

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
WEDNESDAY, 20 JULY 2011**

Councillors: Basu, Christophides, Egan, Erskine, Rice, Scott, Solomon, Strang and Waters

Also Present: Councillors Diakides, Watson, Vanier, Schmitz and Bevan

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>	<b>ACTION BY</b>
<b>PC32.</b>	<p><b>ELECTION OF CHAIR FOR PROCEEDINGS</b></p> <p>Nominations were sought from the Committee for Chair for the duration of proceedings, in the absence of the Chair and Vice-Chair of the Planning Sub Committee. Cllr Egan nominated Cllr Rice as Chair, and this was seconded by Cllr Basu. The Committee was asked to approve the appointment of Cllr Rice as Chair for proceedings and it was:</p> <p><b>AGREED</b></p> <p>That Cllr Rice take the Chair for the duration of proceedings.</p>	
<b>PC33.</b>	<p><b>APOLOGIES</b></p> <p>Apologies for absence were received from Cllr Demirci, for whom Cllr Christophides was substituting, from Cllr Peacock, for whom Cllr Egan was substituting, from Cllr Schmitz, for whom Cllr Solomon was substituting, from Cllr Beacham, for whom Cllr Erskine was substituting and from Cllr Reece for whom Cllr Strang was substituting.</p> <p><b>NOTED</b></p>	
<b>PC34.</b>	<p><b>URGENT BUSINESS</b></p> <p>It being a special meeting of the Sub Committee, there were no new items of urgent business.</p>	
<b>PC35.</b>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>Cllr Strang declared a personal interest as an employee of London Underground.</p>	
<b>PC36.</b>	<p><b>WARDS CORNER SITE, HIGH ROAD, N15</b></p> <p>Members were advised at the start of the meeting that a Member information pack and hard copy of the officer presentation had</p>	

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been provided, and that Charles Solomon from the District Valuer Service and Nicola Hodges from URS Scott Wilson were present at the meeting to answer Members' questions as necessary. Paul Smith gave a presentation on the application, setting out the site, relevant planning policies, the development agreement and brief, planning history, details of the proposal, access, housing and amenity space, conservation views, design panel, daylight and sunlight, key objections and responses, the independent Equalities Impact Assessment (EqIA), viability appraisal, reports from the GLA and Transport for London and the officer recommendations as set out on page 46 of the agenda pack.

Mr Smith reported that 21 objections had been received since the report had been completed, and these were summarised along with the officer responses in the pack for Members. An additional 6 objections had been received on the day of the meeting, for which it had not been possible to provide a written response, however these broadly reflected objections which had already been lodged.

The Chair reminded all present that the meeting was being webcast for broadcast on the Council's webcast.

The Committee asked questions of Mr Smith regarding his presentation. In response to a question regarding the proposed new rents for traders, were the development to go ahead, Mr Smith reported that these would be renegotiated on the basis of acceptable rent levels at that point in time. The Committee noted that regeneration was the main aim of the proposal and, given that an incomplete development would be the worst possible scenario, asked what safeguards were in place to protect against such an outcome. Mr Smith advised that, other than the issue of affordable housing, viability was a matter for the developer and was not a matter for the Committee to take into consideration. Allan Ledden, Legal Services, clarified in respect of the Conservation Area that it would be a condition that a contract be in place for the replacement of buildings in the Conservation Area before any demolition of such buildings took place.

The Committee asked about the amendment to the aspirations for the Seven Sisters Corridor under Policy SP1 of the Core Strategy, and who had instigated this, in response to which it was reported that this was instigated by a borough-wide residents' association. The Committee asked how the development could be seen to be enhancing the Conservation Area, in line with the Development Brief, when demolition was proposed, and also how it could protect the diversity of the area when no affordable housing was proposed. The Committee further asked whether the Wards Store building, as a significant landmark building, could have been incorporated into the design. In response to the issue regarding affordable housing, it was reported that this had been carefully looked at and found not to be viable on account of the physical

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constraints of the site, but that there were wider regeneration benefits from the scheme despite the lack of affordable housing. It was noted that there had been attempts to nationally list buildings on the site, but that these had been unsuccessful, and that the design proposed was felt to be acceptable and to enhance the Conservation Area as a landmark building of a higher quality of architecture than the existing structures.

