

**MINUTES OF THE PLANNING SUB COMMITTEE
THURSDAY, 22 SEPTEMBER 2011**

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

Also Present: Councillor Bloch

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PC52.	<p>APOLOGIES</p> <p>Apologies for absence were received from Cllr Schmitz, for whom Cllr Hare was substituting.</p>	
PC53.	<p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p>	
PC54.	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p>	
PC55.	<p>LAND AT HARINGEY HEARTLANDS, BETWEEN HORNSEY PARK ROAD, MAYES ROAD, CLARENDON ROAD AND THE KINGS CROSS / EAST COAST MAINLINE</p> <p>The Chair invited Cllr Monica Whyte to make a preliminary request in respect of the application. Cllr Whyte questioned whether the application should be heard at this meeting, in light of the Planning Inspectorate's recommendation that a revised consultation on the Core Strategy be undertaken, looking at significant changes to the Strategy, including changes in land designation. A revised consultation period of 6 weeks was scheduled to start from 23rd September 2011, and Cllr Whyte stated that it would be nonsensical to make a decision before the revised consultation period was completed, and would leave the decision open to legal challenge. Cllr Whyte requested that a decision on the application be delayed until the revised consultation period was completed.</p> <p>Allan Ledden, Legal Services, advised the Committee that the revised Core Strategy consultation exercise related specifically to 11 sites, which did not include the current application site, therefore any decision taken on this application could not prejudice the consultation exercise. In addition, Government circular advice was that, even were the preceding statement not correct, the Committee should be reluctant to defer an application on the grounds that a policy was under consultation, and would need to be completely satisfied that the application would prejudice the consultation. Mr Ledden reminded the Committee that the proposals were in accordance with the emerging Core</p>	

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Strategy, subject to Examination in Public, and that this was a material consideration which must be given due regard as part of the Committee's consideration of the application.

The Chair sought views from the Committee on this matter and then moved to a vote on whether the meeting should proceed, further to the points raised. On a vote of 5 in favour and 4 against it was:

RESOLVED

That the meeting should continue.

The Planning Officer, Paul Smith, introduced the report, and advised that a further 12 pieces of correspondence had been received, copies of which had been tabled for the Committee's information at the meeting. Mr Smith explained the contents of the report to the Committee, and, under the heading 'Predetermination' at paragraph 6.24.1 of the report, advised that the first sentence of this paragraph should be deleted, as no development agreement was in place. Mr Smith reported that the decision was subject to final consultation with the Mayor of London, who could either allow the decision to proceed unchanged, direct the refusal of the application or take responsibility for determining the application away from the Council and assume the role of the local planning authority in respect of this application himself. It was reported that significant progress had been made since the first letter from the GLA in respect of the application.

In respect of the draft Heads of Terms for the Section 106 agreement, set out in appendix 7 of the report, reference needed to be added to contributions under section 278 of the Highways Act. Mr Smith outlined some proposed amendments to the conditions as set out in the report, as well as an additional condition as follows:

6. The maximum height of the proposed development, *excluding lift and core overruns*, rooftop plant, etc, shall be no greater than indicated on the parameter plan....

7. MAXIMUM DWELLING NUMBERS AND DWELLING MIX

The outline planning permission hereby approved for a residential-led mixed-use development shall not exceed 1080 separate dwelling units, whether flats or houses. *The dwelling mix shall be approved in writing by the LPA in consultation with the GLA, prior to commencement.*

11. ...All hard landscaping and means of enclosure *associated with a phase of development* shall be completed before *that phase of the* development is occupied.

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14. Notwithstanding the details contained within the plans hereby approved, full details of boundary treatments, including fencing and gates *for each phase shall* be submitted to and approved by the Local Planning Authority prior to the commencement of *that phase of* the development.

17. The development shall not be occupied or brought into use until verification by a competent person approved under the provisions of Condition "*Environment Agency – site investigation and contaminated land*" Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise (a) photographs of the remediation works in progress; and (b) certificates demonstrating that imported and/or material left in situ is free from contamination.

19. The development hereby approved shall not commence until the method of piling foundations for the development has been submitted to and approved in writing by the Local Planning Authority prior to any development commencing. *This shall include the submission of a vibration survey and ground transfer calculations for piled foundations.*

34. The applicant shall provide (251 car spaces) parking provision for the residential component of the development, including *up to a maximum of 120* disabled spaces.

61. The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are exposed to levels indoors not more than 35 dB LAeq 16 hrs daytime and not more than 30 dB LAeq 8 hrs in bedrooms at night. *The development shall comply with BS8233 which states that for a reasonable standard in bedrooms at night, individual noise events (measured with F-time weighting) should not normally exceed 45dB LA max. In addition the development shall meet a minimum of reasonable standard for living rooms in accordance with BS8233.*

An additional condition, number 70. was proposed in respect of air quality, to ensure that an air quality assessment report was written, in accordance with the relevant guidelines.

The Committee had also been provided with a letter from Drivers Jonas Deloitte in response to the letter from the Environment Agency recommending the deculverting of the Moselle Brook, and setting out the reasons why this was not felt to be feasible at this site. Mr Smith advised of three further corrections to the report: Table of Contents 6.2 repeated at the heading "Employment" and should refer to 6.3 rather than 6.2; at paragraph 4.2 on page 12 of the agenda pack, this should refer to appendix 3 and not appendix 2 as stated; and in the last sentence of paragraph 6.4.12 on page 26, the XX should read 6.5.

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Mr Smith gave a presentation setting out the key aspects of the report, and in conclusion advised that Recommendation 1 should be amended to include that the application be referred to the Mayor for his final direction and to reflect the amended conditions as set out above, and the Section 106 Agreement.

