free' and therefore no residents therein will be entitled to apply for a resident's or visitor's parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development." The applicant must contribute a sum of £1000 (One Thousand pounds) towards the amendment of the TMO for this purpose.

2. The residents of the new development are provided with one years free membership to the "car club scheme" to help mitigate the non provision of off-street parking".

## 9.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

### Background

9.1 This application follows previous planning refusal (Ref: HGY/2006/2223) for the demolition of the existing single storey garage building and the erection of a 3 storey building with rooms in roof, to accommodate 1 x one bed and 6 x two bed self contained flats with associated parking. This application was refused for the following reasons;

- loss of an existing employment generating site and no evidence being submitted to show that the site was no longer suitable for such a use;
- the scheme produced an unbalanced front elevation that did not reflect the rhythm of the adjoining terrace, and lacked design quality, and therefore did not preserve or enhance the Conservation Area;
- The proposal adversely affected the residential amenities of houses in Holmesdale Road by reason of overlooking and loss of privacy, and loss of sunlight;
- The mix of units provided in the previous scheme did not meet the dwelling mix guidance.

9.2 The main issues in respect of the current application (1) the principle of a residential use/ change of use, (2) design & form, (3) he layout/ standard/ mix of accommodation of the proposed residential units, (4) impact on the

conservation area, (5) impact on the amenity of adjoining occupiers (6) transportation/ car parking and (7) planning obligations.

Principle of Residential Use/ Change of Use

- 9.3 The very first issue in considering an application of this nature is the loss of the employment use. While the application site does not fall within a defined employment area (DEA) the requirement of policy EMP4, which outlines criteria for the change of use of land and buildings previously in employment generation apply in this case. The policy states that planning permission will be granted to redevelop or change the use of land and buildings in an employment generating use provided:
- a) the land or building is no longer suitable for business or industry use on environmental, amenity and transport grounds in the short, medium and long term; and
  - b) there is well documented evidence of an unsuccessful marketing/advertisement campaign, including price sought over a period of normally 18 months in areas outside the DEAs, or 3 years within a DEA; or
  - c) The redevelopment or re-use of all employment generating land and premises would retain or increase the number of jobs permanently provided on the site, and result in wider regeneration benefits.
- 9.4 The application site is located within an established residential area, situated in between Highgate and Archway Underground Station and close to a number of public transport facilities. A residential development on this site is considered appropriate and to be in accordance with the sequential approach advocated in policy HSG1 'New Housing Development'.
- 9.5 The applicant has submitted a letter, which raises the issues of loss of employment in this part of Archway Road stating that despite the marketing campaign the commercial premises has not been let. The letter states that the commercial viability of the existing Archway Exhaust firm has undoubtedly been seriously impaired by the creation of the 'red route', and a continuation of this type of business on the site would therefore be considered unworkable. It is also noted that a further difficulty with the site, in terms of alternative commercial occupiers, is the layout and construction of the existing building. There is also the issue of the very poor physical condition of these structures. The poorly exposed workshop 'shed' fronting onto the adjoining two-storey Victorian storage building located at the rear of the site has a very basic construction and poor levels of day lighting.
- 9.6 In the supporting statement submitted the applicant points out that another important issue affecting the saleability of this site for commercial use was a lack of demand locally, and the changing nature of the patterns of use for small workspace commercial lettings and sales along this part of Archway Road. The difficulties in finding tenets for the existing poorly maintained and declining

service has been further exacerbated due to its placement within an awkward and predominantly residential setting.

9.7 Within the supporting information submitted the agent outlined that the business has declined markedly in recent years and the owners seek to retire. The agent has provided the following information below to demonstrate the loss of employment in terms of this car repair workshop would not be significant nor would the closure of this facility.

1) The business currently employs 3 people (1 part-time). In 2006, 5 people were employed (1 self-employed), and prior to the creation of the 'Red Route' there were 7 people employed full-time.

2) The Applicant has dealt with Mr. Cassem at SCR (detailed letter included in application submission) as they are the local estate agents. The letter specified the issues relating to loss of employment and business trade to the car repair garage located within this mainly residential part of Archway Road.

3) The agent has pointed out that both 'Highgate Tyres' (north up Archway Road) & 'Highgate Motors' (in Highgate village) will have benefited from his decline, whilst 'Kwikfit' (in Crouch End) is also well-known locally. The Applicant has occasionally directed people to 'Holloway Tyres' (on Holloway Road). More recently, supermarket and internet retailing of tyres has taken a significant part of the market. The applicant has also stated that before the 'Red Route' the applicant sold roughly 200 tyres & 50 exhausts a week, nowadays he sells about 50 tyres & 10 exhausts.

9.8 It has also been pointed out by the agent that the other nearby car repair garages are continuing to benefit from the increase in trade as they are more suitably located within a prominent existing local shopping parade.

9.9 In pre-application discussion the agent did submit a scheme which incorporated 'B1' office use in order to overcome the loss of employment issue. Officers had concerns that such a B1 use would not work well with the design and form of the proposed building which would have a residential character and appearance.

9.10 It is considered that along this stretch of Archway Road the use of B1 premises would be better accommodated within an existing local shopping parade, which has historically had a high vacancy rate.

9.11 On balance based on the information submitted and the points discussed above, a change of use to residential use is considered acceptable.

Design & form

9.12 The proposed building form on site is for a three storey terrace property that will be designed to a similar dimension with the adjoining terrace. The proposed front elevation will be an exact replica of the adjoining terrace. The new development will be constructed of brick with slate tiles to match the existing terrace. The building will have white painted timber framed windows with

decorative surround and will display the same features as the adjoining and neighbouring terrace properties; namely brick built, bay windows, a recessed doorway with a pediment features above the entrance.

- 9.13 This scheme respects the “consistency of form and detailing” of the adjoining and neighbouring terraces and its height and scale are positioned to align to the front building line of the adjoining Victorian residential terraces (no’s 278-304 Archway Road). The building will be set back from the existing tall rear brick boundary wall to the back of the site in order to preserve the privacy and amenity of the residents in Holmesdale Road. The new building façade will have a gradual step down that would be consistent with the existing façade to follow the slope along Archway. The dominant rhythm of the paired full-height canted bay windows of the existing terrace is repeated, whilst the steeply – pitched roof form matches the existing and incorporates a ‘hip’ end, which is similar to the design at the north end of the terrace.
- 9.14 At ground floor level, hedging will be set behind painted metal railings to screen the front garden area and the refuse/recycling containers.
- 9.15 All entrances will have level access. The front door will have a clear opening width of 1m. The doors, lobbies and corridors are wide enough to allow wheelchair users to access all rooms.

Layout / standard & mix of residential accommodation

- 9.16 The proposed residential accommodation will consist of 7 self contained units. The unit sizes will be as follows; for the 2 x ground floor three bed family units with rear garden, this will measure 72sq.m including 38sq.m of rear garden. The two bed units on the first floor measuring 63sq.m in size. The two bed units on the second floor will also consist of 63sq.m in size with small balconies to the rear measuring 12sq.m The 1 x two bed unit on the third floor will be 77sq.m in size. Therefore, this proposed internal room arrangements would meet the floor space requirements set out in SPD ‘Housing’ for 2 and 3 bedroom units.
- 9.17 The overall mix of the proposed scheme is for 2 x 3 bed maisonettes and 5 x 2 bed flats totalling to 7 units. It is considered that all of the flats and maisonettes are generously proportioned, with habitable room sizes in excess of the minimum floor areas set out in the guidelines. All of the room sizes are consistent with the floor space minima outlined in Figure 8.1 of the Housing SPD. While the scheme provided a high number of 2 bedroom units, the mix is considered acceptable as the scheme would also accommodate 2 x 3 bed family size units on the ground.
- 9.18 At ground floor level the 3 bedroom family garden maisonettes incorporate compact semi-basement are, providing a bedroom and bathroom, with small light wells excavated from the gardens. All the upper floors incorporate either small terrace or balconies to the rear.
- 9.19 As the proposal is below the 10 unit threshold, no affordable housing provision is required in this case.

- 9.20 While the current proposal will consist of more habitable accommodation in comparison to the previously refused scheme, this is because the previous schemes incorporated car parking on site.

Impact on Conservation Area

- 9.21 The application site in its present form with its heavy signage stating 'Archway Exhaust & Tyres' is out of context with the overall general street scene formed of mainly three storey Victorian style residential dwellings. It is considered that the re-development of this site will bring several benefits. The introduction of these terrace properties will address the unsightly nature of this typical industrial style vehicle workshop, which is currently out of keeping with the visual character of the surrounding. The proposal will complete the terrace on Archway Road and will provide associated landscaping.
- 9.22 The building form, 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. As such the proposal is considered to be in accordance with policies CSV1 'Development in Conservation Areas' and SPG2 'Conservation and Archaeology'.

Impact on the amenities/ privacy of adjoining occupiers.

- 9.23 The proposed building height, form and fenestration pattern is designed to be sensitive to the amenities of adjoining and neighbouring properties. The proposed building height will be set lower than the adjoining property of 278 Archway Road, thus maintaining the natural step down rhythm of properties on the street.
- 9.24 With regards to the existing rear brick boundary wall this is to be retained, adjoining the new maisonette gardens. Bearing in mind the height of this wall and the positioning of the building back from this wall the scheme will not result in overlooking or loss of privacy to the amenities of adjoining residents on Holmesdale Road. Equally the proposed development is not considered to result in overlooking or loss of daylight, sunlight to the adjoining neighbouring properties on Archway Road.

Transportation/ Car Parking

- 9.25 The application site falls within a PTAL 3 area and is within walking distance of Highgate Tube Station and a number of different bus services. The application site fronts onto highway controlled by TfL. A response has been received from TfL, and has identified key issues stated within the Transportation consultation response. Further to the response from TfL the developer is minded to enter in to a S106 'Car free' agreement with the Local Authority.
- 9.26 Taking into account the PTAL rating for this site, it is considered that the nature of this development is also suitable for a 'car-free' development. This will be



secured by way of a Section 106 agreement and will prevent future occupiers from applying for residents parking permits under the terms of the relevant traffic management order.

#### Planning Obligations/Section 106

9. 27 In line with Supplementary Planning Guidance 10a 'The Negotiation, Management and Monitoring of Planning Obligations' and SPG 10c 'Educational Needs Generated by New Housing', the LPA will seek an educational contribution in connection with this development. The education contribution as per the scheme submitted and calculated in accordance with SPG 10a would amount to £33,000.00.
9. 28 As outlined above it is also requested that the residential unit are defined as 'car free' by Section 106 and that no residents therein will be entitled to apply for a residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development". A contribution of £1,000.00 is sought towards the amendment of the TMO and an administration / monitoring cost of £1,000.00 in connection with this Section 106 agreement.

#### **HUMAN RIGHTS**

9. 29 All applications are considered against a background of the Human Rights Act 1998 and in accordance with Article 22(1) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 where there is a requirement to give reasons for the grant of planning permission. Reasons for refusal are always given and are set out on the decision notice. Unless any report specifically indicates otherwise all decisions of this Committee will accord with the requirements of the above Act and Order.

#### **EQUALITIES**

9. 30 In determining this planning application the Council is required to have regard to its obligations under equalities legislation including the obligations under section 71 of the Race Relations Act 1976. In carrying out the Council's functions due regard must be had, firstly to the need to eliminate unlawful discrimination, and secondly to the need to promote equality of opportunity and good relations between persons of different equalities groups. Members must have regard to these obligations in taking a decision on this application.

#### **CONCLUSION**

10. 0 The current scheme for this site has been considered having regards to the previous refusal. The principle of residential use is now considered acceptable and will address the unsightly nature of the site, in particular removing view of the single storey pitched workshop. The building form, 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 Highgate Conservation Area. The proposal will not give rise to issues of loss of sunlight, daylight, outlook or privacy to neighbouring/ adjoining occupiers.

- 10.1 Whilst the proposed scheme will involve the loss of a commercial space suitable for employment use, the level of current employment with this site is not considered to be significant. The marketing of the site and constraints associated with the site are noted. The change of use of this space to residential use is compatible with the surrounding area.
- 10.2 As such the proposal is considered to be in accordance with policies: G2 'Development and Urban Design', policies UD3 'General Principles', UD4 'Quality Design', UD8 'Planning Obligations', HSG1 'New Housing Development', HSG10 'Dwelling Mix', 'Housing' Supplementary Planning Document 2008, M10 'Parking for Development', CSV1 'Development in Conservation Areas' of the adopted Haringey Unitary Development (2006) and with Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology', SPG3a 'Density, Dwelling Mix, Floor Space Minima, Conversions, Extensions and Lifetime Homes', SPG3b 'Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight', SPG8b 'Materials', SPG10 'The Negotiation, Management and Monitoring of Planning Obligations' and SPG 12 'Educational Needs Generated by New Housing Development'. For the reasons given above this application is recommended for APPROVAL.

## **RECOMMENDATIONS**

### **11.0 RECOMMENDATION 1**

The Sub-Committee is recommended to RESOLVE as follows: (1) that planning permission be granted in accordance with planning application no. HG/2011/2229, 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) A contribution of £33,000.00 towards educational facilities within the Borough (£16,000.00 for primary and £17,000.00 for secondary) according to the formula set out in Policy UD8 and Supplementary Planning Guidance 10c of the Haringey Unitary Development Plan July 2006;

(1.2) A sum of £1,000.00 towards the amendment of the relevant Traffic Management Order(s) (TMO) controlling on-street parking in the vicinity of the site to reflect that the 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);

(1.3) the developer to pay an administration / monitoring cost of £1,000.00 in connection with this Section 106 agreement. This gives a total amount of £35,000.00.

#### 11.1 RECOMMENDATION 2

That following completion of the Agreement referred to in (1) above, planning permission be GRANTED in accordance with planning application no HGY/2011/2229 and the Applicant's drawing No.(s) pB1106:1-5 Incl. 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.

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

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

5. Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins and/or other refuse storage containers shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

#### PERMITTED DEVELOPMENT & USE

6. 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.

7. No music or other amplified sound shall emanate from the site before 09:00hrs and after 23:00hrs at any day, which in the opinion of the Environmental Health Service acting on behalf of the Local Planning Authority would cause nuisance to any adjacent occupier.

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

#### CONSTRUCTION

8. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days unless previously approved in writing by the Local Planning Authority

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

9. A Construction Management Plan (CMP) and Construction Logistics Plan (CLP) shall be submitted for TfL and local authority's approval prior to construction work commences on site. The Plans should provide details on how construction work (inc. demolitions) would be undertaken in a manner that disruption to traffic and pedestrians on A1 would be minimised. It is also requested that

construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods.

Reason: Due to the importance of A1, on-going lane closure would not be permitted by TfL for the construction of the development

10. Before development commences other than for investigative work:

a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:  
- a risk assessment to be undertaken, refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements. The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

#### REASON FOR APPROVAL

The current scheme for this site has been considered having regards to the previous refusal. The principle of residential use is now considered acceptable and will address the unsightly nature of the site, in particular removing view of the single storey pitched workshop. The building form, 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 Highgate Conservation Area. The proposal will

not give rise to issues of loss of sunlight, daylight, outlook or privacy to neighbouring/ adjoining occupiers.

As such the proposal is considered to be in accordance with policies: G2 'Development and Urban Design', policies UD3 'General Principles', UD4 'Quality Design', UD8 'Planning Obligations', HSG1 'New Housing Development', HSG10 'Dwelling Mix', 'Housing' Supplementary Planning Document 2008, M10 'Parking for Development', CSV1 'Development in Conservation Areas' of the adopted Haringey Unitary Development (2006) and with Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology', SPG3a 'Density, Dwelling Mix, Floor Space Minima, Conversions, Extensions and Lifetime Homes', SPG3b 'Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight', SPG8b 'Materials', SPG10 'The Negotiation, Management and Monitoring of Planning Obligations' and SPG 12 'Educational Needs Generated by New Housing Development'.

INFORMATIVES:

1. The developer will be required to enter into a S278 Agreement with TfL under Highways Act 1980 to remove existing vehicular crossovers and to improve/ renew footway along the frontage of the site on A1 Archway Road to TfL's requirement prior to the occupation of the site.
2. Prior to demolition of existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.
3. The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573)

Planning Committee 12<sup>th</sup> March 2012

Item No.