In response to a question regarding the provision of 44 parking spaces, it was reported that these were to replace the existing parking provision for the commercial units, and also for the proposed housing units on Suffield Road. The majority of the scheme would be car-free, and residents other than those on Suffield Road would not be able to apply for parking permits. It was also reported that the proposed education contribution under the s106 had been negotiated to relate to the impact of the development on local education infrastructure, and had remained the same from the outset.

The Committee asked about the EqIA and the criticism that it had been a paper-based exercise, and whether the methodology could be explained. Nicola Hodges of URS Scott Wilson, who had undertaken the EqIA, responded and explained that it had been a desk study, drawing on a very high amount of evidence from previous consultations and from elsewhere. The Committee asked for legal guidance on whether the EqIA satisfied the requirements of the judgement in the Judicial Review in 2010, and Mr Ledden advised the Committee of their duties under section 149 of the Equalities Act 2010, which was to consider to the need to promote equality of opportunity between persons of different racial groups and the need to promote good relations between persons of different racial groups, and reminded Members that the judgement made in 2010 emphasised that the duty was not to achieve a result, but rather to have due regard to the need to achieve the goals of eliminating racial discrimination and promoting equality of opportunity. Mr Ledden advised that the EqIA identified issues, made recommendations to mitigate impacts and had been endorsed by the GLA, with each recommendation being incorporated in the s106 agreement. Officers advised that this should satisfy the Committee's duty under the Act, and it was for Members to determine for themselves whether they felt this was the case.

Marc Dorfman, Assistant Director, Planning, Regeneration and Economy, asked Ms Hodges whether in her opinion undertaking interviews as part of the EqIA was necessary, and would have led to a different conclusion or further recommendations for mitigation. In response, it was reported that the results from all consultations undertaken up until April 2011 were reviewed, and that whilst it was always possible to consult further, it was not felt that the outcome would have been substantially different. Ms Hodges reported that she was pleased that all the

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recommendations had been incorporated into the s106 agreement, and that the engagement strategy should ensure that progress continued to be made with regards to engaging with local residents moving forward.

The Chair invited objectors to address the Committee.

Victoria Alvarez, a local trader, addressed the Committee to state that the mitigation proposed in the s106 agreement was insufficient, and that the £144k 'Trader's Financial Assistance Sum' worked out at only £2,322.58 per trader. Because there had been no engagement process locally, there were less likely to be social benefits from the scheme. The local community and traders should have been an integral part of the whole process but instead had been antagonised. It was the Council's opportunity now to demonstrate that it was taking its duties seriously, and that development should unite rather than divide the local community.

Raul Mancera, President of the Pueblito Paisa traders' association, stated that many traders were scared that they were going to lose their businesses and would end up unemployed or even homeless. Mr Mancera noted that relocation costs, publicity, storage and other necessities would cost much more than the amount of mitigation allocated and that it would personally cost him around £6-7k to relocate. Many traders' businesses would not survive the two years before a new scheme was ready, and those that did may not then be able to afford the new market rents. Mr Mancera said that the proposal offered no guarantees, only the likelihood that people would lose their businesses. The process was causing many people stress and ill-health, as well as financial costs. Mr Mancera asked the Committee not to make a decision based on emotion or pity, but purely on the facts. The market serves many cultures and people travel specifically to it to get services they can't get elsewhere, as well as sustaining around 500 families in supplying the market. Mr Mancera stated that the traders did not want pity, but justice.