The Committee examined an illustrative model of the scheme, and then asked questions of the Planning Officer. In response to a question from the Committee, it was confirmed that the proposal included 16 houses. The Committee asked about the applicants and landowners in respect of the site, in response to which Mr Smith provided clarification on the information set out in the report. The Committee asked about the amount of public open space proposed, and how this compared with that recommended under policy; Mr Smith advised that the scheme proposed included 13,000sqm as opposed to 30,000sqm set out in policy guidance. It was intended that this deficit would be mitigated by means of the Section 106 contributions. The Committee expressed concern regarding the allotment space proposed, as this was reported as being only 146sqm.

The Committee asked why it was not proposed to deculvert the Moselle Brook, given that this was proposed at Lordship Park, in response to which Mr Smith advised that for half of the site deculverting would not be possible due to hard surfacing, and for the rest of the site would result in loss of proposed ecological space. The depth of the culvert was also an issue and would mean the loss of surrounding space due to the necessary cross-section. As a result of these issues it was felt that there would not be a public benefit in deculverting at this site.

In response to a question regarding the minimum number of cycle parking spaces, it was reported that there would be an expectation of a minimum of one space per dwelling unit, with additional provision for commercial and leisure units. It was confirmed that the development would be the subject of a travel plan, which would be monitored on an ongoing basis to address such issues. The Committee asked about the daylight impact, in response to which it was reported that there was a moderate impact identified for 2 houses of Hornsey Park Road and a lesser impact on one additional house. This impact was acknowledged, but a judgement had been made that there was not sufficient impact to say that the application overall should be refused.

The Committee asked about the healthcare provision proposed, and it was reported that the application did include healthcare provision, delivery of which would be expected, and that in the event the PCT or successor body did not wish to take up the offer of a health-centre on site, Section 106 funding would provide healthcare provision off-site.

With regard to affordable housing levels, the Committee asked

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what the guaranteed minimum number of affordable dwelling units would be. Within the ranges set out in the report, it was confirmed that the minimum number would be approximately 118 units. Terry Knibbs, Planning, Regeneration and Economy, explained the way in which projected market values had been used in order to guarantee the provision of a minimum level of affordable housing. In response to a further question regarding why there was no minimum guaranteed value for Council-owned land set out in the report, Mr Knibbs advised that this was necessary in order to support as great a level of affordable housing on the site as possible. In response to a question from the Committee regarding the 50% target for affordable housing provision, it was reported that this had been subject to viability, which was the challenge on this site where there were significant decommissioning costs for the existing gas works. It was noted that the London Plan had removed the 50% affordable housing target, and replaced this with a requirement to 'maximise' the level of affordable housing. The impact of the loss of grant funding for affordable housing was also noted.

The Committee asked about the housing mix, and why there were so few houses proposed compared with flats. Mr Smith advised that this was the type of development permitted within the planning framework, and that increasing the proportion of housing units would impact on the viability of the scheme. Concern was expressed that the noise report only considered the impact on future residents of the scheme, and not the noise impact of the scheme on existing properties. The Committee also expressed some concern that the application would lead to National Grid being rewarded for moving their facility, at a loss to the public and at the cost of affordable housing provision, in response to which it was reported that the application was judged to be in the public benefit and that the relocation of the gas works was what enabled development on the site to take place.

The Committee asked whether in future the objections received in relation to an application could be appended to the report in full rather than being summarised, in response to which it was reported that if the Committee took the decision to request this, then officers would comply, however it would result in the volume of Committee papers being significantly increased. Mr Smith advised that, in addition, all consultation responses were available online in full. It was emphasised that this was a decision for the Committee to take.

The Committee adjourned for a 5-minute break at 9pm.

Mr Colin Marr addressed the Committee, on behalf of the Alexandra Palace Conservation Area Advisory Committee, in objection to the application. The objection was based on two key issues, the failure to respect the local heritage and the impact on the conservation area. In relation to the first point, the proposal

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included the demolition of the small gas-holder, which was an important industrial archaeological landmark and had been locally listed until 2006. It was felt that this should be retained and re-used to enrich the area. With regard to the impact on the conservation area, it was felt that the proposal would have a significantly detrimental impact on the view from Alexandra Palace, consisting of a "cliff" of 9-10 storey blocks that would block out the distant vista of wooded hills, which was one of the most valued aspects of the view from Alexandra Palace and Park. It was stated that the proposal was contrary to several of the Council's own planning policies, and the Committee was asked to reject the application, for the future of the borough.

In response to a question from the Committee, Mr Marr advised that the main issue was the design as a series of blocks, and felt that a more undulating or varied design would be preferable, and also that the proposal should be scaled back. The Committee asked whether some of these issues would be best addressed at a later planning application, given that this was an application for outline planning permission, in response to which Mr Marr stated that, given this application was seeking approval in respect of the height, footprint and general outline of the site, many of the significant issues would be governed by this application.

Mr Marcus Ballard addressed the Committee in objection to the application on behalf of the Parkside Malvern Residents' Association. Mr Ballard expressed concern regarding the proposed height and massing, which would have a negative impact on existing houses and, as solid blocks, would create more shadow than the existing gasholders. It was reported that the area was already deficient in open space and that there were no proper linkage routes between the site and surrounding area. The community valued and wished to retain the open space populated by lime trees, which was currently proposed to provide access from the site onto Hornsey Park Road, and also supported the retention of the gasholder. Mr Ballard also reported that one local GP surgery had recently closed down, and that healthcare provision should be a major consideration.

In response to questions from the Committee, Mr Ballard reported that the upper limit of proposed housing units was too intense, although the lower stated limit might be acceptable. Mr Ballard felt that the skyline view from existing houses would be completely lost, and emphasised the importance of open space.

At 9.30pm, the Committee agreed to suspend standing orders to enable consideration of this item to continue beyond 10pm.