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2011/2231	<b>Ward:</b> Highgate
<b>Address:</b> 274 Archway Road N6 5AU	
<b>Proposal:</b> Conservation Area Consent for demolition of existing workshop and erection of new 3 storey block to provide 2 x 3 bedroom and 5 x 2 bedroom self contained units incorporating garden areas to front and rear	
<b>Existing Use:</b> Car Repair	<b>Proposed Use:</b> Residential
<b>Applicant:</b> Mr Modi Archway Exhausts Ex Tyres	
<b>Ownership:</b> Private	
<b>Date received:</b> 01/12/2011 <b>Last amended date:</b> N/A	
<b>Drawing number of plans:</b> pB1106:1-5 Incl.	
<b>Case Officer Contact:</b> Matthew Gunning	
<b>PLANNING DESIGNATIONS:</b> Road Network: C Road, Conservation Area	
<b>RECOMMENDATION:</b> GRANT CONSERVATION AREA CONSENT subject to conditions	
<p><b>SUMMARY OF REPORT:</b></p> <p>This application is for conservation area consent for the demolition of existing workshop buildings and erection of new 3 storey block to provide 2 x 3 bedroom and 5 x 2 bedroom self contained units incorporating garden areas to front and rear. The proposed demolition of this existing building is acceptable given it is of no particular merit in itself and does not positively contribute to the character of the conservation area. The siting, design, form, detailing of the proposed building is also considered acceptable. Overall the proposed development will enhance the character and appearance of this part of the Conservation Area. As such the proposal accords with policies CSV1 'Development in Conservation Areas', CSV7 'Demolition in Conservation Area' of the adopted Haringey Unitary Development Plan 2006 and SPG2 'Conservation &amp; Archaeology'. Given the above this application is recommended for approval.</p>	

1.0 IMAGES



**Indicative Front/ Street Elevation**



**Indicative Front/ Street Elevation**



### **3.0 SITE AND SURROUNDINGS**

- 3.1 The application property is a car repair garage (car tyre and exhaust business) located on the eastern side of Archway and comprises of two buildings. The original building located to the rear, which runs parallel to the road, has a pitched roof with storage space in the loft area, while the front building sits at right angles to the road with a gable facing Archway Road. There is a full width crossover and a forecourt to front of the site which provides some off-street car parking spaces for this business. The site slopes steeply downwards from the front to the rear, and the rear building has a blank rear brick wall nearly 4 storeys high. Behind the site are 3-storey (including lower ground floors) terrace houses on Holmesdale Road. The site backs directly on to nos. 55 and 57. Each house has habitable room windows in the end of the rear extensions facing the high boundary wall, with 15m deep rear gardens.
- 3.2 To the north of the site is a long uniform 3-storey terrace of houses with full height front bays and long 4-storey (due to the fall in the land) “outrigger” extensions, with about 5m between the extensions and the rear boundary. This terrace is called ‘Prestwood Mansions’ and is possibly named after the ‘Prestwood Cottage’ seen in this site on the 1875 Ordinance Survey Map. The terrace has canted bay on each floor and original front doors, most of which still have stained glass in them, and all the porches have original brightly coloured tiles up to waist height. These terraces were designed as flats. There are no shops on the ground floor except for the last three houses on the corner of Holmesdale Road. Adjoining the site to the south is Cholmeley Evangelical Church, which has a relatively modern 2-storey frontage.
- 3.3 Archway Road is a very busy arterial road that has been designated as a Priority (Red) Route. It is generally densely developed, with a mixture of residential and commercial properties along each side of the road. Many of the properties along Archway Road and on the streets to the east and west of this arterial route have been converted into flats. The application site falls within the Archway Road Restricted Conversion Area. The application site is approximately 500m away from Highgate Tube Station.
- 3.4 The site also falls within the extensive Highgate Conservation Area; which is largely residential in character, with terraces of houses on streets to the west and east of Archway Road. These terrace houses are substantial Victorian terraces with good proportions and strongly consistent detailing with vertical emphasis to front elevations.

### **4.0 PROPOSAL**

- 4.1 This application seeks Conservation Area consent for demolition of the existing workshop and erection of new 3 storey block to provide 2 x 3 bedroom and 5 x 2 bedroom self contained units incorporating garden areas to front and rear. A separate application for full planning permission is simultaneously under assessment (HGY/2011/2229).

## **5.0 PLANNING HISTORY**

### **5.1 Planning Application History**

HGY/2006/2223 - Demolition of existing single storey garage building and erection of 3 storey building with rooms in roof comprising 1 x one bed and 6 x two bed self contained flats with associated parking – Refused 13/02/2007

HGY/2011/2229 - Demolition of existing workshop and erection of new 3 storey block to provide 2 x 3 bedroom and 5 x 2 bedroom self contained units incorporating garden areas to front and rear - PENDING

### **5.2 Planning Enforcement History**

No history

## **6.0 RELEVANT PLANNING POLICY**

### **6.1 National Planning Policy**

Planning Policy Statement: 5 Planning for the Historic Environment

### **6.2 London Plan 2011**

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.9 Heritage-led regeneration

### **6.3 Haringey Unitary Development Plan (2006)**

G10 Conservation

CSV1 Development in Conservation Areas

CSV5 Alterations and Extensions in Conservation Areas

CSV7 Demolition in Conservation Areas

### **6.4 Supplementary Planning Guidance / Documents**

SPG2 Conservation and Archaeology

## **7.0 CONSULTATION**

6.1 As per application HGY/2011/2229

## **8.0 RESPONSES**

7.1 As per application HGY/2011/2229

## **8.0 ANALYSIS / ASSESSMENT OF THE APPLICATION**

- 8.1 The proposal is for the demolition of an existing workshop building on this site. The demolition would cause no harm to the character of the locality as the existing building is of no special merit and does not contribute positively to the character of the conservation area. Therefore the demolition of the building, provided the replacement development preserves the character of the Conservation Area, is deemed acceptable in principle.
- 8.2 The detail and design of the replacement building has been assessed under planning ref: HGY/2011/2229. Overall the proposed development will respect the character and appearance of this part of the conservation area and therefore the proposed development is considered to be in accordance with the requirements of policies CSV1 'Development in Conservation Areas', CSV7 'Demolition in Conservation Area' of the adopted Haringey Unitary Development Plan (2006) and SPG2 'Conservation & Archaeology' of the Haringey Supplementary Planning Guidance and Documents. On this basis, it is recommended that Conservation Area Consent be GRANTED subject to conditions.

## **9.0 RECOMMENDATIONS**

GRANT CONSERVATION AREA CONSENT subject to conditions

Applicant's Drawing Numbers: pB1106:1-5 Incl.

Application Ref: HGY/2011/2231

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 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.

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

### **REASONS FOR APPROVAL**

The proposed demolition of this existing building is acceptable given it is of no particular merit in itself and does not positively contribute to the character of the conservation area. The siting, design, form, detailing of the proposed building is also considered acceptable. Overall the proposed development will enhance the character and appearance of this part of the Conservation Area. As such the proposal accords with policies CSV1 'Development in Conservation Areas', CSV7 'Demolition in Conservation Area' of the adopted Haringey Unitary Development Plan 2006 and

SPG2 'Conservation & Archaeology'. Given the above this application is recommended for approval.



**PLANNING DESIGNATIONS:**

Road Network: Classified Road

**RECOMMENDATION**

GRANT PERMISSION subject to conditions and subject to sec. 106 Legal Agreement

**SUMMARY OF REPORT:**

The application is for the redevelopment of the site comprising of single storey food store with 88 vehicle parking spaces, 4 disabled bays and 8 cycle parking spaces.

In terms of the principle of continued retail use as an Aldi store, this is supported through policy and is integral to the area, to address the vitality and viability of this part of the High Road

In design terms it is considered that the replacement store is an improvement on the previous building in that it is contemporary architecture which replaces the store that Aldi took over from the Co-Op. It is considered that, the widening of the space between the road and store would create an area of open space in front of the building which would improve the quality of the public realm.

The traffic and parking demand that will be generated by the proposed new replacement store will not generate a significant increase in traffic or parking demand when compared to the previous ALDI supermarket. The proposed relocated site access will not have any adverse impact on safety of the transportation and highways network.

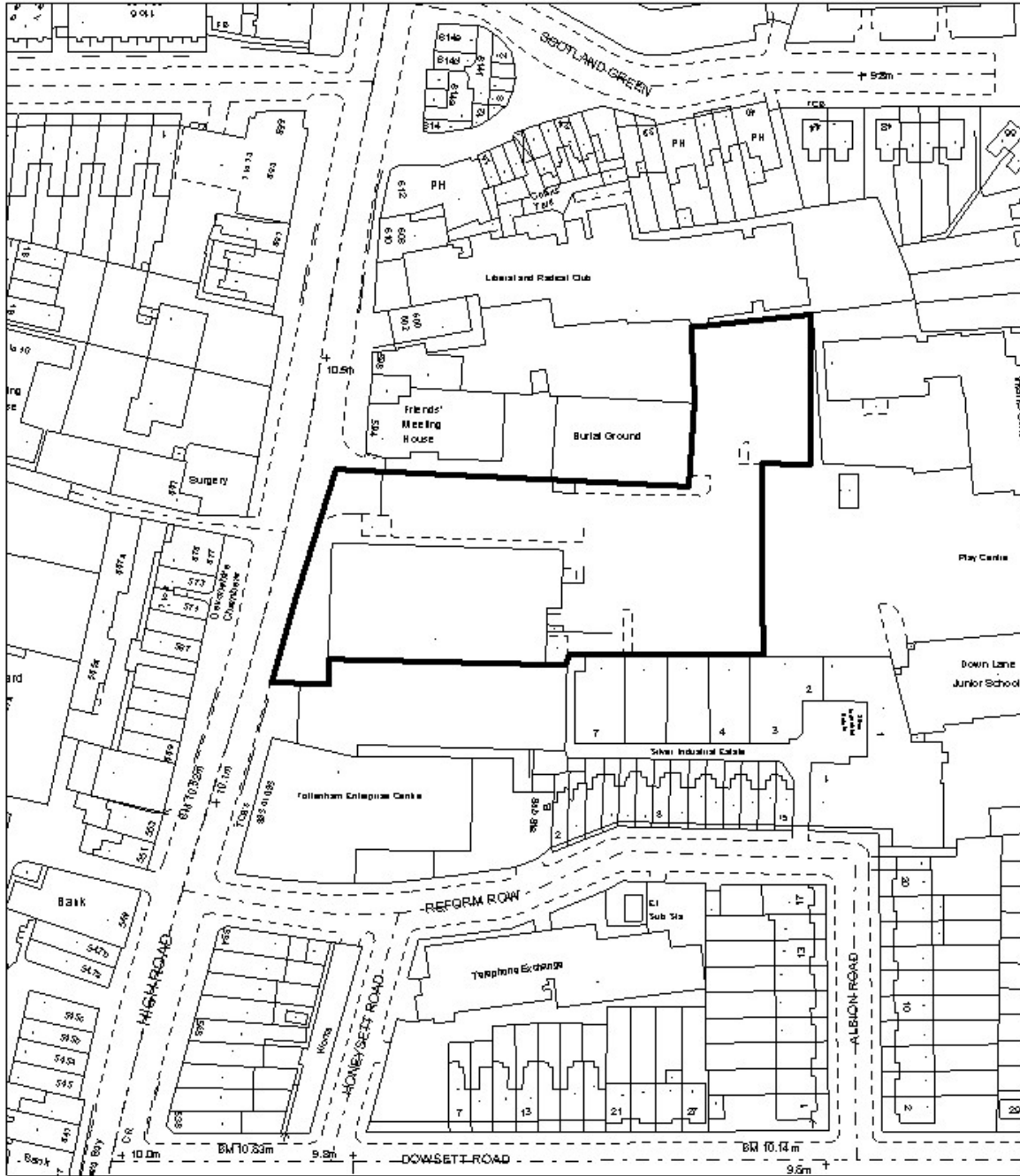
The proposed development, positively responds to the need for a sustainable form of development.

In determining this application, officers have had regard to the Council's obligations under the Equality Act 2010.

On balance it is considered that the scheme is largely consistent with planning policy and that subject to appropriate conditions and s106 contributions it is recommended that the application be granted planning permission.

<b>TABLE OF CONTENTS</b>	
1.0	PROPOSED SITE PLAN
2.0	IMAGES
3.0	SITE AND SURROUNDINGS
4.0	PLANNING HISTORY
5.0	PROPOSAL DESCRIPTION
6.0	RELEVANT PLANNING POLICY
7.0	CONSULTATION
8.0	ANALYSIS / ASSESSMENT OF APPLICATION
8.1	Principle of Retail Development
8.2	Design and built form of new building
8.3	Impact on the adjacent Conservation Area
8.4	Layout/Access
8.5	Transport and Parking
8.6	Lighting
8.7	Residential Amenity
8.8	Waste Management
8.9	Secure by Design
8.10	Landscaping
8.11	Energy and Sustainability
8.12	Planning Obligations - Section 106 and Heads of Terms
9.0	HUMAN RIGHTS
10.0	EQUALITIES
11.0	SUMMARY AND CONCLUSION
12.0	RECOMMENDATIONS
13.0	APPENDICES
	Appendix 1: Consultation Responses
	Appendix 2: Planning Policies
	Appendix 3 Development Management Forum Minutes
	Appendix 4 Design Panel Minutes

1.0 PROPOSED SITE PLAN



This map is reproduced from the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. LBH Harrogate 100019199 (2008)

**Site plan**  
**Aldi Store Ltd, 570-592, High Road, N17**

**Directorate of  
 Place &  
 Sustainability**

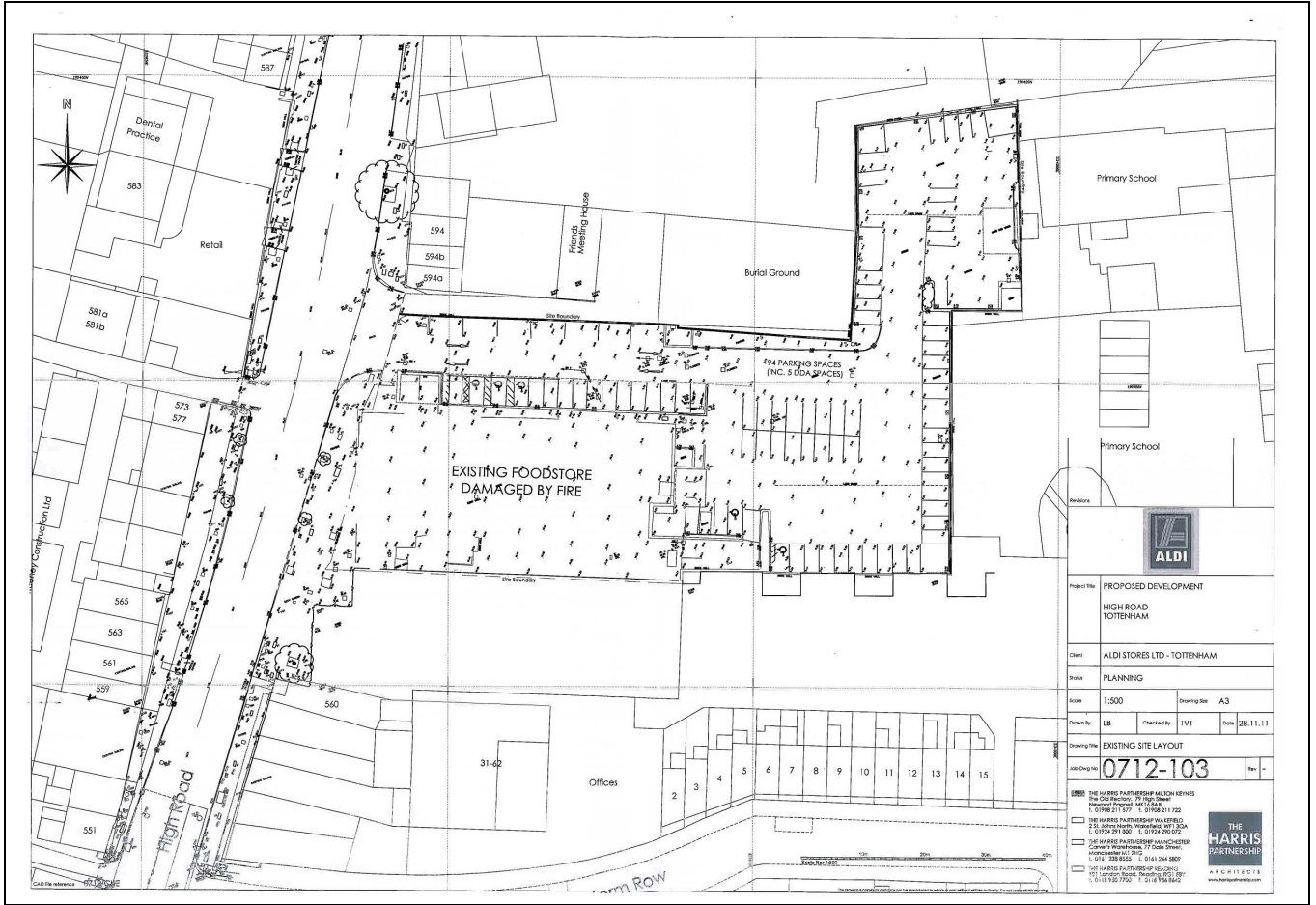
Marc Dorfman  
 Assistant Director  
 Planning, Regeneration & Economy