The Committee asked questions of the objectors, and in response to a question regarding the extent to which mitigation such as three months rent free would assist traders, objectors reported that this was insufficient to meet the true costs of relocation and would lead to many businesses not surviving. Mr Dorfman clarified that the package proposed was that the existing market would not close until a new temporary location had been offered, and that there was an additional £280k relocation package in addition to the £144k traders' financial assistance sum. The aim of all these measures was to provide some certainty to market traders and to enable them to continue to trade. In response, Mr Mancera stated that while the package appeared attractive, in reality traders would be starting their businesses from scratch, in a new location where not all their existing clients would follow and that in the current economic climate this meant that businesses

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were more likely to fail. The Committee asked whether traders would be relocated together, in response to which Mr Dorfman advised that the s106 provided for those who wanted to stay together to relocate together and also to have first refusal to come back to the new market together. Mr Dorfman added that in addition to financial support, the package also offered traders business advice.

In response to a question from the Committee regarding how long it had taken them to build up their businesses on the market, Ms Alvarez said that it had taken her about 8 years to build up a customer base, and Mr Mancera said he had been at the market for 5 years.

David Divers, Tottenham Conservation Area Advisory Committee (CAAC), advised the Committee that the CAAC's primary objections were the demolition of the historic buildings which make a positive contribution to the conservation area and the replacement of these with an uninspiring building. The fact that the buildings had not been nationally listed was irrelevant as this was a local matter, and their local listing demonstrated the interest in them. Mr Divers reported that the Council's own policies suggest that the existing buildings should be retained and that the conservation area should be preserved and enhanced. The CAAC did not feel that it had been demonstrated that the regeneration benefits of the scheme would outweigh the demolition of buildings which make a positive contribution to the conservation area and reflected the area's history as a local hub. The CAAC recommended that a refurbishment approach be taken.

Glen Lake, a local resident, addressed the Committee and said that two aspects of the scheme were of particular concern, physical and the humanitarian. It was reported that since 2008 there had been a pattern of concern regarding both these aspects – people did not accept the proposals for the physical buildings and the consequences these would have on local people. The existing building had been turned into something vibrant by the community and the consequences of development on jobs and the community had to be considered. The building had been allowed to run down so that it could be taken on by developers, and the Committee were asked to stop this today.

Moaz Nanjuwany, Chair of the Tottenham Traders, and Mital Patel reminded the Committee Members that they must make their decision as individuals, weighing up the rights and wrongs of the scheme. Ms Patel reported that the officer report and EqIA did not mention the large Wards Corner Coalition (WCC) meetings held, and telephone calls had been made only in English and that the actual questions asked had not been released. The EqIA did not reflect the specific people affected by the scheme and therefore the Committee could not discharge its section 149 duty

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on this basis. It was reported that a scheme with no social housing made no sense, as it placed the social housing burden on the Council in a time of cuts. Mr Nanjuwany advised that residents had been told that they would get to see the proposal in good time before the meeting, but had only been able to see it today. Granger's business model was to make money, and this was not a model the community wanted to see in Tottenham. The community wanted a project that reflected its diverse culture and this did not fit with the proposal. The Committee was urged to consider the community plan. In response to a question from the Committee, Ms Patel confirmed that the legal advice emailed to Members in advance of the meeting regarding the errors of approach in the EqIA had been provided by John Halford, Bindmans Solicitors.

Ruth Allen, a local resident, advised the Committee that the local community felt that the application was an infringement of their human rights, and that as a democratically elected body, the Council should represent people and promote their well-being and rights. It was felt that the current scheme was being imposed on the community from outside, rather than engaging with local people to regenerate the area and make it as good as it could be. A building in a conservation area should not be demolished when there was the option of renewal and refurbishment. It was felt that the EqIA supplied did not meet its obligations and was fundamentally flawed in that it was not possible to assess the impact on people when you didn't know who those people were and had not spoken to them, nor how they would be affected and therefore how effective mitigation would be.