Mr Bill Godber of Turnaround Publisher Services addressed the Committee in objection to the application. It was reported that the company employed more than 50 staff and accounted for more than 50% of business on the Olympia trading estate. It was

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reported that the planning application had actually led to job losses, not the creation of new jobs, and that there was a need to increase employment and economic development in the area. Mr Godber stated that the stated 135 approximate posts that would be created as a result of the development would be offset by the loss of more than 50 posts at Turnaround and that relocating the business would be a very challenging, costly and inconvenient process which would threaten existing jobs and affect local employment. There were said to be no assurances that the costs of the forced move would be met by the applicants and that more details on the proposals and assurances regarding the support offered to existing businesses were necessary.

In response to questions from the Committee, Mr Godber confirmed that, with regard to the proposed Section 106 agreement that the applicants would take all reasonable steps to ensure that existing businesses on the Olympia Trading Estate are assisted in seeking alternative premises (in the first instance within the borough of Haringey) and that the LDA would meet any costs or payments to which the tenants are legitimately entitled, none of this had happened as yet.

Ms Judy Webb, local resident, addressed the Committee in objection to the application and stated that the main concern was the density of the proposal, which was not appropriate for the area and did not meet local needs. It was reported that the area needed good quality mixed development and open space. Ms Webb also advised that it was already very difficult to see a GP in the area, and that healthcare provision was a major issue. The Committee was asked to reject the application and seek an application which did meet local needs, and leave a positive legacy.

Mr Colin Kerr, local resident, objected to the application and expressed concern that the issues under discussion were not being considered in light of all the relevant policies. Mr Kerr stated that less than 1% of the proposed development would be non-residential, and therefore questioned the definition of 'mixed-use' in relation to this application. Mr Kerr stated that it was essential not to lose sight of the need to provide employment and that the current scheme would lead to a net loss in employment on the site. In response to questions from the Committee regarding land-use, Mr Kerr stated that it was clear that despite the change in strategic designation, mixed-use development was required at this site as, when New River Village was granted consent as a residential development, it was on the understanding that employment would be provided on this side of the railway line. Provision of employment at this site would be in accordance with the Local Authority's own adopted policy and the emerging Core Strategy and that the scheme should be an employment-led mixed use development, rather than the current proposal, where less than 1% was non-residential.

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Cllr Jonathan Bloch addressed the Committee in his capacity as Liberal Democrat Planning and regeneration spokesperson, and objected to the application. Cllr Bloch requested that the Committee reject this application and request a full Planning Application rather than an outline application, to reflect the significance of the development. Cllr Bloch further disagreed that determining this application now would not have an impact on the revised consultation on the Core Strategy. With relation to employment, Cllr Bloch advised that current ONS figures showed that there was a significant need for employment opportunities in the area, but that this proposal would instead lead to the loss of one of the largest employers in the area. The Committee was urged to reject the application and seek a further scheme which would create more jobs. In response to a question from the Committee, Cllr Bloch stated that he felt that determining the application before the revised consultation on the Core Strategy had been undertaken would leave the decision open to legal challenge. Cllr Bloch further stated that he felt that the difference between the original projected number of jobs and that set out in the report was due to the application not being for a truly mixed-use site and the conflation of figures with the Wood Green employment area.

Myra Barnes, representing the applicant, addressed the Committee in support of the application. Ms Barnes acknowledged the good points raised by the objectors and advised that these points had all been considered as part of the application process and, where it had been possible, the scheme amended to address the points raised. With regards to the employment issues raised, Ms Barnes advised that the Haringey Heartlands site as a whole was 50 hectares, and that the Clarendon Square portion of the site was anticipated to deliver 70 to 135 new jobs. Together with existing schemes on the site, it was estimated that 1136 to 1146 jobs would be delivered by 2026 (the period covered by the new London Plan). Ms Barnes advised that the proposal complied with the emerging Core Strategy. With regards to the existing businesses on the site, the LDA was committed to preserving jobs and delivering a successful relocation.

A number of comments had been made regarding the density of the development, and Ms Barnes advised that the number of units had been reduced compared with the previous scheme, and the density was in accordance with the development framework and the London Plan, and was in line with previous developments such as New River Village. It was confirmed that the mix of housing units was not yet determined, but in response to concerns expressed regarding the number of family housing units, it was reported that a number of the ground-floor units would have their own private amenity space and would be suitable for family occupation. Responding to concerns expressed

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regarding linkages to the site, it was reported that this was covered under the proposed Section 106 agreement and that provision of open space was also addressed by means of Section 106 contributions and the proximity to Alexandra Palace Park.

Ms Barnes advised that the proposal would have no impact on the strategic and protected views from Alexandra Palace, and that over the course of the application the height of the proposed blocks had been reduced to reduce the impact on other views from the Palace. It was noted that design details had yet to be agreed, and that the montage presented of possible views from the palace was a worst-case scenario, with solid 'blocks'. It was further noted that the views of the development would be fragmented by vegetation and the train depot at Coronation Sidings. Ms Barnes addressed the issue of the gasholders, and advised that there were mixed views on their heritage value. English Heritage had determined that they did not merit listing, and it was noted that re-use of gasholders was only generally considered as an option when the structures were listed.

Ms Barnes advised that the scheme had been fully assessed with regard to the impact on education, healthcare and community facilities. Space for a health centre was offered to the Primary Care Trust (or its successor body) and provision was made for Section 106 funding for off-site healthcare provision if this offer was not taken up. There was also a significant contribution in the proposed Section 106 Agreement for education, as well as for community facilities. Ms Barnes showed the Committee a plan of the roof spaces proposed for residential allotments and amenity space. Regarding the deculverting of the Moselle, this was an issue which had been considered in great detail but it had been concluded that it was not feasible for this site due to the depth, pollution and the fact that there was no way of controlling the quality of the water through the site. It was noted that this was a very different situation from that at Lordship Lane recreation ground, where a new channel had been created and clean water diverted through it, with the existing culvert retained.