	Drawn by	AA
	Scale	1:1250
	Date	12/03/2012











**View North along High Road**



**View of the site from High Road post demolition**

### 3.0 SITE AND SURROUNDINGS

- 3.1 The application site is located to the east of High Road, Tottenham in between the junctions with Scotland Green and Reform Row within Tottenham Town Centre. The site was formally occupied by an Aldi supermarket, associated car parking, incorporating a hand car wash and the adjoining fitness first. The former building which was severely damaged and destroyed by arson during the riots of August 2011 was a double height single storey property fronting the High Road with a two storey section at the rear. The building was mainly of yellow stock brickwork with feature panels within arches, red brick arch headers, light buff keystones and proud piers in red brickwork. The shopfront to the adjoining unit (not part of this application) is formed in red framed windows with arches formed within the framing. The roof is hipped and covered with dark grey tiles. For reasons of safety, the part of the building previously occupied by Aldi has now been demolished.
- 3.2 It was originally built in the 1980s as a Co-Op and operated as an Aldi supermarket from this location since it opened in 1998 in a subdivided building with an adjoining Fitness First leisure unit, which most of whose section survived the riots. This site had their part of the building on a long lease from Aldi, partitioned through a wall. The leisure unit portion of the building remains and is currently vacant and in need of repair. Adjoining the north boundary of the site is a hairdressers with residential above. A feeder access runs alongside the hairdressers and boundary wall to the rear which leads to a 'Friends Meeting House' and burial ground. The stretch of High Road surrounding the site is a mixture of building heights from double height single-storey to five-storey and comprises of a mixture of commercial and residential units.
- 3.3 The site sits outside but adjacent to the currently designated Tottenham High Road Conservation Area. In terms of architecture, the surrounding area (within 250m) is an eclectic mix of ages from the early 18<sup>th</sup> century to present and even before the riots some of the properties were boarded up and either derelict or vacant. The majority of the buildings to the south of the site along High Road are locally listed and built between 1837 to 1945. To the north of the site they are mainly built after 1946 or between 1837 to 1900. The buildings immediately adjacent to the site are locally listed but the properties directly across the street from the existing vehicular access to the site are Grade II and Grade II\* Listed which include the surgery and two semi-detached villas (581, 583 and 585 High Road) including listed walls and railings. At the junction of Scotland Green and High Road is the old Blue school which sits as a one and two-storey property alongside High Road and was built in the 19<sup>th</sup> century. Adjoining and to the rear of the site is a recently built four storey rendered building with timber balcony detail.
- 3.4 Other notable buildings close to the site along the High Road are the terrace of buildings between Reform Row and Dowsett Road (numbers 554 to 552) and the property across the road (number 549). To the east of the site along Parkhurst Road is Mulberry Primary School which forms a collection of buildings ranging from two storey to four storey.

#### **4.0 PLANNING HISTORY**

##### **4.1 Planning Application History**

HGY/2991/0269

Display of shop fascia signs, entrance signs, car park signs, erection of company tower sign. GTD-08-07-91

HGY/1991/1102

570-592 High Road London -Erection of free-standing pole - mounted sign.REF-01-11-91

HGY/1998/0376

570-592 High Road London -Change of use of part of ground floor to (D2) leisure use, minor shop front alteration and car parking improvements. GTD-09-06-98

HGY/1998/1144

Approval of details pursuant to conditions 3, 5 and 6 attached to planning permission HGY/54658 in respect of materials, disabled parking bays, and cycle parking stands. GTD-25-05-99

HGY/1998/1152

Erection of 1 x 3 metre high internally illuminated post sign and 1 x wall mounted internally illuminated sign. GTD-10-11-98

HGY/1998/1446

Installation of neon tubing roof mounted panel sign. GTD-08-12-98

HGY/1999/1462

Approval of details to condition 7 (car park management system) attached to planning permission HGY/54658. GTD-21-12-99

HGY/2002/1442

Display of internally illuminated fascia sign and projecting box sign. GTD-12-11-02

HGY/2004/2238

Partial change of use of car park to hand car wash service. REF-21-12-04

HGY/2005/0669

Continuation of partial change of use of car park to hand car wash service. GTD-31-05-05

HGY/2007/2243

Continuation of partial change of use of car park to hand car wash service. GTD-18-12-07

HGY/2009/0740

Display of 1 x free standing, internally illuminated advertising panel and public payphone attached to the reverse side of the panel REF-23-06-09

#### 4.2 Planning Enforcement History

CUO-2004-00513

The operation of a car wash in the car park – case closed-21-12-05

UCU/2007/00675

Planning application to renew expired time limited permission for use of car park as hand car wash service not received as expiry date of 03-06-07-case closed-04-04-08

### 5.0 PROPOSAL DESCRIPTIONS

- 5.1 This current application is for the redevelopment of the Aldi site which was destroyed by arson during the August 2011 riots. The proposal includes the erection of a single-storey, double height, flat roof store.

- 5.2 The building proposed after amendments will be contemporary in style. It will have curtain wall glazing in an anthracite grey frame to three quarters of the elevation facing the High Road and wraps around the corner of the building alongside the new access. The remaining elevations are mainly formed using crisp white rendered panels. On the south elevation alongside the new site access, the elevation is provided with high level anthracite framed glazing to bring natural light into the retail space. No high level windows have been provided to the northern or eastern elevations. A cantilevered canopy runs alongside the glazing on the west elevation facing High Road and wraps round the building to the south elevation for three bays. The maximum height of the proposed foodstore will be 5.46m. The unit will have a maximum depth of 61.2m and width of 25.9m, with a canopy which projects 3.1m from the front and side façades. 2 No. solid shutters will be installed over the entrance doors only. The shutters will have a maximum height of 2.2m and width of 1.3m that fit only over the door opening and will be powder coated to match the glazing system.
- 5.3 The car park area which is a mixture of block paving and tarmac will be retained. The layout of the site has been reorganised from its format prior to demolition. The new proposed A1 retail unit has been relocated fronting High Road but alongside the North boundary for the site. The new vehicular and pedestrian accesses have been repositioned further south along High Road, to run between the adjoining leisure unit and the new proposed retail unit. A new external gable wall is proposed for the existing adjoining leisure unit, which does not form part of the planning application. The existing trolley bay structure will be removed and the trolleys repositioned to the southern side of the store. 88 car parking spaces which include 4 disabled bays and 8 cycle parking spaces are proposed.

## **6.0 RELEVANT PLANNING POLICY**

- 6.1 The planning application is assessed against relevant National, Regional and Local planning policy, including relevant;

- National Planning Policy Guidance
- National Planning Policy Statements
- The London Plan 2011 (Published 22 July 2011)

Following consultation in 2008, the Mayor decided to create a replacement Plan rather than amend the previous London Plan. Public consultation on the Draft London Plan took place until January 2010 and its Examination in Public closed on 8 December 2010. The panel report was published by the Mayor on 3<sup>rd</sup> May 2011. The final report was published on 22<sup>nd</sup> July 2011. The London Plan (July 2011) is now the adopted regional plan.

- Haringey Unitary Development Plan (Adopted 2006)
- Haringey Supplementary Planning Guidance and Documents



- Haringey Local Development Frameworks Core Strategy & Proposals Map

(Published for Consultation May 2010; Submitted for Examination March 2011)

Haringey's draft Core Strategy submitted to the Secretary of State in March for Examination in Public (EiP). This EiP commenced on 28<sup>th</sup> June and concluded on 7<sup>th</sup> July with the binding Inspector's report expected in October/November 2011. As a matter of law, some weight should be attached to the Core Strategy policies which have been submitted for EiP however they cannot in themselves override Haringey's Unitary Development Plan (2006) unless material considerations indicate otherwise.

- Haringey Draft Development Management Policies

The consultation draft of the Development Management DPD (DM DPD) was issued in May 2010 following the responses received. The proposed submission draft will be published in summer 2011. The DM DPD is at an earlier stage than the Core Strategy and therefore can only be accorded limited weight at this point in time.

6.2 A full list of relevant planning policy can be found in Appendix 2.

## **7.0 CONSULTATION**

7.1 The Council has undertaken wide consultation including Statutory Consultees and Internal Consultees, Ward Councillors, Residents Groups and Local Residents. A list of Consultees is provided below.

### **7.1.1 Statutory Consultees**

- London Fire Brigade
- Crime Prevention Officer

### **7.1.2 Internal Consultees**

- Haringey Building Control
- Haringey Design and Conservation
- Haringey Transportation
- Haringey Tottenham Regeneration Team
- Haringey Waste Management

### **7.1.3 External Consultees – Ward Councillors, Residents Groups and other Stakeholders**

- T&WGn Friends of the Earth
- Ward Councillors
- Tottenham CAAC

- Paul Finch – Tottenham Task Force
- Design Panel

#### 7.1.4 Local Residents

- 282 local residents were consulted
- A Development Management Forum was held on the 7th February 2012 at the Pembury House Nursery School & Children's Centre, The minutes are attached as Appendix 3

7.2 A summary of statutory consultees and residents/stakeholders supporting comments and objections can be found in Appendix 1. raised the following

Consultation responses raised the following support issues:

- Design
- Employment
- Amenity
- Accessibility

Consultation responses raised the following objection issues;

- Design
- Sustainability
- Use
- Viability
- Access

7.3 Attendees of the Development Management Forum raised the following issues.

- Design
- Sustainability
- Viability
- Parking
- Materials

7.4 Planning Officers have considered all consultation responses and have commented on these both in Appendix 1 and within the relevant sections of the assessment in part 8 of this report.

7.5 While the statutory consultation period is 21 days from the receipt of the consultation letter, the planning service has a policy of accepting comments right up until the Planning Sub-Committee meeting and in view of this the number of letters received is likely to rise further after the officer report is finalised but before the planning application is determined. These additional comments will be reported verbally to the planning sub-committee.

#### Design Panel

7.6 The scheme was presented to the Haringey Design Panel in January 2012. The minutes of the meeting are attached in Appendix 4.

7.7 The panel recognised the overall need for redevelopment. It had the following concerns:

- The design didn't return to the original street line
- The building needs to be taller
- Excessive glazing to the High Road
- Inactive frontage at car park entrance
- Need to consider sustainability more
- Needs to have rooflights
- Needs to consider viability of a larger development on the site incorporating residential and other uses

7.8 Officers views on these comments are:

- The widening of the space between the road and store can create benefits that an area of open space may bring
- The principle of a single storey building is appropriate
- A glazed façade will look attractive on the street frontage and create an active frontage
- Conditions will be attached to ensure the scheme is sustainable
- The building will receive good light
- A larger development on the site incorporating residential and other uses has been considered but the applicant have considered that further uses on the site would not be viable.

#### Applicants consultation

7.9 The applicant has undertaken their own community consultation after the submission of this application.

7.10 Consultation on the Aldi scheme comprised of a draft newsletter that was sent out to 3,000 local residents and businesses. A public exhibition was held on 13<sup>th</sup> of January 2012 at Stringer Hall, Mitchley Road, Tottenham N17 to give residents an opportunity to find out more about the proposal and help shape the scheme. Member of the project team were available to answer any questions on the day. A freephone information line and email service was also available.

## **8.0 ANALYSIS / ASSESSMENT OF THE APPLICATION**

The main issues in respect of this application are considered to be:

- 8.1 Principle of Retail Development
- 8.2 Design and built form of new building
- 8.3 Impact on the adjacent Conservation Area
- 8.4 Layout/Access
- 8.5 Transport and Parking
- 8.6 Lighting
- 8.7 Residential Amenity
- 8.8 Waste Management
- 8.9 Secure by Design
- 8.10 Landscaping
- 8.11 Energy and Sustainability
- 8.12 Planning Obligations - Section 106 and Heads of Terms

### **8.1 Principle of Retail Development**

8.1.1 The proposed development comprises of approximately 1,414 sqm of retail floorspace that will include 990sqm net retail space, 325sqm warehouse, 90sqm amenity area and associated parking and servicing in the Tottenham Town Centre. The floor space found within the unit prior to its demolition was greater than the current application. In considering retail applications, PPS4 sets out that the 'sequential' approach should be used to assess the suitability of a site for a given retail development. This approach sets out the following classifications for sites:

- In centre
- Edge-of-centre
- Out-of-centre

In summary, the sequential test sets out a preference for locating a particular development first within a given centre, then, if no sites exist in edge-of-centre sites and finally out-of-centre sites.

8.1.2 The site falls entirely within the Tottenham Town Centre and has accommodated a supermarket for over 20 years, over half of which involved ALDI. As such, the site represents the only sequential site to accommodate ALDI. As the site is within the defined Tottenham Town Centre, there is no need to undertake a sequential approach or, indeed, assess the potential impacts of the proposals. The principle is also supported in both the 2006 Haringey UDP (policy TCR1) and 2011 London Plan (policy 2.15), which recognise existing centres as the preferred location for retail development.

8.1.3 The redevelopment of the site was due to the Aldi store being destroyed by arson during the August 2011 riots. Prior to the Aldi being destroyed, the store was an established facility, having served Tottenham for over 10 years. Gaining planning permission in 1998 under planning ref; HGY/1998/0376. Further, prior to this the building operated as a Co-Op foodstore, therefore in this respect the

site has a long established retail use. Para 3.6 of the planning statement states that 'Aldi was attracting over 11,000 trips a week to the Tottenham Town Centre. The store was therefore trading well and this trade represents considerable footfall and visits being attracted to the centre and which would benefit other shops and services. These shops will have lost this trade now that the store has gone. This result is a decline in the vitality and viability of the Town Centre. This position also clearly contradicts the policy objectives set out in policy TCR1 and TCR3, which seeks to resist proposals that would 'harm' the vitality and viability of centres'.

8.1.4 Furthermore, a number of residents support this planning application because of the great demand for the store which meets local needs..

8.1.5 In this context, it is therefore imperative that Aldi are able to reopen their store without delay, to address the vitality and viability of this part of the High Road.

8.1.6 The Design Panel raised the following concern

- Needs to consider viability of a larger development on the site incorporating residential and other uses

8.1.7 In para 3.26 of the planning statement, consideration has been given to whether or not there is justification for providing additional units beyond what is proposed, particular consideration has been given to residential use. Officers views however have concerns over the impact of housing being introduced on the site, where previously there wasn't any. Furthermore, it is important to consider that this application relates to reintroducing the anchor Aldi store to the Town centre. If Aldi are required to provide more than was previously on the site, this will result in both a delay to the delivery of any redevelopment. A large number of residents also support the return of the Aldi store and object to any plans to build residential on top.