Jean-Jacques Best, a local resident, stated that this was an issue of people and happiness and that the decision would affect the lives of the local community. Diversity was the great strength of the local area, as reflected in its small businesses, and any development should add to this. Mr Best questioned how this scheme had come about. Many of the small businesses were family-run and had been operating for many years, offering a personal service and contributing to community well-being. The application and s106 did not offer businesses the support they needed, and that there could be no mitigation for the loss of people's livelihoods.

The Committee asked about the specific rights that the objectors felt were infringed by the application, in response to which Ms Allen advised that she felt that Human Rights and Equalities Rights were being affected, and that the application amounted to degrading treatment. It was also noted that the mitigation measures were only for market traders and not the other businesses, many of which were long-standing. The Committee asked about any possible alternative solutions for the development of the site, in response to which it was reported that the Princes Regeneration Trust were interested in the site, but

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would need partnership from the Council to take this forward, there was also a live planning application from the community for the refurbishment of the market and of the Wards Store building. The Committee asked the objectors about the legal advice received in respect of the EqIA, and Ms Allen reported that the advice indicated that the EqIA did not enable the Committee to discharge its duties, as it did not identify the people affected by the development and that the role of the market within the community needed to be better understood. The objectors asked for the decision to be deferred until full consultation had been undertaken. It was felt that the lack of social housing was a serious issue and would have equalities implications which had not been addressed, and it was also not known how many of the businesses to be affected were BME-owned.

The Committee asked what implications reaching a decision on the application before them would have on any alternative application, in response to which Mr Dorfman reported that this was not a matter to be considered in relation to the determining of this particular application as each application had to be considered on its own merits, and added that multiple planning permissions could be granted on the same site. Ms Allen argued that the existence of an alternative to demolition should be a material consideration under PPS5 and that the Council needed to make a proactive approach to the Princes Regeneration Trust.

Marta Hinestroza addressed the Committee with the assistance of an interpreter, and stated that she wanted justice and respect for Human Rights. She felt that the Grainger scheme was designed to make a profit and turned a blind eye to the social impact. The small businesses wanted to be allowed to continue to trade as at present – the application would benefit those who already had a lot at the expense of the community who were happy with the little they had. The Community were prepared to fight, however, for their human rights.

Isaac Bigio, Coordinator of the Iberian American Alliance, addressed the Committee to advise that the date of the meeting, 20<sup>th</sup> July, was the celebration of Colombian Independence. Mr Bigio highlighted the size of the Iberian American population in London, and the need for this community to be recognised, particularly in Tottenham, with such a vibrant Latin American and Caribbean Community.

Belinda Batten, a local resident, addressed the Committee in support of the application, which it was felt would improve the retail space in the area, which was an area with great potential, and would also bring benefits to business and employment.

Cllr John Bevan addressed the Committee as Cabinet Member for Housing and a member of the design panel. Cllr Bevan advised that the design panel had recommended a bolder

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approach between the station and flats, and improvements to the corner building, which was subsequently remodelled in response to the comments made. The design panel had identified the courtyard and public art elements as potentially positive elements of the scheme, but had commented that the elevations and bulk made the scheme appear bland and over-scaled and they had been remodelled to address these concerns. A further comment that the housing elements needed to be displayed more obviously and their relationship to the street should be enhanced had also been responded to. Cllr Bevan reported that there was no obligation for the developers to comply with recommendations of the design panel, but in this instance every point made had been responded to, which was very welcome.

In response to a question from the Committee regarding the lack of affordable housing, Cllr Bevan reported that while the Council would want social housing and were generally wary of schemes where none was proposed, it had been independently confirmed by two external bodies that in this case the social housing would not be viable. Cllr Bevan also advised that social housing was planned for the area, and that the number of social housing units in the area in future would exceed the number of housing units proposed in this application.

Cllr Diakides, local ward councillor, addressed the Committee to state that the Committee could and should reject the application on planning grounds relating to housing, as not only was no social housing proposed but the application would also reduce the amount of existing affordable housing. Cllr Diakides also reported that the application contravened policies on the environment, that the design and materials were not in keeping with the area and would remove locally listed buildings. The Committee needed to decide whether they were convinced individually regarding this scheme which was unpopular and damaging to local businesses.