In conclusion, Ms Barnes felt that the application did address the concerns raised and offered significant regeneration benefits. The application was the result of 6 years working closely with the Council and the local community to create a high quality, mixed-use development which would enhance the area.

In response to questions from the Committee regarding provision of social housing, it was reported that a level of affordable housing of between 14 and 24.4% was proposed, but the actual level of social housing incorporated, as opposed to affordable housing, would be a decision for the Council to make. It was also confirmed that there was nothing that could be done to prevent units in the development being purchased as buy-to-let properties. Ms Barnes accepted that there was a deficit of open

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space in the proposal, but stated that this was mitigated by a Section 106 contribution to enhance existing open spaces in the area. The Committee asked about the healthcare provision, and it was reported that the health authority had given no indication as yet of whether they would take up the offer of a health centre on the site and that this was a decision for them to make. It was clarified that the Section 106 contribution of £500k was in addition to the offer of a health centre on site.

The Committee asked about vehicular access to the site, and the routes on to the site were clarified. It was confirmed that there was not intended to be through access onto Hornsey Park Road – this opening would be for houses and for emergency services access only. In response to a question regarding shadows and the impact on neighbouring properties, it was confirmed that the height of the buildings had been reduced to minimise the impact on existing house, in addition to which the top storey of the buildings would be set back to further mitigate the impact.

The Committee asked for information on the minimum land release costs and it was confirmed that all of the costs set out in the viability assessment had been independently assessed to check that they were reasonable, and in response to a question regarding why costs were assessed on existing use rather than residential use, it was reported that this was in fact a lower value. In response to a question from the Committee regarding massing, and whether this would effectively be determined by this application, in respect of the footprints and heights of the buildings being agreed, Ms Barnes advised that the application set out parameter plans for the envelope of the buildings, which included flexibility in respect of both footprints and heights, and that it would be within the remit of the Committee to reject specific designs at the reserved matters stage.

In response to a question from the Committee regarding the terms on which the health centre space would be offered to the health authority, it was reported that this would be on the basis of market terms for a health centre. Ms Barnes stated that she did not accept that the scheme was profit-driven at the cost of affordable housing, and advised that this proposal was less dense than the previous application, and had been design-led on the basis of what was best for this site. It was stated that the level of affordable housing proposed was comparable with other London developments, and represented the maximum reasonable amount which could be provided whilst remaining viable.

The Committee asked whether, as land previously in industrial use, decontamination was required, in response to which the applicant responded that it was, and that proposals for the decontamination work were set out in the application. In response to a question regarding why there were not more houses proposed on the site, Ms Barnes reported that as an area for

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intensification, there was a policy to maximise the local housing level and an increase in the number of houses on the site would decrease the overall number of units which could be provided. It was reported that the housing mix on the site would be for determination at the Reserved Matters application stage. The Committee asked about possible re-use of the small gasholder, in response to which it was reported that this would require work to remediate the land underneath and inside, and would be almost difficult to undertake without dismantling the structure.

In response to a question from the Committee regarding the relocation of existing businesses, Steven Kidd from the London Development Agency was asked to provide some information. Mr Kidd stated that they had met with Turnaround and recognised that the relocation process could be very disruptive, but felt that the LDA had the resources to help mitigate the impact on the business. Mr Kidd stated that the LDA's aim was to preserve jobs and increase regeneration, and they would work to identify relocation opportunities for existing businesses over the next two years, and work with the companies to identify the best time to move. In response to a question from the Committee as to whether existing businesses would relocate within the borough, it was reported that they would consider what was available, and would if at all possible wish to keep existing businesses within the borough. Mr Kidd confirmed, in response to a question from the Committee, that all indications were that the support to businesses would continue as the functions of the LDA transferred over to the GLA. Mr Kidd also confirmed that existing businesses had a statutory entitlement to compensation under the Landlord and Tenant Act. In response to a further question from the Committee, Mr Ledden advised that paragraph 6.30 of the draft Heads of Terms for the Section 106 Agreement stated "Relocation of existing businesses – LDA commits to take all reasonable steps to ensure that existing businesses in the Olympia Trading Estate are assisted in seeking alternative premises (in the first instance within the borough of Haringey) and that the LDA will meet any costs or payments to which the tenants are legitimately entitled".

The Committee examined the plans, after which Mr Smith gave a summing up of the report and the matters discussed, including:

- Outline Planning permission – this permitted the Committee to maintain control of the details of the scheme, and did not preclude any further applications being made, varying the parameters set out in this application.
- Regeneration – the site in question was identified as a site for intensification, as set out in the relevant planning policies and guidance. The proposal is for a high density, mixed-use development.
- Employment – the designation of the site had changed in relation to employment. Employment retention was proposed, but on a wider area than just the site in

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question. The northern area of the overall Heartlands site was now identified for employment growth. Plans for employment growth were for the long term, and were wider than any single planning application.

- Affordable housing – the key issue was viability. It was expected that the site would deliver affordable housing at a level that enabled the delivery of the scheme overall.
- Density – the proposed density was within policy guidelines and was felt to be appropriate for this site. The proposal would contribute to housing needs in the area.
- Transport – was felt to be acceptable. There was a proposed contribution for enhanced bus services, proposed parking levels were felt to be sustainable in this area and the site was assessed to have good access to public transport.
- Open space – there is an acknowledged shortfall in open space, but it was hard to envisage a scheme which could deliver in line with the target for this. A Section 106 Agreement was proposed to improve access to other local public space.
- Design – the GLA consider the scheme acceptable and the proposed street pattern is designed to deliver public safety.
- Views – the Committee had been shown montages of the possible impact of the scheme, and officers felt that the proposal would have no serious detrimental impact in respect of views.
- Gasholders – these are unlisted, but the smaller gasholder in particular has acknowledged heritage considerations. Overall it had been judged that it would be difficult to integrate the gasholders within a viable scheme and retention was therefore not advised.
- Deculverting – deculverting of the Moselle at this site would be very deep and would replace other open space. The assessment made was that this would not be practical.
- Infrastructure – the scheme included provision for education, health, community facilities and transport .
- Daylight – it was acknowledged that there was an impact on three houses, but overall it was felt that the distance between the buildings was acceptable.