## 8.2 **Design and built form of new building**

8.2.1 The proposal involves the erection of a single-storey, double height, flat roof store. The massing of the building is such that it will be almost identical to the massing of the previous building that has now been demolished. The design of the replacement building is more modern compared to the previous building. It will have curtain wall glazing in an anthracite grey frame to three quarters of the elevation facing the High Road and wraps around the corner of the building alongside the new access. The remaining elevations are mainly formed using crisp white rendered panels. On the south elevation alongside the new site access, the elevation is provided with high level anthracite framed glazing to bring natural light into the retail space. No high level windows have been provided to the northern or eastern elevations. A cantilevered canopy runs alongside the glazing on the west elevation facing High Road and wraps round the building to the south elevation for three bays.

8.2.2 Comments were raised at the Development Forum regarding the design. The following concern was raised

- The white render to the front of the proposed building will attract vandalism

8.2.3 In response to this concern the design and access statement highlights that the use of render allows for the easy application of remedial works if the building should suffer from vandalism which would be difficult to remove from other materials.

8.2.4 The Design Panel raised the following concerns;

- Excessive glazing to the High Road
- The proposed building needs to have rooflights
- The replacement building does not return to its original street line but has left a triangular shaped paved space between the front of the building and the pavement
- The scale of the street needs three stories

8.2.5 Officers views are that the replacement building represents straightforward contemporary architecture which replaces the store that Aldi took over from Co-Op. The palette of material, including glazed facade and colour is simple and attractive on the street frontage. The glazing on the High Road also creates a more active frontage than the previous building. Rooflights are not considered necessary because there is a great deal of glazing to the shop front and also there are high level windows along the retail space throwing ample natural daylight into the building to reduce the lighting load. Contrary to other retailers, Aldi as a retailer install a suspended ceiling throughout the unit to create a warmer feeling to the shopping experience and provide a good screen for all mechanical and electrical equipment. Rooflights in this instance would therefore not serve to throw any natural light into the building due to the installation of the ceiling and would become an unnecessary maintenance and security issue

8.2.5 The widening of the space between the road and store can create benefits that an area of open space may bring such as some form of landscaping which will not interrupt footfall. The planning permission will therefore be conditioned to provide details of a landscaping scheme to the frontage of the building along the High road to include the outside of the Fitness First building.

8.2.6 It is considered that a single storey building would create an open aspect within the street scene, which in turn creates both interest and enables views of surrounding buildings from the High Road, such as the school building at the rear. Furthermore, the proposal is almost identical in height to the previous building and the proposed amendments benefit from a green roof, that will be visible from taller buildings in the vicinity and it will soften the appearance of the roofline and make a distinctive contribution to the visual amenity of the High Road.

8.2.8 Since the submission of the planning application in December 2011 negotiations have taken place between the applicants' agents, the local planning authority and the Tottenham Task Force and as a result a formal

amendment to the scheme was submitted in February 2012. The key amendments are as follows;

- Relocated the trolleys away from the front of the building to the southern side of the store, facing the Fitness First building
- Designed the columns away from supporting the canopy, to create a cantilevered structure over the pavement.
- The building will now be floodlit via uplighters set in the paved area under the canopy
- The external shutters to the retail unit have now been removed from the scheme. This will be replaced with 2 No. solid shutters over the entrance doors only.
- A green roof will be installed.

8.2.9 These amendments are shown on the revised plans (Drawing No's: 0712-100 REV B; 0712-101 REVB; 0712-102 REV B; 0712- CGI 01B) which have been submitted as part of the formal amendment to the planning application.

8.2.10 The revised scheme is considered to be an improvement on the design. The design, mass and bulk of the development are considered to respond adequately to the sites orientation and context. It will sit well within existing pattern of development and improve the quality of the public realm.

### 8.3 **Impact on the adjacent Conservation Area**

8.3.1 The site lies adjacent to the Tottenham High Road Conservation Area. Nearby buildings directly across the street from the site include Nos. 581, 583 and 585 High Road, which are Grade II and Grade II\* Listed and a majority of the buildings to the south of the site along the High Road are locally listed between 1837 to 1945. At the junction of Scotland Green and the High Road is the Old Blue Note School which sits as a one and two storey property alongside the High Road and was built in the 19<sup>th</sup> Century. These buildings are identified as making a positive contribution to the Conservation Area.

8.3.2 PPS 5 'Planning for the Historic Environment' 2010 states that, In considering the impact of a proposal on any heritage asset, Local Planning Authorities (LPAs) should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. PPS5 also states that LPAs should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment.

8.3.3 UDP Policies CSV1 and CSV2 require proposals affecting conservation areas and statutory listed buildings, preserve or enhance their historic qualities, recognise and respect their character and appearance and protect their special interest. Policy CSV3 states that the Council will maintain a local list of buildings of architectural or historical interest including Designated Sites of Industrial Heritage Interest with a view to giving as much attention as possible to buildings and features worthy of preservation.

8.3.4 The conservation area and statutory and listed buildings are outside the boundary of the current application site. However the proposed building which sites adjacent to the conservation area and numerous heritage assets will have to respect the appearance and character of the High Road.

8.3.5 The Councils Design and Conservation Team are aware of the importance of the return of this important store to the shopping parade and they support the simple crisp modern design. They are happy that revisions have been made to the scheme which address the comments from the Tottenham Task Force.

8.3.6 The Design and Conservation officer raised the following concerns;

- Aldi has not taken up the important suggestion to add trees to the very wide area of pavement they will create in front. This is important to hold the street line and soften the gap the development creates.
- That they will only commit to a “budget” green roof;.
- However it is important that the appearance of both the new Aldi store and the new flank wall to the fitness centre be improved where they face onto the access into the car park. If that space is not passively overlooked it will become a security concern, as well as being unattractive viewed from the High Road, which I should remind is in a Conservation Area.

8.3.7 It is considered that as previously highlighted in para. 8.2.6 the planning permission will be conditioned to provide details of a landscaping scheme to the frontage of the site including the fitness first building to soften the gap that the development creates. The planning permission will be conditioned so that further details of the green roof is provided to help with biodiversity and soften the appearance of the roofline and make a distinctive contribution to the visual amenity of the High Road as highlighted in para. 8.2.7. The new flank wall to the fitness first building does not form part of this planning application.

#### 8.4 **Layout/Access**

8.4.1 UDP Policy UD3 “General Principles” and SPG 4 “Access for All – Mobility Standards” seek to ensure that there is access to and around the site and that the mobility needs of pedestrians, cyclists and people with difficulties. In addition, the London Plan requires all new development to meet the highest standards of accessibility and inclusion; to exceed the minimum requirements of the Building Regulations and to ensure from the outset that the design process takes all potential users of the proposed places and spaces into consideration, including disabled and deaf people, older people, children and young people.

8.4.2 The layout of the site has been reorganised from its format prior to demolition. The new proposed A1 retail unit has been relocated fronting High Road but alongside the North boundary for the site. The new vehicular and pedestrian accesses have been repositioned further south along High Road, to run between the adjoining leisure unit and the new proposed retail unit. The existing



trolley bay structure which served the previous building will be removed and the trolley repositioned to the southern side of the store, facing the Fitness First building as mentioned in the listed of amendments to the scheme in para. 8.2.8.

- 8.4.3 To ensure safe access is provided to all areas of the site for people of all abilities, the applicant has taken the opportunity to ensure low level kerbs and tactile paving are proposed at crossing points throughout the site and around the DDA parking spaces. Four disabled designated parking spaces have been situated close to the store entrance to DDA standards and nine parent & child spaces have also been indicated alongside the proposed building. The staff room facilities within the Aldi store also include disabled toilet facilities with a 1.8 metre wide circulation corridor. This is also reflected in the store layout with a minimum of 1.8 metres being provided between merchandising, whereby the proposed clearance within the aisles will be approximately 2.2 metres.
- 8.4.4 Servicing for the store will be in the form of a 'T' turn where service vehicles pull into the site across to the adjacent boundary wall then reverse into the service area. These vehicles can then pull out forward into the normal traffic flow to leave the site.

## 8.5 Transport and Parking

- 8.5.1 In accordance with the requirement of SPG7c a Transport Assessment has been submitted with this application. The Traffic Assessment provides an:
- Vehicular Access Assessment
  - Assessment of Traffic Growth Document
- 8.5.2 TFL also required further information to be provided to show the proposed access arrangements, as the High Road forms part of the SRN (Strategic Road Network).

### *Parking & Vehicular Access*

- 8.5.3 This replacement scheme involves a decrease in the stores gross floor area of 173sq, a revised site access located immediately north of the fitness first unit as stated in para. 8.4.1. 88 Vehicle parking spaces are proposed to serve the proposed Aldi store and Fitness First unit. This will include 4 disabled bays. The alternative access scheme is to provide a more coherent parking layout which has resulted in a reduction in the available parking at the store by 6 spaces, the food store will be relocated to the north end of the site, and the vehicular access will be relocated to the southern end of the site immediately north of the Fitness First unit. The vehicular access assessment considers the following;

- Junction Layout and Design
- Assessment of Vehicular Swept paths
- Junction Capacity

- 8.5.4 In respect of this revised access the Council's Transportation team have looked

at the applicants independent safety audit which concluded that the proposed relocated site access will not have any adverse impact on safety of the transportation and highways network.

*Traffic Generation/ Impact on the Immediate Highway Network:*

- 8.5.5 The Councils Transportation Team agrees with consultants who have prepared the Vehicle Assess Statement (Connect Consultants) that the potential traffic and parking demand that will be generated by the proposed development will not generate and significant increase in traffic or parking demand when compared to the previous ALDI supermarket.
- 8.5.6 Improvements are proposed for the new highways layout so that access to the proposed development can be provided. These measures are to be secured by way of a Section 106 agreement. The planning permission will also be conditioned so that a construction Logistic Plan for the proposed redevelopment is submitted to reduce congestion on the transportation and highways network.

*Walking and Cycling*

- 8.5.7 The site is located at the High Road, a local shopping centre, which is surrounded by a significant residential catchment; thus staff and customers to the site have the opportunity to travel by foot and to be linked with other walk trips in the locality. The High Road has a well developed pedestrian network with wide footways which cater for high levels of pedestrian movement adjacent to the store. Also ample opportunity exists to safely cross the High Road due to 5 sets of signalised pedestrian crossings within 200m walking distance of the site. Furthermore, the Councils Transportation team points out that the application site has a high public transport accessibility level of 5 and is located on High Road Tottenham, which is a busy bus route offering some 68 buses per hour (two-way), for frequent connection to and from Seven Sisters underground station.
- 8.5.8 The scheme provides 8 cycle parking spaces. There are cycle routes in the vicinity of this development, linking to the wider cycle route network. The Councils transportation officer states that the applicant must submit a full travel plan 6 month post occupation of the proposed development, this is to be secured by way of a Section 106 agreement.

**8.6 Lighting**

- 8.6.1 As it was before demolition during the day a muted light, visible from the glazed areas, will be evident from internal illumination of the store. The external lighting within the car park will be retained as existing along the boundaries of the car park and enhanced where necessary. A small amount of access lighting will be used at entrances and service/fire exit doors for added safety. The soft lighting from the curtain walling will provide a soft accent to the primary street frontage and add to the vitality of the street scene.

8.6.2 As mentioned in the list of amendments in para. 8.2.8; the building will now be floodlit via uplighters set in the paved area under the canopy. The soffit of the Canopy will be white to assist with reflecting the light back down onto the pavement.

8.6.3 PPS23 recognises the need to limit and, where possible, reduce the adverse impact of light pollution. This is applied locally through UDP Policy ENV7. It will be necessary therefore that the planning permission is conditioned in order for the Council to assess the safety and impact of the proposed lighting within the scheme.

## 8.7 Residential Amenity

8.7.1 In terms of overlooking neighbouring residential properties, the repositioning of the unit to the Northern boundary ensures that the store will not have a detrimental impact on the surrounding residential properties. A higher building introduced to this landlocked site would have to be carefully situated to ensure no overlooking, overshadowing or reduction of existing daylight amenities occurred. This would be particularly difficult in the area of car parking to the northeast of the site as it would have to take into account the recently approved residential development on the adjoining site.

8.7.2 Furthermore, residents are in support of the relocation of the store to the other side, as it would have less of an impact on the residents in Silver Court; Reform Row.

## 8.8 Waste Management

8.8.1 PPS10 "Sustainable Waste Management", The London Plan (2011) and policy UD7 and ENV13 of the Haringey Unitary Development Plan set the policy context for the assessment of waste management.

8.8.2 The application for the proposed development states that there will be a waste storage area within the Service area but it is not shown on the site plans. The Council's Waste Management team requires that the proposed commercial development requires storage for waste and recycling either internally or externally, arrangements for scheduled collections with a Commercial waste contractor will be required.

8.8.3 It will be necessary therefore that the planning permission is conditioned in order for the Council to assess a suitable waste storage and recycling scheme to ensure good design, to safeguard the amenity of the area and ensure that the development is sustainable and has adequate facilities

## 8.9 Secure by Design

8.9.1 *Secured by Design* is a police initiative to encourage the building industry to adopt crime prevention measures in the design of developments to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment.

- 8.9.2 Negotiations have taken place between the applicants' agents and the local planning authority and as a result the scheme has been amended so that there will not be any external shutters to the store. As mentioned in para. 8.2.8 this will be replaced with 2 No. solid shutters over the entrance doors only. These are required as the new entrance doors are extremely lightweight to make the entrance more appealing, but offer no resistance to intruders. The issues relating to the shutters were raised at the Development Forum. The applicant pointed out that if shutters are needed they will installed them on the inside of the building and in this case the shutters will have to be opaque in colour so you can still see inside the store
- 8.9.2 The CCTV camera proposed will be inside the store and in the car park with 24 hour cover. The crime prevention officer consulted on the scheme has no objection to the location of the equipment because the majority of cameras should be internal, particularly at the main entrance and other "pinch points" so that any offenders can be subsequently identified from where they entered the store. They also recommend that there should also be CCTV coverage of the car park area to aid in crime prevention. The planning permission will be conditioned so that further details of the CCTV camera is submitted.
- 8.9.10 The Crime prevention officer is concerned that this scheme introduces a pedestrian footpath/alley along the north edge of the site which appears to suffer from relatively little natural surveillance. Negotiations have taken place between the applicants' agents and the local planning authority regarding the new flank wall to the fitness centre which faces onto the access into the car park to create better natural surveillance. This issue however does not relate to this planning application. It relates to the current application for the fitness first unit.
- 8.9.11 An issue raise at the Development Forum were concerns that there are a lot of unsavoury activities in the car park at night and the Quaker land is open from the car park. Aldi's response to this is as follows;
- In terms of site security for the burial ground access, Aldi are happy to gate and locked it up at night
  - It will cause problems for Fitness First who have unrestricted access to the car park
  - It will cause problems for service deliveries
  - CCTV in the car park will be covered 24hrs a day.
  - It will cause problems for the police having access if activity is going on inside

## 8.10 Landscaping

- 8.10.1 Soft landscaping within the site is minimal and reflects the existing site which had little on provision soft landscaping. The hard landscaping on the site will be retained where possible and replaced with materials to match existing where

repairs or alterations are needed. The car park area is a mixture of block paving and tarmac which will be retained.

8.10.2 Tottenham Task Force and Tottenham CAAC recommends that measures should be taken to improve the landscape around the development, for instance, by planting some trees in the paved area in front of the store.

8.10.3 Officers views are that, as the scheme has left a triangular shaped paved space between the front of the building and the pavement. The proposal represents an opportunity for some form of soft landscaping which should include the planting of trees. The planning permission will therefore be conditioned to provide details of a soft landscaping scheme to the frontage of the building along the High road to include the outside of the Fitness First building as mentioned in para. 8.2.5.

## 8.11 Energy and Sustainability

8.11.1 PPS1 Delivering Sustainable Development confirms sustainable development as the core principle underpinning planning and sets out the Government's principles for delivering sustainable development by way of the planning system. PPS1 advises that planning should promote sustainable development and inclusive patterns of development by:

- Making land available for development
- Contributing to sustainable economic development
- Protecting and enhancing the natural and historic environment
- Ensuring high quality development through good and inclusive design
- Ensuring that development supports existing communities

8.11.2 The planning application is submitted with an accompanying Sustainability Statement which sets out to demonstrate how the proposed development will incorporate energy efficiency technologies and achieve high standards of sustainable design.