At 9.45pm, the Chair asked the Committee to agree to suspend standing orders to continue the business after 10.00pm. The Committee:

**AGREED**

To suspend standing orders to continue the business of the meeting after 10pm.

Cllr David Schmitz addressed the Committee to state that under PPS5 it was wrong to dispose of a locally listed building without a compelling reason. Cllr Schmitz reported that the regeneration was doubtful with the development and the return of the indoor market unlikely. The Latin American community had still not been taken into consideration. It was felt that the Wards Store building was worth saving and that no proof had been provided that it was

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not possible to retain the building. As written, the future of the market would not be assured as it entailed an agreement to agree, which would not be legally enforceable. Cllr Schmitz advised that were the market unable to return to the site, the basis of the EqIA would fall. The EqIA itself included no data on the Latin American community, and didn't seek assistance from the Haringey Racial Equality Council. Cllr Schmitz asked the Committee to show that they cared about these issues.

Cllr Richard Watson and Cllr Bernice Vanier, local ward councillors, addressed the Committee. Cllr Watson noted that most residents opposed the scheme as not being the right way forward, and expressed concern regarding the equalities issues, lack of social housing and demolition of heritage assets. While it was good that the EqIA recommendations had been included in the s106, it would have been stronger if members of the community had been spoken to directly and that not doing so was a missed opportunity. It was also felt that the impact of the development on businesses that were not part of the market had been underestimated and should be a concern. Local residents believed that demolition was not the right way forward and wanted to refurbish and preserve the existing buildings, which was a fundamental difference in approach. Consultation had not been as good as it could have been, and Cllr Watson welcomed the EqIA recommendation for an ongoing engagement strategy. It was essential to move forward, but there should be no section of the community who were not being listened to. Cllr Vanier recalled a time when Wards Corner had been a vibrant area and centre of the community, and emphasised that it was necessary to address its current condition. She looked forward to a time when the area was revitalised and that there was no doubt regarding the importance of development of the site. The Committee was urged to consider what was best for the area in reaching their decision.

The Committee took a 10-minute break from 9.55 to 10.05pm.

The applicants addressed the Committee. Andrew Beharrell noted that the officer presentation at the start of the meeting had covered many of the details of the application, and that he was happy to respond to any questions raised by Members. Shops, homes and public space were identified as the three key aspects of the scheme, and that one of the aims was to transform the street-level experience of the millions of people who passed through the area, sweeping away current obstructions on the High Road and enhancing the tube entrances. The buildings would be set back to create more public space and new retail space would attract a mix of independent and national stores, in addition to the indoor market which would have a prominent entrance onto Wards Corner. The main entrance to the flats would have a 24 hour concierge service; all flats would be fully accessible and arranged in 10 separate blocks to make a safer and more sociable

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environment. There would also be family maisonettes onto Suffield Road, and a variety of areas for the recreation of residents. Each of the four street elevations would have very different characters, and upper levels of the building would be set back. The development would be of its own time and would reflect modern lifestyles, while taking cues from the conservation area. Ultimately, it would be a setting for civic life for the existing community and newcomers, and it would be the activities taking place there, rather than the buildings, which would come to define the area.

Christopher Frost, ASP Planning, addressed the Committee on the outcome of the 2010 judicial review decision that the Planning Committee should have expressly considered the impacts of the development in line with the duty of the Equalities Act. Every development had both positive and negative impacts, and it was for the Committee to weigh these up and decide what was acceptable on balance. The application before the Committee was broadly the same as in 2008, but had been improved in respect of sustainability and the finance appraisal had been resubmitted to reflect current market conditions. The applicants had agreed to the inclusion of all the recommendations of the EqIA in the s106 agreement. There was no question of Grainger not wanting the market to flourish, and were working hard to ensure the success of the market. There was ongoing monitoring taking place to ensure that nobody missed out and that it was in Grainger's own interests to make the market successful.