In conclusion, Mr Smith advised that the officer recommendation was that outline planning permission be granted, subject to conditions and to a Section 106 Agreement. The Committee was asked, were they minded to grant the application, that it be delegated to the Assistant Director, Planning and Regeneration to negotiate minor details of the Section 106 Agreement in consultation with the Chair of the Committee.

Cllr Hare moved a motion that the application be rejected on the grounds of its bulk, massing, footprint, lack of deculverting, lack of social and affordable housing, the impact on the residents of

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Hornsey Park Road and their outlook, the deficit of open space and the lack of attempt to meet the employment needs of the borough. The motion was seconded by Cllr Reid. On a vote, with 4 in favour and 5 against, this motion fell.

The Chair moved the recommendations of the report, subject to the proposed amendments to the conditions and recommendations as set out earlier and with the delegation of minor details of the Section 106 Agreement to the Assistant Director, Planning and Regeneration in consultation with the Chair. On a vote of 5 in favour and 4 against it was:

RESOLVED

- i) That planning permission be granted in accordance with planning application reference HGY/2009/0503 subject to a pre-condition that the applicant shall first have entered into an agreement or agreements with the London Borough of Haringey (under Section 106 of the Town and Country Planning Act (as amended) 1990) in order to secure the Heads of Terms set out in Appendix 7, covering the following general terms:

- Affordable Housing
- Education
- Healthcare
- Community Facilities
- Transport
- Open Space
- Employment and Training

Monitoring

To ensure that the s106 obligations are honoured in a full and timely manner, implementation of the s106 obligations will be subject to regular monitoring and target dates will be set where appropriate.

For the Assistant Director of Planning and Regeneration in conjunction with the Head of Legal Services and in consultation with the Chair of the Planning Sub Committee to finalise the detail of the Section 106 and make such minor changes that become necessary during the negotiation of the agreement.

- 2) Grant permission subject to conditions, including the amended wording as reported, and subject to section 106 Legal Agreement in accordance with the approved plans and documentation as follows:

P001(REV04) – Red Line – Planning Application Boundary

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P002(REV05) – Building Layout and Footprint
P003(REV06) – Maximum and Minimum Storey Heights
P004(REV05) – Ground Floor Uses
P005(REV04) – Upper Floor Uses
P006(REV05) – Site Access and Movement
P007(REV06) – Landscape Strategy

- 3) That the application be referred to the Mayor for his final direction.

Conditions:

RESERVED MATTERS

1. The application 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) Scale (within parameter plan range (Drawing Ref: P003(REV06) – Maximum and Minimum Storey Heights); b) Layout c) Landscape and d) Appearance.

Reason: This condition is imposed by virtue of Section 92 of the Town & Country Planning Act 1990.

TIME LIMIT – RESERVED MATTERS

2. Application must be made to the Local Planning Authority for approval of any matters reserved in this OUTLINE planning permission not later than the expiration of 5 years from the date of this Permission, and the development hereby authorised shall be started not later than whichever is the later of the following dates, failing which the permission shall be of no effect:

- a. the expiration of 5 years from the date of this permission; or
b. the expiration of 2 years from the final date of approval of any of the reserved matters.

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990.

IN ACCORDANCE WITH APPROVED PLANS

3. The development hereby authorised shall be carried out in complete accordance with the plans and specifications (except for the Design and Access Statement which is for illustrative purposes only) submitted to, and approved in writing by the Local Planning Authority.

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PHASING PROGRAMME

4. No development shall take place until a programme of phasing for implementation of the whole development has been agreed in writing by the Local Planning Authority. Any amendment to the approved phasing programme must be first agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory comprehensive development within a reasonable timescale and proper planning of the area.

MATERIALS

5. At the reserved matters stage, full details of the external appearance of the development, including samples of all materials to be used for all external facing surfaces and roofing materials for each phase of the development, as set out in an agreed phasing plan, shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced on that phase. Samples shall include sample panels in addition to a schedule of the exact product references. All approved materials shall be erected in the form of a samples board and shall be retained on site throughout the works period for the phase concerned. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure a comprehensive and sustainable development and to achieve good design throughout the development.

MAXIMUM BUILDING HEIGHTS

6. The maximum height of the proposed development, including lift overruns, rooftop plant etc, shall be no greater than indicated on the parameter plan Drawing Number P003(REV06) – Maximum and Minimum Storey Heights.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

MAXIMUM DWELLING NUMBERS

7. The outline planning permission hereby approved for a residential-led mixed use development shall not exceed 1080 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.

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ACCESSIBILITY AND LIFETIME HOMES

8. Within the development hereby approved, at least 10% of the dwellings shall be wheelchair accessible or easily adaptable for residents who are wheelchair users. This percentage should be applied to both market and affordable housing, should be evenly distributed throughout the development, and cater for a varying number of occupants. In addition, 100% of the dwellings shall be built to meet Lifetime Homes standards, unless otherwise agreed in writing by the Local Planning Authority. Evidence of compliance with the above shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of each phase of the development.

Reason: In order to ensure adequate accessibility for the disabled and mobility impaired throughout their lifetime.

HOUSING DESIGN GUIDE STANDARDS

9. The development shall comply with the London Plan (2011) and London Housing Design Guide – Interim Edition (August 2010) space standards and as far as practical shall meet all other requirements within the London Design Guide – Interim Edition (August 2010), particularly the requirements dual aspect units, contained in section 5.2 of the document.

Reason: In order to ensure a satisfactory standard of accommodation for future occupiers of the development.