8.11.3 The scheme proposes to install a heat recovery system, which would recover heat from food refrigeration circuits that would otherwise be discharged into the atmosphere. Other basic measures throughout the unit includes a low energy/emission boilers, energy saving light bulbs, A rated appliances', and water saving sanitary goods specified for the amenity areas reduces the minimal impact the development will have on natural resources.

8.11.4 Negotiations have taken place between the applicants' agents and the local planning authority and as a result the scheme has been amended so that the building has a green roof to support biodiversity. The planning permission will be conditioned so that further details of the green roof is provided.

## 8.12 Planning Obligations - Section 106 and Heads of Terms

8.12.1 Section 106 agreements, or planning obligations, are legally binding commitments by the applicant/developer and any others that may have an interest in the land to mitigate the impacts of new development upon existing communities and/or to provide new infrastructure for residents in new

developments. Guidance is set out in Circular 05/2005 “Planning Obligations” and the Council’s Development Plan policies and supplementary planning guidance, specifically SPG10a “Negotiation, Management and Monitoring of Planning Obligations” (Adopted 2006).

8.12.2 The policy tests which planning obligations must meet in order to be lawful were recently enshrined in statute by the Community Infrastructure Levy Regulations 2010. Planning obligations must be: 1) necessary to make the development acceptable in planning terms, 2) directly related to the development, and 3) fairly and reasonably related in scale and kind to the development.

8.12.3 A contribution of £25,640 is being sought to pay the cost of the proposed new highways layout as per Drawing A2-11059-010 so that access to the proposed development can be provided. A full travel plan 6 months post occupation of the proposed development should be secured by the Section 106 Agreement.

8.12.4 The Section 106 Agreement will also include a contribution towards local Employment and Construction Training initiatives.

8.12.5 Plus 5% of the total amount as recovery costs / administration / monitoring

## **9.0 HUMAN RIGHTS**

9.1 All applications are considered against a background of the Human Rights Act 1998 and in accordance with Article 22(1) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 where there is a requirement to give reasons for the grant of planning permission. Reasons for refusal are always given and are set out on the decision notice. Unless any report specifically indicates otherwise all decisions of this Committee will accord with the requirements of the above Act and Order.

## **10.0 EQUALITIES**

10.1 In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:-

- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

10.2 The new duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone

because of their marriage or civil partnership status.

- 10.3 During the assessment of the scheme, the Council undertook a screening assessment to determine whether a full Equalities Impact Assessment (EqIA) is required. It was found that there would be no adverse or unequal impacts identified across each strand, now known as “protected characteristic” and that a full EqIA was not considered necessary for this particular application.

## **11.0 CONCLUSION**

- 11.1 The proposal is for the redevelopment of the site comprising of single storey food store with 88 vehicle parking spaces, 4 disabled bays and 8 cycle parking spaces.
- 11.2 The principle of continued retail use as an Aldi store, is supported through policy and is integral to the area, to address the vitality and viability of this part of the High Road
- 11.3 In design terms, the replacement store is an improvement to the previous building in that it is a simple crisp modern design that creates a strong frontage to the High Road. The height which remains single storey will not detract from the existing pattern of development. The widening of the space between the road and store can create benefits that an area of open space may bring such as some form of landscaping which will improve the quality of the public realm.
- 11.4 The potential traffic and parking demand that will be generated by the proposed development will not generate a significant increase in traffic or parking demand when compared to the previous ALDI supermarket and the proposed relocated site access will not have any adverse impact on safety of the transportation and highways network. Furthermore, the application site has a high public transport accessibility level of 5
- 11.5 The use of a heat recovery system, as an option to provide a percentage of on site renewable energy and the installation of a green roof, positively responds to the need for a sustainable form of development.
- 11.6 The proposal development broadly meets the strategic development policy for the area and will help secure investment for the wider area and support physical regeneration.
- 11.7 Having considered the proposal against the statutory development plan and taking into account other material considerations, Officers consider that the proposed development is acceptable and that planning permission should be granted subject to an appropriate Section 106 being entered into and suitable planning conditions being imposed.

## **12.0 RECOMMENDATION 1**

The Sub-Committee is recommended to RESOLVE as follows: (1) That planning permission be granted in accordance with planning application no. HGY/2011/2302 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:

A contribution of £25,640 towards the new highway layout and a contribution towards Employment and Training initiatives.

A full travel plan 6 months post occupation of the proposed development should be secured by the Section 106 Agreement.

Plus 5% of the total amount as recovery costs / administration / monitoring

**12.1 RECOMMENDATION 2**

That in the absence of the Agreement referred to in resolution (1) above above is to be completed within such extended time as the Council's Assistant Director (Planning Policy and Development) shall in his sole discretion allow, planning application reference number HGY/2011/2302 be refused for the following reason:

In the absence of a formal undertaking to secure a Section 106 Agreement for appropriate contribution towards the new highway layout, a full travel plan and towards employment and training initiatives, the proposal is contrary to Policy UD10 'Planning Obligations' of the adopted Haringey Unitary Development Plan (2006) and Supplementary Planning Guidance SPG10a 'The Negotiation, Management and Monitoring of Planning Obligations'.

**12.2 RECOMMENDATION 3**

GRANT PERMISSION subject to:

- conditions as below
- Subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended)
- In accordance with the approved plans and documents as follows:

<b>DOCUMENTS</b>
Traffic Survey Dec 2011
Traffic Survey Document Dec 2011
Travel Plan Dec 2011
Vehicular Access Statement Dec 2011
<b>PLANS</b>
0712-100 REV B – Proposed Site Layout
0712-101 REV B – Proposed Floor Plan



0712-102 REV B – Proposed Elevations
--------------------------------------

0712 – CGI 01 REV B – Computer Image
--------------------------------------

**LIST OF CONDITIONS**

**COMMENCEMENT OF DEVELOPMENT**

1. The development to which this permission relates must be commenced not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

**DEVELOPMENT IN ACCORDANCE WITH APPROVED PLANS**

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.

#### DETAILS OF MATERIALS

3. Notwithstanding the description of the materials in the application, no construction shall be commenced until precise details and samples of the facing materials and roofing materials to be used for the external construction of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

#### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

4. The development hereby approved shall not commence until a Construction Environmental Management Plan, Site Management Plan and Construction Logistics Travel Plan, has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include but not be limited to the following: a) Public Safety, Amenity and Site Security; b) Operating Hours, Noise and Vibration Controls; c) Air and Dust Management; d) Storm water and Sediment Control and e) Waste and Materials Re-use. The development shall be carried out in accordance with the approved details. Additionally the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.

Reason: In order to have regard to the amenities of local residents, businesses, visitors and construction sites in the area during construction works.

#### CONSTRUCTION DUST MITIGATION

5. No development shall commence until the appropriate mitigation measures to minimise dust and emissions are incorporated into the site specific Construction Environmental Management Plan based on the Mayor's Best Practice Guidance (The control of dust and emissions from construction and demolition). This should include an inventory and timetable of dust generating activities, emission control methods and where appropriate air quality monitoring). This must be submitted to and approved in writing by the LPA prior to any works carried out on the site. Additionally the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.

Reason: To protect the environment and amenities of the locality.

#### SECURITY

6. A detailed scheme showing full details of the following shall be submitted to and approved in writing by the Local Planning Authority.
  - a) CCTV;
  - b) Security lighting

Reason: In order to ensure that the proposed development achieves the safer places attributes as detailed by Planning Policy Statement 1: Safer Places: The Planning System & Crime Prevention and to prevent crime and create safer, sustainable communities and in order to ensure the location of CCTV protects the privacy of neighbouring residential properties

#### LIGHTING PLAN

7. Notwithstanding the details of measures to minimise light pollution to adjoining residential properties, shall be submitted to and approved in writing by the Local Planning Authority before the development is brought into use. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties.

#### EXTERNAL LIGHTING

8. Details of an external lighting strategy shall be submitted to and approved in writing by the Local Planning Authority before the development is brought into use.

Reason: In order to ensure that the proposed development achieves the safer places attributes as detailed by Planning Policy Statement 1: Safer Places: The Planning System & Crime Prevention and to prevent crime and create safer, sustainable communities

#### LANDSCAPING

9. A landscaping scheme to the frontage of the building along the High Road to include the outside of the Fitness First building which should include the planting of trees and/or shrubs shall be submitted to, approved in writing by the Local Planning Authority, and implemented in accordance with the approved details.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity.

#### WASTE STORAGE AND RECYCLING

10. A detailed scheme for the provision of refuse, waste storage and recycling within the site, including location, design, screening, and operation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. Such a scheme shall be carried out in strict accordance with the approved details.

Reason: To ensure good design, to safeguard the amenity of the area and ensure that the development is sustainable and has adequate facilities

#### TRAVEL PLAN

11. That the applicant shall submit a full travel plan, the details of which shall be agreed in writing by the Local Planning Authority prior to the occupation of the

proposed development. Such agreed details shall be implemented and permanently maintained to the satisfaction of the Local Planning Authority.  
Reason: In order to ensure sustainable travel and minimise the impact of the proposed development in the adjoining road network

#### BREEAM – DESIGN STAGE ASSESSMENT

12. The development hereby permitted shall be built to a minimum standard of “Very Good” under the Building Research Establishment Environmental Assessment Method (BREEAM). A BREEAM design stage assessment shall be submitted to the Local Planning Authority prior to the commencement of construction. The BREEAM design stage assessment will be carried out by a licensed assessor.

Reason: To ensure that development takes place in an environmentally sensitive way

#### BREEAM CERTIFICATE

13. The development hereby permitted shall be built to a minimum standard of “Very Good” under the Building Research Establishment Environmental Assessment Method (BREEAM). Within THREE months of the occupation of the completed development, a copy of the Post Construction Completion Certificate for the relevant building verifying that the “Very Good” BREEAM rating has been achieved shall be submitted to the Local Planning Authority. The Certificate shall be completed by a licensed assessor.

Reason: To ensure that development takes place in an environmentally sensitive way.

#### ENERGY

14. A detailed energy strategy for the whole site shall be submitted with the detailed application. This energy strategy should commit to meeting 2010 Building Regulations through energy efficiency alone. The details shall be approved by the Local Planning Authority and the development carried out in accordance with the approved details.

Reason: In order to ensure an appropriate level of energy efficiency and sustainability is provided by the development.

#### BIODIVERSITY

15. Notwithstanding the description of the green roof in the application, a detailed Green Roof Plan, to soften the appearance of the roofline shall be submitted to and approved in writing by the Local Planning Authority before the development is brought into use.

Reason: to support bio diversity on the site and provide a suitable setting for the proposed development in the interests of visual amenity.

**SIGNAGE**

16. Prior to the commencement of the use, precise details of any signage proposed as part of the development shall be submitted to and approved in writing by the local planning authority.

Reason: to achieve good design throughout the development and to protect the visual amenity of the locality.

**USE OF THE SITE.**

- 17 Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 the proposed department store shall be used principally for the sale of comparison goods. No sub-division of the Store hereby approved shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To prevent an over-intensive use of the site and to enable the Local Planning Authority to assess the impacts of introducing convenience goods retailing into this new retailing floorspace

**REASONS FOR APPROVAL**

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

In terms of the principle of continued retail use as an Aldi store, this is supported through policy and is integral to the area, to address the vitality and viability of this part of the High Road

In design terms, the replacement store is an improvement to the previous building in that it is a simple crisp modern design that creates a strong frontage to the High Road. The height which remains single storey will not detract from the existing pattern of development. The widening of the space between the road and store can create benefits that an area of open space may bring such as some form of landscaping which will improve the quality of the public realm.

The potential traffic and parking demand that will be generated by the proposed development will not generate a significant increase in traffic or parking demand when compared to the previous ALDI supermarket and the proposed relocated site access will not have any adverse impact on safety of the transportation and highways network. Furthermore, the application site has a high public transport accessibility level of 5

The use of a heat recovery system, as an option to provide a percentage of on site renewable energy and the installation of a green roof, positively responds to the need for a sustainable form of development.

The proposal development broadly meets the strategic development policy for the area and will help secure investment for the wider area and support physical regeneration.

Having considered the proposal against the statutory development plan and taking into account other material considerations, Officers consider that the proposed development is acceptable and that planning permission should be granted subject to an appropriate Section 106 being entered into and suitable planning conditions being imposed.

13.0 **APPENDIX 1**

**CONSULTATION RESPONSES**

No.	Stakeholder	Question/Comment	Response
	<b>STATUTORY</b>		
1	The London Fire Brigade	They are satisfied with the proposal	Noted
2	<b>Crime Prevention Officer</b>	<p>The Crime prevention officer is concerned that this scheme introduces a pedestrian footpath/alley along the north edge of the site which appears to suffer from relatively little natural surveillance.</p> <p>The crime prevention officer has no objection to the location of the CCTV cameras internally, particularly at the main entrance and other "pinch points" so that any offenders can be subsequently identified from where they entered the store.</p>	<p>Negotiations have taken place between the applicants' agents and the local planning authority regarding the new flank wall to the fitness centre which faces onto the access into the car park to create better natural surveillance. This issue however does not relate to this planning application. It relates to the current application for the fitness first unit.</p> <p>Noted</p>
	<b>DESIGN PANEL</b>	Please find minutes attached in Appendix 4	
	<b>DEVELOPMENT MANAGEMENT FORUM</b>	Please find minutes attached in Appendix 3	
	<b>INTERNAL</b>		
1	Haringey Transportation	<p>The potential traffic and parking demand that will be generated by the proposed development will not generate a significant increase in traffic or parking demand when compared to the previous ALDI supermarket.</p> <p>The proposed relocated site access will not have any adverse impact on safety of the transportation and highways network</p> <p><i>Conclusion</i> No objection subject to conditions securing travel plans and construction plans and contributions towards the cost of the highways layout.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>



No.	Stakeholder	Question/Comment	Response
2	Haringey Design and Conservation	<p>They support the simple crisp modern design.</p> <p>They are happy that revisions have been made to the scheme which address the comments from the Tottenham Task Force.</p> <p>They are concerned that Aldi has not taken up the important suggestion to add trees to the very wide area of pavement they will create in front.</p> <p>They are concerned with the type of roof that is proposed.</p> <p>However it is important that the appearance of both the new Aldi store and the new flank wall to the fitness centre be improved where they face onto the access into the car park.</p>	<p>Noted</p> <p>Noted</p> <p>The planning permission will be conditioned so that details of a soft landscaping scheme to the front of the proposed store and fitness first is submitted</p> <p>The planning permission will be conditioned so that details of the green roof is submitted.</p> <p>An application is currently in for the new flank wall at the Fitness First unit</p>
3	Waste Management	<p>The application for the proposed development states that there will be a waste storage area within the Service area but it is not shown on the site plans. The Council's Waste Management team requires that the proposed commercial development requires storage for waste and recycling either internally or externally, arrangements for scheduled collections with a Commercial waste contractor will be required.</p>	<p>It will be necessary to condition the planning permission is conditioned in order for the Council to assess a suitable waste storage and recycling scheme to ensure good design, to safeguard the amenity of the area and ensure that the development is sustainable and has adequate facilities</p>
	Haringey Tottenham Regeneration Team	<p>They are no longer taking the draft planning brief forward subject to revised changes being made and a soft landscaping scheme submitted to the frontage of the building and outside Fitness First.</p>	<p>The revised changes have been made</p> <p>The planning permission will be conditioned so that details of a soft landscaping scheme is submitted to the front of the proposed building and fitness First</p>



No.	Stakeholder	Question/Comment	Response
		<p>The separation of the store from the health facility makes sense.</p> <p>The widening of the space between road and store is appropriate, given likely footfall and the external location of trolleys. The street line could be held in some other way</p> <p>A simple palette of materials (render, steel, glass) and colour give a simple and calm appearance.</p> <p>Glazed façade will look good.</p> <p>The design is a long way from the sort of tin shed that have given discount food retailers a bad name for design.</p> <p>A heat recovery system will be incorporated.</p> <p><i>Design features that need to be addressed, improved or included:</i></p> <p>The canopy roof at the front of the store is currently supported by columns. These should be eliminated; the canopy should be cantilevered to create clear and free space underneath.</p> <p>The current proposal is to have security shutters coming down from the canopy roof between the columns. This would be terrible for the feel of the high road and would be an immediate target for the sort of graffiti that this kind of alienating design feature always prompts.</p> <p>No opportunity has been taken to do something useful with a reasonably substantial flat roof,</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>The columns have now been removed</p> <p>Shutters have been removed and only 2 No. solid shutters over the entrance doors only will be installed</p>