David Walters, Grainger, stated that there was real potential for the regeneration of Seven Sisters and that this application would create a thriving, safe and secure area. As part of the process, the applicants had engaged, reflected and responded to the views of the community whilst ensuring the deliverability of the scheme. The scheme would provide quality housing at a time when there was a shortage, in an area which would benefit from this. As a busy tube station, the site would be attractive to retailers and would increase footfall, benefiting existing businesses. Although there would be challenges to come, Mr Walters confirmed that Grainger was committed to delivering the regeneration of Seven Sisters.

The Committee asked whether there was any possibility of incorporating the Wards Store windows into the new design, and also asked about the proposed contrast between the two sides of Suffield Road and whether there was any way of regenerating the frontages of the old buildings so that there was less of a marked contrast with the new. The applicants responded that they had considered a wide range of options for the site, including the retention of the existing Wards Store building, and that while it was technically possible to do so, such a design had been carefully assessed on the basis of regeneration benefits and practicality, and a conclusion had been reached that replacement

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would be better. The decision to demolish the historic building had not been taken lightly, and consultation responses from a number of bodies had led to the current proposal. Mr Walters also advised that the contrast between the old and new which would arise on Suffield Road was one of the natural impacts of regeneration.

The Committee asked whether there would be any preferential arrangement for existing independent shops over new tenants, in response to which Mr Walters advised that individual units could not be allocated to tenants at this stage, but that within the development there would be 9 units for independent traders and 8 for national stores, which was felt to be an appropriate balance.

The Committee noted that the scheme would deliver £1m in s106 contributions but had cost £2m of public investment, and asked whether there might not be a better way of investing public money directly in the local area without the use of private development. Mr Walters responded that they had worked with the WCC in 2008 but had found that the scheme proposed was not viable; it had taken 4 years to develop a viable scheme. Mr Dorfman clarified that the Committee was asking for justification of why, when the local authority and Government had invested £2m in the scheme, there was still no social housing included and no higher levels of compensation for existing businesses. Mr Walters explained that the structural constraints caused by the tube lines, the right to light at the northern end of the site and the fragmented ownership of the site all contributed to the issues of delivery and viability of the scheme. Charles Solomon, District Valuer Service, addressed the Committee and stated that the site was considered a high risk in financial terms because of the constraints outlined by Mr Walters, and that this impacted on deliverability. Because of these uncertainties and risk levels it was important for Grainger to be able to manage their risk, and that the overall profit assumed was no higher than it would be for any other developer. Having considered the application, Mr Solomon concluded the overall the scheme was both viable and deliverable.

The Committee asked the applicants what assurances they could provide with respect to the EqIA, in response to which Mr Frost advised that the Committee had a duty to comply with the relevant legislation and the fact that this issue had been considered in such detail demonstrated that the Committee was undertaking this and protecting itself from legal challenge. It was reported that this was an ongoing process and would not end at the close of this meeting, but the overall aim was to achieve a scheme which did not disadvantage any particular group.

The Committee went to examine the drawings and then asked further questions of officers. In response to a question regarding the proposed commercial hours of 7am to 1am, Mr Smith advised that this was felt to be consistent with a busy town centre location.

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The Committee asked about the level of detail of the scheme and the issue that had been raised about the Committee not having sufficient time to give the application due consideration, in response to which Mr Dorfman advised that the scheme was largely unchanged from that submitted in 2008, apart from the environmental elements and s106 agreement which had been amended in light of the new EqIA and viability appraisal, and that there had been sufficient time for the determination of the application. The Committee asked about the mitigation of the impact of the development on Suffield Road, and it was agreed that, were the application to be granted, officers would be given delegated authority to negotiate the reallocation of the s106 Town Centre Fund contribution between that and Suffield Road with the applicants.