LANDSCAPING – LANDSCAPING SCHEME

10. At the reserved matters stage, full landscaping scheme for the entire site shall be submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include a) those existing trees to be retained; b) those existing trees to be removed; c) those new trees and shrubs to be planted together with a schedule of species d) roof top gardens/allotments/amenity space e) hard surfacing f) boundary treatment e) street furniture

Reason: To enhance the appearance of the development and in the interest of safeguarding the amenities of residents in the area.

LANDSCAPING – IMPLEMENTATION/MAINTENANCE

11. All landscaping and ecological enhancement works, including planting, seeding or turfing comprised in the approved scheme of landscaping as described in condition “Landscaping – Landscaping Scheme” shall be completed no later than the first planting and seeding seasons following the occupation of the building or the completion of the development in each

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phase, whichever is the sooner. Any trees or plants which within a period of FIVE years from the completion of that phase of development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority. All hard landscaping and means of enclosure shall be completed before the development is occupied.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area.

LANDSCAPING – PROTECTION OF EXISTING TREES

12.No development shall commence until an Arboricultural method statement, including a tree protection plan, has been prepared in accordance with BS5837:2005 Trees in Relation to Construction”, and approved by the Local Planning Authority. A pre-commencement site meeting must be specified and attended by all interested parties, (Site manager, Consultant Arboriculturalist, Council Arboriculturalist and Contractors) to confirm all the protection measures to be installed for trees. Robust protective fencing / ground protection must be installed prior to commencement of construction activities on site and retained until completion. It must be designed and installed as recommended in the method statement. The protective fencing must be inspected by the Council Arboriculturalist, prior to any works commencing on site and remain in place until works are complete.

Reason: To protect the trees which are to be retained and in the interest of the visual amenities of the area.

JAPANESE KNOTWEED

13.Prior to the commencement of the development, a detailed method statement for the removal or long-term management/eradication of Japanese knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, trimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement. Please note that if any of the Japanese knotweed plants are close to water, including watercourses, ditches or standing water, then Environment Agency consent is required if it is to be treated with a herbicide.

Reason: In order to ensure the eradication of Japanese Knotweed which is an invasive plant and the spread of which

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is prohibited under the Wildlife and Countryside Act 1981.

BOUNDARY TREATMENT

14. Notwithstanding the details contained within the plans hereby approved, full details of boundary treatments, including fencing and gates, to the entire site be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Reason: In order to safeguard the visual amenity of the area and to ensure adequate means of enclosure for the proposed development.

ECOLOGICAL MANAGEMENT

15. The development hereby approved shall not commence until full details of a site wide Ecology Management Strategy including an Ecological Mitigation and Management Plan which shall provide details of how the proposed measures will be monitored, managed and funded in the future, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the proposed development maximises the ecological potential of the site

POLLUTION PREVENTION

16. The development hereby approved shall not commence until full details of a site wide Pollution Prevention Strategy has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the proposed development prevents pollution of the environment.

CONTAMINATED LAND – VERIFICATION REPORT

17. The development shall not be occupied or brought into use until verification by a competent person approved under the provisions of Condition “Contaminated Land – Remediation Strategy” that any remediation scheme required and approved under the provisions of the above condition has been implemented fully in accordance with the approved details, shall be submitted to and approved by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise: (a) as built drawings of the implemented scheme; (b) photographs of the remediation works in progress; and (c) certificates demonstrating that imported and/or material left in situ is free from contamination. Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under Condition “Contaminated Land – Remediation Strategy”.

Reason: To safeguard the health of future residents or occupiers of the site.

USE OF CLEAN UNCONTAMINATED MATERIAL

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18. No soils or infill materials shall be imported onto the site until it has been satisfactorily demonstrated that they present no risk to human health and the environment. Documentary evidence to confirm the origin of all imported soils and infill materials, supported by appropriate chemical analysis, test results, shall be submitted to and approved by the Local Planning Authority prior to that import. The import on site of material classified as 'waste'; is only acceptable with the prior written approval of the Local Planning Authority.

Reason: To ensure that no contaminated land is brought on site.

METHOD OF PILING

19. The development hereby approved shall not commence until the method of piling foundations for the development has been submitted to and approved in writing by the Local Planning Authority prior to any development commencing. Piling or any other foundation designs using penetrative methods shall not be permitted except for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent the contamination of the underlying aquifer.

ARCHAEOLOGICAL WATCHING BRIEF

20. No development shall take place within the application site until the applicant has secured the implementation of an archaeological watching brief and a programme for the recording of built heritage structures, including the existing gas holders, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that archaeological remains on the site shall be adequately investigated and recorded during the course of the development and the findings of such investigation and recording reported

HOARDINGS

21. 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 and 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 have regard to the visual amenity of the locality and the amenities of local residents, businesses, visitors and construction sites in the area during construction works.

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CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

22. The development hereby approved shall not commence until a Construction Environmental Management Plan, including Site Waste 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 Site Waste Management Plan will demonstrate compliance with an appropriate Demolition Protocol. 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

23. 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.

CONSTRUCTION HOURS

24. Operations in relation to construction for which noise is greater than 50dBLAeq, 1hour at the nearest residential boundary shall be restricted to the hours of 0800 and 1800 on Mondays to Fridays and between 0800 and 1300 on Saturdays and at no time on Sundays or Statutory holidays without the prior written approval of the Local Planning Authority under Section 61 of the Control of Pollution Act 1974.

The following enabling activities shall be permitted to take place within a period one hour before and one hour after normal working hours:

- Arrival and departure of workforce on site;

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- Deliveries and unloading;
- Check and examinations of plant and machinery (including test running) and the carrying out of essential repairs / maintenance to plant and machinery;
- Site inspections and safety checks; and
- Site clean-up

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

CONSTRUCTION – ON-SITE CONTACT

25. At the time of the commencement of works, an on site contact shall be provided on a 24 hour per day basis for residents to report any disturbances or issues arising from the construction of the site

Reason: To ensure that any disruption to neighbouring residents can be reported immediately.