No.	Stakeholder	Question/Comment	Response
		<p>which may be visible from taller buildings in the vicinity. The roof should be 'greened' in some way (eg sedum); it would be a good idea to plant some grasses around the edge which would soften the appearance of the roofline and make a distinctive contribution to the visual amenity of the high road.</p> <p>In the same spirit, some landscaping should be considered at the front of the store. An obvious possibility is to provide a row of trees which 'holds' the street line without interrupting</p>	<p>The scheme has been revised to include a green roof</p> <p>Noted</p>
	<b>RESIDENTS</b>	<p><b>56 Support letters have been received</b></p> <p>Great benefits to local people</p> <p>There is a great demand for the store</p> <p>The store will bring back employment into the area</p> <p>They object to any plans to build residential on top</p> <p>Relocating the store to the other side will have less of an impact on the residents in Silver Court, Reform Row</p> <p>The design of the new store is clean and it will enhance the area</p> <p>Aldi is easily accessible for the disabled</p>	<p>Noted.</p> <p>Noted</p>
	<b>RESIDENTS</b>	<p><b>2 objection letters received</b></p> <p>The scheme should be better thought out and</p>	<p>This proposal replaces what was already there. There would be a concern</p>

No.	Stakeholder	Question/Comment	Response
		<p>comprehensive for such a big strategic site. The provision of housing will allow the borough to meet its need for housing. The long term gain will far outweigh the short term</p> <p>The design is very ugly and the façade should be more in keeping with the other buildings on this part of the High road</p> <p>The proposal does not accord with the recently published draft planning brief for the site and also misses an opportunity to correct the streetscape along this part of the High Road.</p> <p>The re-alignment of the frontage will help the building become part of the High Road, bringing continuity to the High Road</p> <p>The opportunity could be taken to replicate the 1930s façade of Sanchez House</p>	<p>over the impact of housing being introduced on the site, where previously there wasn't any. If Aldi are required to provide more than was previously on the site, this will result in both a delay to the delivery of any redevelopment</p> <p>The design is straightforward contemporary architecture which replaces the depressing store that Aldi took over from the Co-op. Therefore the building proposed will enhance the High Road.</p> <p>The Councils Tottenham Regeneration Team are no longer taking the draft planning brief forward subject to revised changes being made.</p> <p>The set back of the building line allows for soft landscaping opportunity, which will enhance the public realm</p> <p>The modern design is acceptable.</p>



**APPENDIX 2**

**PLANNING POLICIES**

## NATIONAL POLICY

### National Planning Policy Statements and Guidance

- PPS 1: Delivering Sustainable Development
- PPS 6: Planning for Town Centres
- PPG 13: Transport
- PPS22: Renewable Energy
- PPS5: Planning for the Historic Environment
- PPS4: Planning for Sustainable Economic Growth
- PPS23: Planning and Pollution Control

## REGIONAL PLANNING POLICY

### London Plan 2011

- Policy 1.1 Delivering the Strategic Vision and Objectives
- Policy 2.13 Opportunity Areas and Intensification Areas
- Policy 2.7 Outer London: Economy
- Policy 2.8 Outer London: transport
- Policy 2.15 Town Centres
- Policy 3.1 Ensuring equal life chances for all
- Policy 4.1 developing London's economy
- Policy 4.7 Retail and Town Centre Development
- Policy 4.8 Supporting a successful and diverse retail sector
- Policy 4.12 Improving opportunities for all
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable Energy
- Policy 5.10 Urban greening
- Policy 5.11 Green Roofs and development site environs
- Policy 5.16 Waste Self-Sufficiency
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.4 Local Character
- Policy 7.5 Public Realm
- Policy 7.6 Architecture
- Policy 8.2 Planning Obligations

## LOCAL PLANNING POLICY



Haringey Unitary Development Plan (Adopted July 2006; Saved July 2009)

- Policy AC3: Tottenham High Road Regeneration Corridor
- Policy G1 Environment
- Policy G2: Development and Urban Design
- Policy G4 Employment
- Policy G5 Town Centre Hierarchy
- Policy G12 Priority Area
- Policy UD2 Sustainable Design and Construction
- Policy UD3 General Principles
- Policy UD4 Quality Design
- Policy UD7 Waste Storage
- Policy UD9 Planning Obligations
- Policy CSV1 Development in Conservation Areas
- Policy CSV5 Alterations and Extension in Conservation Areas
- Policy CSV2 Listed Buildings
- Policy CSV3 Locally Listed Buildings and Designated Sites of Industrial Heritage Interest
- Policy EMP5 Promoting Employment Uses
- Policy ENV7 Air, Water and Light Pollution
- Policy ENV13 Sustainable Waste Management
- Policy TCR1 Development in Town and Local Shopping Centres
- Policy TCR3 Protection of Shops in the Town Centre
- Policy M2 Public Transport Network
- Policy M3 New Development Location and Accessibility
- Policy M5 Protection, Improvement and Creation of Pedestrian and Cycle Routes
- Policy M10 Parking for Development

Supplementary Planning Guidance / Documents

- SPG1a Design Guidance
- SPG3b Privacy/Overlooking, Aspect/Outlook and Daylight/Sunlight
- SPG4 Access for All – Mobility Standards
- SPG5 Safety by Design
- SPG7a Vehicle and Pedestrian Movement
- SPG7b Travel Plan
- SPG7c Transport Assessment
- SPG8b Materials
- SPG8c Environmental Performance
- SPG8e Light Pollution
- SPG8d Biodiversity, Landscaping & Trees
- SPG9 Sustainability Statement Guidance
- SPG10a The Negotiation, Management and Monitoring of Planning Obligations

- SPG10e Improvements to public transport infrastructure and services
- SPG11c Town Centre and Retail Thresholds

Planning Obligation Code of Practice No.1: Employment and Training (Adopted 2006)

Local Development Framework Core Strategy and Proposals Map (Published for Consultation May 2010; Submitted for Examination March 2011, EiP July 2011)

- SP4 Working towards A Low Carbon Haringey
- SP6 Waste and Recycling
- SP7 Transport
- SP8 Employment
- SP9 Imp Skills/Training to Support Access to jobs/Community Cohesion/Inclusion
- SP10 Town Centres
- SP11 Design
- SP12 Conservation
- SP13 Open Space and Biodiversity

Draft Development Management Policies (Published for Consultation May 2010)

- DMP9 New Development Location and Accessibility
- DMP10 Access Roads
- DMP13 Sustainable Design and Construction
- DMP15 Environmental Protection
- DMP16 Development Within and Outside of Town & Local Shopping Centres
- DMP20 General
- DMP21 Quality design
- DMP22 Waste Storage

Draft Sustainable Design and Construction SPD (October 2010)

Haringey's 2<sup>nd</sup> Local Implementation Plan (Transport Strategy) 2011 - 2031

#### OTHER DOCUMENTS

Diversity and Equality in Planning: A Good Practice Guide (ODPM)  
Planning for Town Centres: Guidance on Design and Implementation Tools  
CABE Design and Access Statements.  
The Mayor's Energy Strategy (February 2004)  
Retail Study (2003) Chesterton PLC  
Secured by Design

#### APPENDIX 3

**DEVELOPMENT MANAGEMENT FORUM MINUTES**



**PLANNING & REGENERATION  
DEVELOPMENT MANAGEMENT TEAM**

---

**MINUTES**

---

Meeting : Development Management Forum - Aldi Store Ltd  
Date : 7 January 2011  
Place : Pembury Nursery, Lansdowne Road, N17  
Present : Paul Smith (Chair), Architect Agent, Approx 10 local resident's  
Minutes by : Tay Makoon

---

Distribution :

		<b>Action</b>
<p>1.</p> <p>2.</p>	<p>Paul Smith welcomed everyone to the meeting, introduced officers, members and the applicant's representatives. He explained the purpose of the meeting that it was not a decision making meeting, the house keeping rules, he explained the agenda and that the meeting will be minuted and attached to the officers report for the Planning Committee.</p> <p>Proposal HGY/2011/2301 Redevelopment of site comprising of 2 story food store with 96 vehicle parking spaces and 4 disabled bays (Option A)</p> <p>HGY/2011/2302 Redevelopment of site comprising of single storey food store with 88 vehicle parking spaces, 4 disabled bays and 8 cycle parking spaces (Option B)</p> <p>Presentation by Rowland Stanley – Property Director – Aldi – South East England</p> <p>We were devastated by the riots last summer , prior to the riots we had a very Successful business in the High Road, we have been trading in the High Road for 11 years and we had about 11,500 customers a week shopping regularly, following the riots, we haven't got a store to trade in as it was completely destroyed, our customers were not able to come and shop with us and get our great offers each week and the local businesses were suffering because 11,500 customers a week was not coming to this part of the High Road. We received hundreds of letters and phone calls from local residents and businesses urging us to get our business back up and trading as soon as possible. It is not as simple as that as the building was destroyed as to no fault of our own; we have formally applied for planning consent before we can start building. What I am pleased to confirm as a company we are delighted to re-invest and we have submitted a planning application to Haringey Council and we are here to discuss this evening.</p> <p>Over the last few months we have had a lot of meetings with the public, meetings with Sir Stuart Lipton's Task Force and met Haringey Council with a view to submit a planning application and hopefully getting this heard at Planning Committee in March and that is the aim of this process. Once Planning permission is granted, Works will commence immediately on site to getting this building works started and with a view to getting the store up and trading for November this year, we do need your support and we need a planning consent in order to do that.</p>	

Garry Humphries - Architect – Harris Partnership

We have a situation where the building has been badly damaged, we were not under planning law to just go back in and rebuild, we need planning consent in order to rebuild. We do need to bear in mind the part of the building which is the health Club, it was previously known as the CO-OP, Aldi purchased the building from CO-OP, it was too big for what they wanted it for and sub-divided it into two units and Fitness First took the second half. Fitness First is still standing and not damaged beyond repair. That part of the building is re-build able and is here to stay. The two applications we have submitted both include Fitness First remaining pretty much as it was. As we do need planning permission to deal with rebuilding the existing building, we have had to submit one of the application to do exactly just that and the two applications you can see one is to rebuild the building as it looked, like for like carrying on with the detail of Fitness First building. We have however thought about his further and Aldi decided that with a little more investment, instead of rebuilding what was there, there is opportunity here to build a better modern facility, something that gives a better offer for what they want to do and the way they want to operate and this is the particular scheme we are promoting. We have discussed both options with Haringey Council Design Panel and the Design Panel fell on the side of the new contemporary modern design, we then took it to CABE who is part of Sir Stuart Lipton's Task Force who has been appointed to look after the redevelopment of Tottenham High Road after the riots and they also fell on the side of the new contemporary modern design is much better than trying to invigorate what was built in the 1980's. This is the scheme we are showing you tonight for adoption. There are a few alterations; there is a gap between the existing building to the north where the Aldi store currently sits. When we took the building down it left a big gap and we have opted to do break away and create a different architectural style we broken the building off the health club, we have also go it a little more central towards where the gap of the street front is and have taken the large crossing here and have left the cross over as it stands as it serves the adjoining property and put a more manageable crossing point in this position here, so you are not trying to cross a large expanse of cars coming in and out. The design we have come up with is modern contemporary design with more simplistic structure, white render which is very maintenance free, people put graffiti on brick work and it is difficult to get it off. With a white rendered building we can put a lick of paint a very couple of years and it looks brand new again. We have gone for some

simple modern materials, on the shop front we have opened everything up that faces the High Road, the whole width of the retail will be lit and opened and glazed, it creates activity on the frontage, it creates activity on the frontage it makes it nice and airy. The things we are changing as a part of the consultation done already, at the moment we have the shopping trolleys and the front of the store, to drop shutters on them to protect them at night. We are going to move the trolleys and shutters away so that it will be nice and open. The High Road is tight all the way down, with the open frontage at Aldi's it will create a focal point for people to walk through and see the store and much more comfortable coming in and out of the entrance in the front. Car parking to the rear is pretty much as they were; we have agreed subject to the adjoining owners' approval that we would create an access position at the back of the site to go into the burial ground. We have got to carry on the negotiations with adjoining owners if this is successful and they are happy to adjust the walls levels and we have made an undertaking that we are going into there. The other thing we have agreed to do is the roof covering itself we are going for a green roof not just a flat roof as we had before. The new building is more sustainable such as heat recovery, so we keep our carbon footprint down than we had in the existing building, we have more natural daylight coming into the building and we normally 20% more renewable energy.

### **Questions from the floor**

Q1: Joyce Prosser

The burial ground, I know it is the Quaker burial ground and I know that having some sort of access to it or change the wall, can you say a bit more about that and what do you mean about green roofs, are you having these growing on there or painted green?

Ans: The burial ground, currently there is no access to the Quaker burial ground. Somewhere along the lines, there have been representations made to Haringey Council, like this area opening up for people who want to visit it. As we have the rear end of the site there is a clear linkage to our car park and the burial ground and bear in mind people will stay in our car park for 1hr to 1hr and half while doing the shopping. We have two things to look at, we are not sure how this wall is and how it's dealt with, partly because there are builders on there with builders' materials dealing with the housing development on the other side. We need to get in there and have a look at it, see the different levels between the two, we need the permission of the owner to create this whilst the public may want this access point, Haringey Council

has made that representation to us and we have agreed to assist that as far as we possibly can. What we can't do is force the adjoining owner to allow us to create a hole in his wall, subject to further discussions and negotiations if that is feasible we will do that.

In relation to green roofs, no it is not just a painted green, it will be a living roof

With some form of grass or cedem on top of the roof. It is very sustainable, adds a lot of oxygen back into the drainage system also assist with the insulation of the property.

Q2: Burial ground, - you can approach it from the street, does that mean the alley way belongs to you or does have they extended their building so that it comes up to the edge of your land? I cannot see why when the space is wide that you can't walk down there.

Ans: To answer your question, we are not affecting the access. Looking at the drawings it looks like it has been shaded incorrectly. There is an access there and it does go right to the back, it will not be affected as we have not bought any further land and we do not own that land, so it will still be there. We are no trying to change the access to it or the existing, we are only trying to encourage a little better access between us and the burial ground.

Q3: I am worried about security; will the car park be secured at night? There are a lot of unsavoury activities in the car park at night and I am worried about Quaker land being open from the car park, because it is a store for illegal goods being stored and people sleeping in there at night. Also you said the front of the building will not have shutters? glass gets broken a lot in this area, will there be something to protect it to stop it getting broken. Has the plans been approved and this acceptable and will probably go ahead to open for Christmas.

Ans: In terms of approval of the plans, they have not yet been approved, it is going through the application process and we are hoping to get this to a Planning Committee in March, we still have some work to do and some further information to get and we are pushing hard as we can for this. If we can to Planning Committee with a recommendation to approve by members and we will then be in a position to be on site two months after that and the store on that site will be open in November.

On security with regards to the shutters, if shutters are needed we



will install them on the inside so it does not look like Beirut on an evening, we will install shutters that are opaque in colour so you can still see inside the store. The thought at the moment is that we won't install shutters and if someone wants to throw a brick at the window then they will anyway. On these high street locations with large area frontage they are self policing, if someone wants to break in they won't do it in the front, they will probably go to the back and break in through back fire escape or security doors, where it is quiet. We don't want to put shutters on the outside of the glass and the Council doesn't want that either. The only place we will have shutters is over the doors because the door specification we have changed it slightly and it is a nice lightweight door which is great as a customer but not for locking up at night. The door shutter will be fitted into the door opening and come down as a solid shutter. In terms of site security burial ground access I am happy for that to be gated and locked up at night, in terms of keeping the car park closed off at night there are various issues around this that cause problems, firstly the health club uses the car park for its members and they have unrestricted access to those parking spaces as part of their agreement with Aldi, it was a 99 year lease that Aldi sold them and effectively it is out of our control. The other problem is that if you are taking a delivery you can't secure the car park so that it impinges on you getting an articulated lorry off the high road, as the truck would have to park get out to open the gate that is why you cannot lock up the car park at night. We will also be putting CCTV in the car park and covered 24hrs a day. The police also have concerned that if we do lock up the car park and there is activity going on inside the car park they physically cannot get in to address the problem as they will not be able to get a car into the car park. We would like to assure you that we do care what happens in our car park and if there are issues then we will make sure we address them in the first instance.