Mr Dorfman addressed the Committee on the 6 key areas which were: design, whether the regeneration benefits warranted the demolition of local heritage assets, retention of local businesses, whether the complexity of the scheme required a deferral, diversity, and human rights and equalities, including social housing. With regards to design, the officer view was that the key form of the site was castellated, particularly on the High Road, Seven Sisters Road and West Green Road, rising at the corners but relatively low-rise elsewhere, and that the development would echo this form, but on a larger scale. The details of the facades would reference the conservation area. The applicants had been asked to look at the retention of the Wards Store building, but from an officer point of view this had failed in design terms, and a completely new scheme had been recommended. The model and drawings demonstrated what was felt to be a well-detailed, striking corner element to replace what was a cherished building. The scheme would create a modern new market, and the housing elements replicated the terraces on West Green Road and Seven Sisters Road.

Mr Dorfman addressed the issue of whether the regeneration benefits warranted the demolition of the heritage features, notably the Wards Store building which was a small but notable part of the site. The scheme would provide for a mix of independent and national retailers, a new market, public realm and homes and would increase access to public transport, as well as creating a striking corner feature. The public art and marketing of the market would create a real opportunity to reflect the diversity of the local community. With regards to the retention of local business, Mr Dorfman advised that the s106 arrangements ensured that the existing market would not close until a temporary site was offered, and that this was intended to ensure business continuity and to offer traders the opportunity to carry out their business. Compensation was also available in the form of money and business advice. On the issue of diversity, it was reported that the scheme offered more homes, more retail space, including independent retailers, and was aimed at increasing footfall which

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would support independent traders.

Mr Dorfman addressed the issues of community engagement and affordable housing, and stated that it was officers' view that there had been many opportunities for local people to have their say on the scheme, and that the s106 specifically addressed those people who would be affected on the site. The Cabinet Member for Housing had confirmed that social housing was planned for this area, and that the viability appraisal had demonstrated that social housing was not viable as part of this development.

Mr Ledden reminded the Committee that the previous decision that had been quashed on appeal had no bearing on their decision this evening and that Members must come to the application with an open mind. Members had to satisfy themselves that they had had due regard to their duties under the Equalities Act. Mr Ledden also reminded Members of some key points under the Members' Code of Conduct for Planning Committee, in that all planning applications must be determined in accordance with the statutory development plan, that Members are elected to represent the interests of the whole community in planning matters, that all views must be taken into accounts but that local opposition or support for a proposal is not in itself a ground for refusing or granting permission unless founded upon valid planning reasons, and that the planning system does not exist to protect the interests of one person against the activities of another and the basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

The Chair moved the recommendations of the report and on a vote of 4 in favour and 5 against, the motion was lost.

The Committee discussed the grounds on which the motion had been rejected and after discussion, it was felt that the grounds for refusal should be:

- 1) That the impact of the development on the conservation area was unacceptable, particularly in respect of bulk, massing and design
- 2) The case for regeneration benefits had not been made sufficiently to compensate for the demolition of heritage assets.

The Chair moved these grounds for refusal and on a vote of 6 in favour and 3 against, it was:

**RESOLVED**

That application HGY/2008/0303 be refused on the grounds that

1. the proposed development by virtue of its bulk, massing and

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design neither preserves nor enhances the historic character and appearance of the Tottenham High Road Corridor/Seven Sisters/Page Green Conservation Area. Consequently the proposal is contrary to the aims and objectives of National Planning Policy Statement (PPS) 1: Creating Sustainable Communities (2005); PPS 5, Policies UD3 & UD4 and CSV1 of the Haringey UDP; and

2. The proposed development would involve the loss of designated heritage assets as defined in Annex 2 of PPS 5 and would constitute "substantial harm". The applicant has failed to demonstrate that the substantial harm is necessary in order to deliver substantial public benefits that outweigh that harm.

The meeting closed at 23:30hrs

COUNCILLOR REG RICE

Chair