CCTV AND SECURITY LIGHTING

26. At the reserved matters stage, a 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.

EXTERNAL LIGHTING STRATEGY

27. At the reserved matters stage, an external lighting strategy for that phase of the development 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

SURFACE WATER DRAINAGE

28. At the reserved matters stage, details of a scheme for the

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surface water drainage works including the provision of a Sustainable Urban Drainage System shall be submitted to and approved by the Local Planning Authority (in consultation with Thames Water) prior to the commencement of works within that part of the site. The surface water drainage details shall include that petrol/oil interceptors shall be fitted in all car parking/washing/repair facilities and an Impact Study of existing Sewerage infrastructure.

Reason: In order to ensure the satisfactory surface water drainage of the site.

WATER SUPPLY IMPACT STUDY

29. At the reserved matters stage, a Water Supply Impact Study for that phase of the development, including full details of anticipated water flow rates, and detailed site plans shall be 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

WASTE STORAGE AND RECYCLING

30. At the reserved matters stage, details of the arrangements for storage and collection of refuse for each phase of the development, 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 for the storage of waste and recyclable materials.

BREEAM – DESIGN STAGE ASSESSMENT

31. 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

32. The development hereby permitted shall be built to a minimum standard of “Very Good” under the Building Research

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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.

TRANSPORTATION – S72 AGREEMENT

33. The developer will be required to dedicate a 3m strip of land by way of a section 72 agreement along Mary Neuner Road to construct the proposed vehicular inset parking as per Drawings No's 0083-B-23 and 0083-B-24 as submitted by the applicant's consultant Savell Bird and Axon.

Reason: Ensure safe and efficient vehicle access.

TRANSPORTATION – PARKING PROVISION

34. The applicant shall provide 23 per cent (276 car spaces) parking provision for the residential component of the development, including 60 disabled spaces.

Reason: To ensure appropriate levels of car parking within the development.

TRANSPORTATION – PARKING PROVISION – ELECTRIC VEHICLES

35. At the reserved matters stage, details of electric vehicle provision within the parking areas (which shall include a minimum of 20 per cent of all parking spaces and an additional 20 per cent passive provision for electric vehicles in the future) 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.

TRANSPORTATION - CYCLE PARKING

36. At the reserved matters stage a detailed plan for cycle parking which shall include a) 1 cycle rack per residential unit; b) 50 cycle spaces for the shop/office/community aspects of the development (36, 4 and 10 cycle spaces correspondingly) and c) secure shelters, shall be submitted to and approved in writing by the local planning authority.

Reason: In order to ensure adequate provision of safe and secure cycle parking.

TRANSPORTATION – TRAVEL PLAN AND CAR CLUB

37. At the reserved matters stage, Travel Plans and welcome pack, in compliance with Transport for London Guidance, shall be submitted to and approved in writing by the local planning authority, at least 3 months in advance of occupation of each phase of the development. The Car Club scheme and number

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of on site Car Club car parking spaces to be agreed as part of the Travel Plan.

Reason: In order to encourage the use of sustainable modes of transport for journeys to/from the site.

DETAILS OF FLUES

38. Full details of the location and appearance of any flues, including height, design, location and sitting shall be submitted and approved in writing by the Council before work commences.

Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development.

COMMERCIAL PREMISES – ACCESS

39. The commercial premises shall be minimum door widths of 900mm and a maximum threshold of 25mm to allow access to people with disabilities and people pushing double buggies.

Reason: In order to ensure that the premises are accessible to all those people who could be expected to use it, in accordance with policy RIM 2.1 "Access for All" of the Haringey Unitary Development Plan (2006).

SHOPFRONTS

40. Detailed plans of the design and external appearance of the shopfronts, including detailed design of the fascias, shall be submitted to and approved in writing by the Local Planning Authority at the reserved matters stage.

Reason: In the interest of visual amenity.

SIGNAGE

41. 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.

HOURS OF OPERATION – A3, A4 and A5 Uses

42. Any restaurant (A3), public house and wine bar (A4) or takeaway (A5) use shall not be operated before 0800 or after 2400 hours on any day of the week.

Reason: In order to ensure that the proposed development does not prejudice the amenities of the future occupiers of the development.

ENVIRONMENT AGENCY – STRUCTURAL SURVEY

43. The development hereby permitted shall not be commenced until such time as a structural survey of the Moselle Brooke

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culvert to identify the life of the flood defences compared to the life of the development has been submitted to, and approved in writing by, the local planning authority. If the assessment identifies that the life of the culvert is not commensurate with the life of the development, then a scheme of remedial measures shall be submitted to and approved in writing by the Local Planning Authority before development commences. Development shall proceed only in accordance with the approved remedial measures.

Reason: To ensure that the flood defences have a life commensurate with the life of the development in order to safeguard the development and area from the risk of flooding.

ENVIRONMENT AGENCY – FLOOD RISK ASSESSMENT

44. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Waterman Group (C-37407-10-ES-002 Rev: A05 February 2009) and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated so that it will not exceed a run-off rate of 17.7ls/ha from the site and not increase the risk of flooding off-site.
- Provision of attenuation of surface water on site through the use of SUDS systems including living roofs, permeable paving and a swale and the use of storage tanks.
- Building and structures on site to be set a minimum of 8m back from the outer culvert wall of the Moselle Brook.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the structural integrity of and access to existing flood defences thereby reducing the risk of flooding.