Q4: I represent the community that work with vulnerable people Since the riots I have attended many meetings of rebuilding Aldi, there has been another suggestion that due to the number of people who are homeless in the area, that you should have residential flats above your store.

Ans: We have considered that issue and there are some concerns with that and its one of commercial viability, if this scheme is not viable and as a commercial operator we would not build the scheme. It has to be commercially viable for us. Putting housing above we have considered, we have met two of the large housing associations that operate in this area and both of them

have made very low financial offers that are not commercially viable and as a minimum have a 125year rights above the store and that would mean we would not be able redevelop that site for 125 years, it would mean we could not extend the store or do anything and for a viability point of view that just would not be commercially realistic. So we have looked at it and unfortunately it is not viable for us both from a commercial aspect or from a redevelopment aspect and as it is not commercially viable we would not entertain.

Statement: I live here and I would strongly fight anyone wanting housing above as we would be completely blocked in and surrounded on all 4 sides. The Council has built a lot of social housing on the other side of the Quaker, the three sets of large buildings with social housing Tottenham hale also has social housing and this are already has more than its fair share of social housing and we need resources now not more social housing.

Q5: I think a two story building would be more in keeping with the high road; offices above would be good, otherwise it is the only single storey building, this is an opportunity to make use of this site. This development is quite bleak only in use during the day and it would be nice to also have another type of use, housing, offices.

Ans: After the riots, at our first meeting with the Council, we were asked to consider a variety of uses and we did consider them. We did investigate the use for offices and the rental levels are just to low and not commercially viable, people that want offices want ground floor level, we still have offices for rent and you end up with a lot of vacant uses at first floor level because no one wants them. The only one that stood a chance was the housing but unfortunately the offers were not commercially viable. We are not in the conservation area and this gives us a chance to do something different to the conservation area and that is why we are looking to put in there a new contemporary building there, we are not making apologies for being a food store that is our business and we are very successful at it. The building we are proposing is the same height as the building before the riot. We have considered putting something larger there but it is not commercially viable and secondly it would delay us coming back into Tottenham and it is not something we are prepared to contemplate.

Q6: Is this the best you can come up with? I am concerned about the white

Rendering that is open to all sorts of graffiti in terms of design of

the building even though you might not want to echo the design of the conservation area.

Ans: I think design is very subjective and very personal in terms of what people want. We are not trying to replicate the conservation area as you can see, we are not making any apologies for that we think that by putting a very modern food store, modern food store tends to be quite light and airy and glazy. The white rendering we have thought about that very carefully, it is something you can keep maintenance free if you do get graffiti, like the brick work of the previous building it is very difficult to maintain. We want to make a statement and say to the people of Tottenham and Businesses that there is new development coming here and we don't want to replicate and go back to the pass and be historic because that is not what the food store is about. We want to create a bright modern food store and this design has gone to the Design Panel and Sir Stuart Lipton's Task Force experts and they all agree that this modern contemporary approach is the appropriate approach for this area. We believe we have made the right decision given that we are a food store.

Q7: I was wondering where the entrance to fitness first is?

Ans: At the moment the entrance is still in the existing location, part of the reason why I am meeting them in a couple of days is to move the entrance to the central entrance and it has a bit more connectivity to the car park. All of this will come up in the next few days we are trying to move it around to the corner to the active entrance is recognise.

Q8: Does the rendering come in other colours, it could be light without being white and is aesthetic with other buildings?

Ans: Colours comes in infinite colours, again we are not in the conservation areas, we are adjacent to it, again having discussion with CABE and when you are not part of the conservation area it is not generally a good to replicate to act with the dark colours from the glazing coming through and the canopy, it is a lot brighter, cleaner and crisper. We do like to keep it a design issue as separate and that is the reason why we are going with the white and it goes with the facility we are providing.

Q9: if you have a green roof can you have a green wall?

Ans: One is that they are expensive, the green wall is higher off the wall and are not best where people can get to them as they can be very messy, they are best on high rise buildings and you do

not put green walls in these zones where people will come up and take the plants out.

Q10: I am not unhappy about the white but the grey against the grey sky will be very grey. Have Aldi's built any stores in conservation areas?

Ans: Aldi's have 400 stores around the country, I'm sure they have built in conservation areas. I will bring you back that this is not in a conservation areas.

Q11: I think you are very wrong with the render, an example is Tottenham garage they built an extension large panels of light material and that is right next to the bus garage, the bricks had no graffiti on them, I don't think that slapping white paint on it is good enough. There are a lot of modern buildings but do them in brick , it seems to me to be cheap way of slapping it together quite quickly some breeze block and cheap render on the outside and don't think your answer is good enough. Have you thought of Fitness First going on top of your building?

Ans: We had thought about it to put fitness first on top of the building. We cannot move them on top as they own the building they are in for the next 99 years and not willing to move. The rendering is a difference of opinion, there are building in the area with graffiti on it and it is a maintenance issue. Aldi actually owes this building most retailers rent their building and pay for the space and don't care what happens to the outside for as long as the customers come thorough the door. Aldi owns this building and will tackle any issues concerning their building as they care what happens to the outside of their building.

Q12: Have you got the same number of parking spaces or less and can you increase the cycle parking beyond 8.

Ans: The car parking number is slightly less; we have recruited a highways engineer to make sure we are providing the correct car parking and cycle rack.

Our experience as a retailer for 11 years in this store, we had cycling provision before, we know how many people came by bike and it is very few, the reality is the number of cycling parking was more than adequate and people just did not use them and therefore we want to make sure that what we are providing is in line with what was provided previously. As a business we are dictated by our customers and what our customers say what we want otherwise we will not shop with you then of course we will listen, equally we do not want to provide for things that are not going to be used, that are not a good use of money or space.

Ans: The car park is used by our customers, fitness first and customers to other local businesses. That is seen as a very important comment made by local businesses and local residents.

Statement: I live here and people fight for car park spaces not for cycle spaces as bikes get nicked, this area badly needs more car parking?

Paul Smith reminded everyone to submit their comments to the Planning Service if not already done so and further representations can be made at Planning Committee. He thanked everyone for attending and contributing to the meeting.

End of meeting

**APPENDIX 4**

**DESIGN PANEL MINUTES**

# Haringey Design Panel no.30

Thursday 12<sup>th</sup> January 2012

## **ATTENDANCE**

### **Panel**

Deborah Denner  
Stephen Davy  
Gordon Forbes  
David Kells  
Chris Mason  
Peter Sanders

### **Observers**

Richard Truscott (Facilitator) ..... Haringey Council  
Marc Dorfman ..... Haringey Council  
Mortimer MacSweeney ..... Haringey Council

### **The following scheme was considered by the Panel:**

#### **1) Spurs Amendments**

Paul Phillips ..... Tottenham Hotspurs – Client  
Jeremy Fisher ..... KSS architects  
Richard Serra ..... Savills - planning consultants

#### **2) 638 Tottenham High Road, N17 (former “Carpetright”)**

Nick Sharp ..... Montague Evans  
Stewart Drummond ..... Rolfe Judd architects

#### **3) Aldi store, 570 Tottenham High Road N17**

Gary Humphreys ..... The Harris Partnership – architects  
John Norman ..... Haringey Council, Tottenham Regeneration Programme

**1) Presentation of the Tottenham Hotspurs planning amendments**

Confidential until planning application submitted.

**2) 638 Tottenham High Road, N17 (former “Carpet Right”)**

Confidential until planning application submitted.

**3) Aldi store, 570 Tottenham High Road N17**

A brief history of the site was given to the panel which included that Aldi own the site. The store was built in the 1980s as a Co-Op and is now considered an anchor for the High Road. Fitness First, most of whose section survived the riots, had their part of the building on a long lease from Aldi, partitioned through a wall. This lease will not be renegotiated at this stage, so Fitness First must be reinstated exactly as before.

Two applications were outlined to the panel; the first being to reinstate the store as before; the second to leave the health club, flip access and put Aldi to the North of this access. The car park will remain at the rear. The loss adjusters require the first option be submitted to assess their liability but Aldi can supplement the insurance payout to get a development more to their liking.

The developers have considered a mixed use development, as proposed in the draft planning brief; however they have received no acceptable offers from Registered Providers. The only remaining option therefore is to do it themselves, and as they are not a residential developer this could take several years to plan. Aldi also consider residential units above retail causes problems for food stores due to deliveries and associated customer noise.

**Panel Questions**

The main area of panel questions investigated why the applicants proposed a single storey building, asking why residential units, offices, leisure or the staff accommodation could not be placed above? The applicants responded that the Fitness First health centre has to be replaced as before under the strict terms of their lease, offices at 1<sup>st</sup> floor was financially unviable in this location at the moment and as a discount store with efficiencies from rigorous layout they could not take such elaborate measures for just staff accommodation. Regarding height they stated Aldi only require 3.5m but need 25m width of clear span. Hence service stacks for residential above could be an additional difficulty to those mentioned in their introduction.

The applicants agreed that an option could be to design the building with provision to build residential above at a future date, but not as a condition of the planning permission. The panel also enquired about building over the car park to provide undercroft parking; Aldi has never had success from building this style of parking; supermarket customers exhibit strong preference for visible surface parking and make visibility of parking a major factor in their choice of store.

The other main area of questions concerned the sustainability of the proposal. Use of sustainable & sustainably sourced materials, natural light, energy and low carbon generation were questioned; the applicants will consider the possibility of recycling energy from the refrigeration units but Aldi consider windows / rooflights an unacceptable security risk.

**Panel Observations**

1. The panel felt that the scale of the street needs 3 stories. The panel were concerned that the design didn't meet good urban design principles in height and active frontage to the High Road. The idea for allowing future residential development above the store was welcomed; however clever solutions would be needed as it could appear unsatisfactory in the interim, building redundant structure is not good from a sustainability point of view and it is likely that housing standards will change over time.
2. The panel were also concerned that the design didn't return to the original street line but left a triangular shaped paved space between the front of the building and the pavement; an unexplained “opportunity” (in the applicants words), apparently to be a trolley park but likely to become grotty, litter strewn and neglected.



3. The proposed design also includes a large amount of glazing to the High Road, which could inevitably be covered with unsightly posters and be a future security risk. At the same time the fact that no windows along the sides made the car park entrance an inactive frontage, which would be unsightly and insecure. It was suggested that the store did not need a large frontage and could accommodate two smaller retail units on the street frontage and have the Aldi unit also entered from the street but mostly located at the rear.
4. Sustainability was a major concern; the panel felt that the proposal did not consider this enough and in particular that it was indefensible to not have roof lights to a single story supermarket building.
5. It was also suggested that concerns over viability of a larger development on the site incorporating residential and possibly other uses on upper floors, following the street line and possibly incorporating Fitness First could be accommodated by making the building temporary, so that it could be improved or replaced in something better at a medium term later stage.

#### **Consensus and Conclusions**

6. The panel felt that even by the standards of supermarkets, the design quality of the proposal is poor. The panel thought that Aldi should be pushed harder to put in something of quality and commended the draft planning brief for promoting a better urban design with residential provision on upper floors.
7. A longer-term regeneration strategy is needed for the site. The panel considered that it could be acceptable to give permission for a temporary single story supermarket building until it becomes viable to develop a more comprehensive, more desirable and higher density mixed use development.

This page is intentionally left blank

Planning Committee 12 March 2012

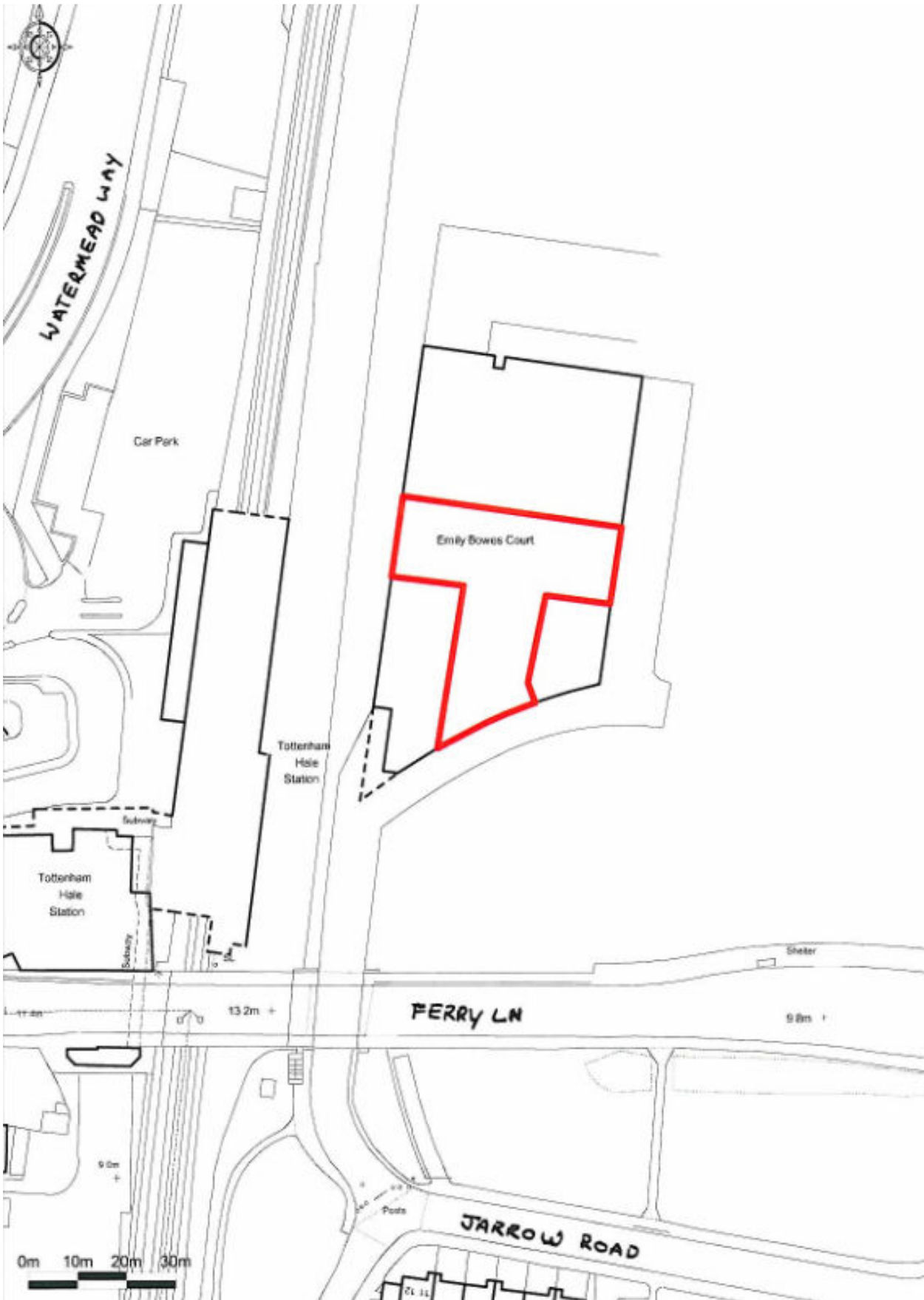
Item No.

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2011/2190	<b>Ward:</b> Tottenham Hale
<b>Address:</b> Units 2, 3 (part) & 4 Block W, Hale Village Ferry Lane N17	
<b>Proposal:</b> Change of use from A1/2/3/4/5/B1 to gym (D2)	
<b>Existing Use:</b> Vacant (A1-5/B1 permitted use)	
<b>Proposed Use:</b> Gym D2	
<b>Applicant:</b> The Gym Ltd	
<b>Ownership:</b> Private	
<b>Date received:</b> 24/11/2011 <b>Last amended date:</b> 23/02/2012	
<b>Drawing number of plans:</b> Z331-01-101.	
<b>Case Officer Contact:</b> Jeffrey Holt	
<b>PLANNING DESIGNATIONS:</b>	
Road Network: Borough Road	
<b>RECOMMENDATION</b>	
GRANT PERMISSION subject to conditions	
<b>SUMMARY OF REPORT:</b>	
<p>The application proposes the change of use of part of the ground floor of Block W, Hale Village from its current permitted use of A1/2/3/4/5 and B1 to gym (D2).</p> <p>The proposed gym is considered to be an appropriate use for the site as it is within an emerging local centre and in a highly accessible location. It will complement the existing and future services provided in Tottenham Hale and Hale Village. The use will include measures to minimise noise disturbance and maintain security. The site benefits from high public transport accessibility and will not harm public and private transport networks and highway conditions.</p> <p>The proposed development is considered to be in compliance with Haringey Planning Policies UD3 'General Principles', TCR1 'Development in Town and Local Shopping Centres', TCR4 'Protection of Local Shops' and CW1 'New Community/Health Facilities' of the Unitary Development Plan 2006.</p> <p>In determining this application, officers have had regard to the Council's obligations under the Equality Act 2010.</p>	

<b>TABLE OF CONTENTS</b>	
1.0	PROPOSED SITE PLAN
2.0	SITE AND SURROUNDINGS
3.0	PLANNING HISTORY
4.0	PROPOSAL DESCRIPTION
5.0	RELEVANT PLANNING POLICY
6.0	CONSULTATION
7.0	ANALYSIS / ASSESSMENT OF APPLICATION
8.1	Principle of Development and Retail Impact
8.2	Amenity and Security
8.3	Transport and Access
8.4	Design
8.5	Waste and Recycling
8.0	HUMAN RIGHTS
9.0	EQUALITIES
10.0	SUMMARY AND CONCLUSION
11.0	RECOMMENDATION

1.0 PROPOSED SITE PLAN



## **2.0 SITE AND SURROUNDINGS**

- 2.1 The subject site consists of Units 2, 3 (part) and 4 of Block W of Hale Village, N17. These units are vacant commercial units with a flexible A1/2/3/4/5 and B1 permission. The total site area is 1,124 sqm. A Tesco supermarket is in the process of occupying an adjacent unit. The upper floors of the block are occupied by student accommodation.
- 2.2 Block W is located in the west of the Hale Village site and the application site is bounded by Daneland Walk to the south, Lever Street to the east and a mainline railway to the west.
- 2.3 Within walking distance of the site is Tottenham Hale underground, main line and bus station is within walking distance to the west, Tottenham Hale retail park to the south-west and Ferry Lane Estate to the south.

## **3.0 PLANNING HISTORY**

- 3.1 The subject site forms part of the comprehensive Hale Village development approved in outline under ref: HGY/2006/1177. The details of Block W were later approved under ref: HGY/2007/2203.
- HGY/2006/1177 - Demolition of all structures and remediation for the development of a mixed use scheme comprising up to 1210 residential units (Use Class C3), student accommodation (C2), office (B1), hotel (C1), retail (A1, A2, A3, A4 ,A5 and B1) uses, a health centre (D1), a health club (D2), crèche (D1) and a primary school, with provision for underground and on-street car parking, to be comprised within separate building blocks ranging in height from 1 to 18 storeys, incorporating public open space, an unculverted watercourse and Combined Heat and Power (CHP) with associated renewable energy systems (outline application) – GRANTED
  - HGY/2007/2203 - Details pursuant to outline planning permission dated 9/10/07 Ref No. HGY/2006/1177 comprising of 7 and 12 storey blocks containing 687 student rooms and associated facilities, retail units on the ground floor split-level courtyard and linking the entrance to the building with internal circulation and communal spaces.

## **4.0 PROPOSAL DESCRIPTION**

- 4.1 Permission is sought for the change of use of Units 2, 4 and part of Unit from existing consented use of “A1/2/3/4/5 or B1” to gym (D2).
- 4.2 “The Gym” chain of gyms is focusses on providing low-cost 24 hour access to fitness equipment and space on flexible memberships.

## **5.0 RELEVANT PLANNING POLICY**

- 5.1 The planning application is assessed against relevant planning policy and guidance, including:

### Unitary Development Plan 2006

UD3	General Principles
UD4	Quality Design
TCR1	Development in Town and Local Shopping Centres
TCR4	Protection of Local Shops
CW1	New Community/Health Facilities

### Supplementary Planning Guidance

SPG6a	Shopfront, Signage and Security
SPG7a	Vehicle and Pedestrian Movement
SPG8a	Waste & Recycling

Hale Village Design Code 2007  
Tottenham Hale SPD 2006

## **6.0 CONSULTATION**

- 6.1 The Council has undertaken consultation including internal Council services, Ward Councillors, local residents and businesses. A list of consultees is provided below.

### 6.1.1. Internal Consultees

Transportation  
Waste Management/Cleansing  
Food and Hygiene  
Environmental Health – Noise and Pollution

### 6.1.2. External Consultees

Ward Councillors  
Ferry Lane Estate Residents Association  
Ferry Lane Action Group (FLAG)  
GLS Stakeholder Group

### 6.1.3. Local Residents

Residents of 29 properties were consulted

6.2 Objections were received from Cllr Lorna Reith and P. G. Patel a local business owner.

6.2.1. Cllr Lorna Reith objected on grounds of:

- Loss of retail units and reduction of the amenities available to residents of both Hale Village and neighbouring estates.
- Likelihood of proposed 24/7 opening times causing parking and disruption to residents on the Ferry Lane estate (there being no parking on Hale Village).
- The absence of classes at the gym - these usually appeal to women and without classes it is likely the gym will be dominated by men.

6.2.2. P. G. Patel raised concerns of access to his/her news kiosk at Tottenham Hale.

6.3 Supportive responses were received from the Chief Executive of North London Business and a local resident. The following points were raised:

- Provision of jobs and health facilities to local residents and business
- Will attract more visitors to the area and encourage local spending
- Will complement existing retail offer in the area

6.4 The Council's Transportation team do not object to the proposal. Their response is below:

*The application site has a high PTAL level of 5 and is within easy walking distance of Tottenham Hale underground and rail stations. It is considered likely that the development would attract individuals from the immediate vicinity and those using public transport to travel to the site.*

*The change in use is unlikely to result in any increase in traffic generation above that already expected in connection with the sites current use class. Therefore, there are no highway and transportation objections.*

6.5 The Council's Waste Management Team have responded as follows:

*This proposed development / change of use from Retail (A1) to gym (D2) requires storage or waste & recycling either internally or externally, arrangements for scheduled collections with a Commercial Waste contractor will be required.*

## **7.0 ANALYSIS / ASSESSMENT OF THE APPLICATION**

7.1 The main issues of this planning application are:

- Principle of Development and Retail Impact
- Impact on amenity
- Transport, Access and Security
- Design
- Waste and Recycling



## 7.2 Principle of Development and Retail Impact

- 7.2.1. The application site is not within a designated town or local shopping centre as defined under the Unitary Development Plan 2006. In instances of commercial development in out of centre locations, Policy TCR2 would normally apply. However, the Hale Village development is intended to create a new mixed use development and the outline permission for the whole Hale Village site describes a mixture of proposed uses which would normally be found within a town or local shopping centre. Furthermore, the Hale Village design code, which was published after the outline consent, seeks a retail character for Daneland Walk. As such, there is strong intention for this part of Hale Village to function as a local centre. It would therefore be more appropriate to assess the development against Policy TCR1 'Development in Town and Local Shopping Centres'.
- 7.2.2. Policy TCR1 states that proposal in town and local shopping centres which seek to
- (a) is appropriate to the scale, character and function of the centre;
  - (b) does not harm the vitality and viability of the centre or other centres;
  - (c) does not cause an unacceptable increase in disturbance from noise, smell, fumes or other environmental harm;
  - (d) does not have an adverse impact on transport; and
  - (e) complies with policies TCR3 and TCR4
- 7.2.3. The proposed gym is laid out in a 'T' shape with the bottom of the 'T' forming the frontage onto Daneland Walk. This frontage is retains the shopfront appearance of the unit by being fully glazed and serving as the only public entrance to the gym. As such, it will provide an active frontage to Daneland Walk that will complement the intended character of the street.
- 7.2.4. The change of use will affect only part of the available units and frontage on Daneland Walk. There remain large units designated for retail use on blocks C and SE.
- 7.2.5. The application site benefits from a flexible permission for A1/2/3/4/5 and B1 uses which encompass retail, financial and professional services, restaurant, drinking establishment, take-away and offices respectively. So it is intended that a wide offer of services and facilities be permitted on Daneland Walk. It is considered that a gym would fall comfortably within this intended range and with the proposed design, the development would present a stronger and more active frontage to the street in comparison to a potential B1 office occupier.
- 7.2.6. Furthermore, the outline permission for the whole Hale Village development makes specific reference to the provision of a health club (D2) use somewhere within the development. So the principle of a D2 use has been accepted at an early stage.
- 7.2.7. It should also be noted that the site has been marketed since its completion in 2009 and no tenant has been found. It is therefore considered that the bringing the unit into active use will be beneficial for the emerging local centre as it will attract visitor to the area.

- 7.2.8. The objection from Cllr Reith raises concerns over the impact on the retail services and amenities available to local people however, on balance, it is considered that the proposed change of use to a gym would satisfy criteria (a) and (b) of Policy TCR1 and would be an appropriate development on this site.
- 7.2.9. Later sections of this report deal with the requirements of criteria (c) and (d). In respect of criteria (e), Policy TCR3 only applies to restaurant, take-aways and drinking establishments. Policy TCR4 seeks protection of local shops. The proposal does not result in the loss of an existing shop but entails only the change of use of space a shop could occupy (along with a variety of other uses). As discussed above, the proposed gym use is considered to be appropriate and complementary to the intended function of Daneland Walk as a local centre.
- 7.2.10. In addition, Policy CW1 'New Community/Health Facilities' should be given consideration. The policy states that new community or health facilities will be supported provided that:
- (a) the facility is appropriate to its location having regard to its size, purpose, use characteristics, and its relationship with adjoining and nearby development.
  - (b) the facility will meet a local need.
  - (c) the building is designed so that it can be used for more than one community purpose, where possible.
  - (d) the facility is located where it can be easily reached by walking or by public transport
- 7.2.11. For reasons explained above, the proposed gym is considered to be appropriate to its location having regard to criteria (a). Although the proposed gym is a commercial enterprise, the development is considered to complement the retail and service offer to local people in Tottenham Hale. Criterion (c) is not considered relevant in this instance but the design of these modern commercial units in Hale Village allows for flexible change of use with minimum operational works. As discussed elsewhere in this report, the site benefits from high accessibility, satisfying criterion (d).

### **7.3 Amenity and Security**

- 7.3.1. Policy UD3 requires development proposals to not have any significant adverse impact on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy, overlooking, aspect and the avoidance of air, water, light and noise pollution.
- 7.3.2. The gym is proposed to operate 24 hours a day and 7 days a week. This is a key element of the operation of this chain of gyms. To mitigate any potential noise impacts, audio/visual equipment is mounted on anti-vibration mounts with volume limiters on all equipment to provide low-level background noise only. The applicant states that members prefer to use personal music players. Audio equipment will be separated around the premises to avoid noise 'hot spots'. Control of audio/visual equipment is restricted to staff only.
- 7.3.3. Acoustic gym flooring will be placed where needed, such as the free weights area, to minimise noise transfer to the building's structure.

- 7.3.4. Access to gym will be strictly controlled. Between 8am and 8pm the front door will be open to provide access to a lobby area. To gain access to the gym, members are required to enter a PIN code open a specially design portal door which allows only 1 member to gain entry at a time. Between 8pm and 8am the next day, the front door is locked and members must enter their PIN code to gain initial entry to lobby.
- 7.3.5. An extensive CCTV system will be installed covering all internal and external areas. CCTV will be monitored constantly and allow for immediate response to any incident.
- 7.3.6. Research at other branches shows that despite 24 hour access peak usage is at lunch and late afternoon/evenings. Only 9% of visits are made between 10pm and 6am. The gym does not operate classes so it is unlikely that large groups of members will arrive or leave at the same time or congregate outside the premises.
- 7.3.7. The objection from Cllr Lorna Reith raises a concern over the lack of classes and the risk that the gym will be dominated by men as a result. The applicant has stated that at other branches operating in the same way, there has not been any significant disparity in membership levels between the sexes.
- 7.3.8. It is therefore considered that the proposed use will not result in excessive noise or disturbance to nearby occupiers, in compliance with Policy UD3 of the Unitary Development Plan 2006.

#### **7.4 Transport and Access**

- 7.4.1. Policy UD3 requires development proposals to have no significant impact on public and private transport networks, including highways or traffic conditions.
- 7.4.2. Cllr Lorna Reith has objected to the scheme on grounds of increased parking pressure and congestion at the Ferry Lane Estate. However, the Council's Transportation Team have assessed the proposal and do not object.
- 7.4.3. The application site has a high PTAL of 5 and is within easy walking distance of Tottenham Hale underground and rail stations. It is considered likely that the development would attract individuals from the immediate vicinity and those using public transport to travel to the site. The change in use is unlikely to result in any increase in traffic generation above that already expected in connection with the site's current wide range of permissible uses.
- 7.4.4. An objection has been received from the owner of a news kiosk at Tottenham Hale stating concerns over access for deliveries. The kiosk is located next to Tottenham Hale station and the proposal does not alter delivery arrangements to that site.
- 7.4.5. The proposal is therefore considered to cause no harm to public and private transport networks or highway conditions in compliance with Policy UD3.

## **7.5 Design**

- 7.5.1. The proposal does not make any alterations to the external appearance of the property. The existing glazed frontage will be maintained. Should permission be granted and implemented, a separate application will be made for signage.

## **7.6 Waste and Recycling**

- 7.6.1. As the proposed use is commercial, the operator will be responsible for arranging their own waste and recycling collection through a commercial contractor.

## **8.0 HUMAN RIGHTS**

- 8.1 All applications are considered against a background of the Human Rights Act 1998 and in accordance with Article 22(1) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 where there is a requirement to give reasons for the grant of planning permission. Reasons for refusal are always given and are set out on the decision notice. Unless any report specifically indicates otherwise all decisions of this Committee will accord with the requirements of the above Act and Order.

## **9.0 EQUALITIES**

- 9.1 In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:-

- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 9.2 The duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.

- 9.3 Although a concern has been raised about the risk of the gym being dominated by men, this has not been the case at established branches of this particular chain of gyms. The proposed gym is open to all and fully accessible for disabled users. The proposed development is considered to have no equalities implications and a full Equalities Impact Assessment is not considered necessary.

## **10.0 SUMMARY AND CONCLUSION**

- 10.1 The application proposes the change of use of part of the ground floor of Block W, Hale Village from its current permitted use of A1/2/3/4/5 and B1 to gym (D2).

- 10.2 The proposed gym is considered to be an appropriate use for the site as it is within an emerging local centre and in a highly accessible location. It will complement the existing and future services provided in Tottenham Hale and Hale Village. The use

will include measures to minimise noise disturbance and maintain security. The site benefits from high public transport accessibility and will not harm public and private transport networks and highway conditions.

- 10.3** The proposed development is considered to be in compliance with Haringey Planning Policies UD3 'General Principles', TCR1 'Development in Town and Local Shopping Centres', TCR4 'Protection of Local Shops' and CW1 'New Community/Health Facilities' of the Unitary Development Plan 2006.

## **11.0 RECOMMENDATION**

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s) Z331-01-101.

Subject to the following condition(s)

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. 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.

4. No noise shall, in the opinion of the Chief Environmental Health Officer cause a nuisance to any occupier of property in the vicinity of the premises to which this application relates.

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

REASONS FOR APPROVAL

The proposed development is an appropriate use of the site and would support the function of the emerging local centre and cause no harm to the amenities of nearby occupiers or to public and private transport networks and highways. The proposed development is considered to be in compliance with Haringey Planning Policies UD3 'General Principles', TCR1 'Development in Town and Local Shopping Centres', TCR4 'Protection of Local Shops' and CW1 'New Community/Health Facilities' of the Unitary Development Plan 2006.