ENVIRONMENT AGENCY – SITE INVESTIGATION AND CONTAMINATED LAND

45. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing by 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

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- Potentially unacceptable risks arising from contamination at the site
- 2) A site investigation scheme, based on (1) to provided 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 the 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 arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: There are controlled water bodies at, and in the vicinity of the proposed development site, which could be polluted by the known soil and shallow (perched) groundwater contamination which exists at the site. The identified Controlled Water bodies are the Moselle Brook, the New River, the reservoirs to the west and the deeper groundwater system that underlies the site. The deeper groundwater and the New River are used to supply drinking water to the public and therefore must be kept free from pollution. The Moselle Brook which flows through the site in culvert flows into Pymmes Brook to the east. If pollution were to enter the brook it would have a detrimental impact on aquatic life in the brook and also to its aesthetic appeal. As such, site investigation is required to assess the risk that the contamination at the site poses to Controlled Waters.

Note: The information provided to the Environment Agency in the report titled 'Environmental Statement' which was prepared by Waterman Energy, Environment & Design and dated February 2009 (Ref EN6847/R/2.1.1/MN) is sufficient to satisfy Part 1 of this condition. Also, part of the site has previously been investigated and remediated to an acceptable standard with regards to any risk posed to Controlled Waters. This area is referred to as the Spine Road and is detailed in Celtic Technologies report titled 'Haringey Heartlands Spine Road Improvement Corridor - Factual Validation Report' dated October 2008 (Ref R1199/08/3325). The above recommended condition is not applicable to this part of the site.

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ENVIRONMENT AGENCY – PILING

46. 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. The development shall be carried out in accordance with the approved details.

Reason: Piled foundations are proposed to facilitate development at the site. The advancement of such foundations through contaminated material, which is known to be present in the soil and shallow (perched) groundwater at the site, has the potential to mobilise contaminants and result in their release into the deeper groundwater system. The deeper groundwater underlying the site is abstracted a short distance from the site and is used to supply drinking water to the public. Therefore, it is very important that a suitable piling design and methodology is used as to not pollute the deeper groundwater system below the site.

ENVIRONMENT AGENCY – LANDSCAPE MANAGEMENT PLAN

47. Prior to the commencement of development a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: This condition is necessary to protect the natural features and character of the area and identify opportunities for enhancement of biodiversity in line with national planning policy in PPS9.

ENVIRONMENT AGENCY – PLANTING

48. Planting all landscaped areas (except privately owned domestic gardens but including green roofs) shall be of locally native plant species only, of UK genetic origin.

Reason: The use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the region's natural balance of flora. Native insects, birds and other animals cannot survive without the food and shelter that these plants provide. Introduced plants usually offer little to our native wildlife. Local plants are the essence of regional identity and preserve the character of the British landscape. Local plants are adapted to local soils and climate, so have

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low maintenance requirements. In addition, planting locally native plants helps to prevent the spread of invasive plants in the region.

ENVIRONMENT AGENCY – FOUL AND CONTAMINATED WATER

49. Before the commencement each phase of the development, including demolition, remediation and construction, a scheme to manage surface, foul and contaminated water on the site will be submitted to, and approved in writing by, the local planning authority. Each scheme shall be implemented as approved the Environment Agency asks to be consulted before approval.

Reason: To prevent the pollution of local surface and groundwaters and protect potable water supplies in the area.

NETWORK RAIL – DEVELOPMENT

50. Prior to the commencement of any works on site, developers must contact Network Rail to inform them of their intention of commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement.

Reason: It is useful for Network Rail to inform drivers, maintenance, signallers and any other railway personnel involved in the operation of the railway of development occurring adjacent to the operational railway.

NETWORK RAIL – DEMOLITION

51. Any demolition of refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, the stability of the adjoining Network Rail structures.

Reason: To ensure that the railway is not damaged during demolition.

NETWORK RAIL – CONSTRUCTION

52. Any scaffold, cranes or other mechanical plant must be constructed and operated in a “fail safe” manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. To avoid scaffold falling onto operational lines, netting around the scaffold may be required. In view of the close proximity of these proposed works to the railway boundary the developer should contact Network Rail’s Outside Parties Engineer on

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opsoutheast@networkrail.co.uk before any works begin.

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Reason: To ensure railway infrastructure is not damaged during construction.

NETWORK RAIL – SITE LAYOUT

53. Any proposed buildings shall be at least 2 metres from the boundary with the operational railway, at least 5 metres from overhead power lines, or 3 metres from viaducts.

Reason: This will allow construction and future maintenance to be carried out from the application land, thus avoiding provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

NETWORK RAIL – NOISE AND VIBRATION

54. The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway must be addressed in the context of PPG24 and the local planning authority should use conditions as necessary. Consideration should be given to the need to provide for on-site residential amenity within the development site.

Reason: To mitigate noise and vibration from operational land.

NETWORK RAIL – FENCING

55. This development will create a trespass and vandalism risk on to the railway. In the interests of promoting public safety, before any part of the development is occupied, a 1.8 metre high trespass resistant fence should be erected. The new fencing provided must be independent of existing Network Rail fencing and a sufficient distance should be allowed between the fences to allow for future maintenance and renewal.

Reason: To prevent trespass.

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NETWORK RAIL – DRAINAGE

56.No water or effluent should be discharged from the site or operations on the site into the railway undertaker's culverts or drains. Details of the proposed drainage must be submitted to, and approved by the Local Planning Authority, acting in consultation with the railway undertaker, and the works shall be carried out in accordance with the approved details.

Reason: To ensure the operation of the railway.

SECURE BY DESIGN

57.The development hereby authorised shall comply with BS 8220 (1986) Part 1 'Security Of Residential Buildings' and comply with the aims and objectives of the Police requirement of 'Secured By Design' and 'Designing Out Crime' principles.

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

SITE PARKING MANAGEMENT PLAN

58.That details of on site parking management plan shall be submitted to and approved by the local planning authority prior to the commencement of the use of the undercroft car parking area. Such agreed plan to be implemented and permanently maintained in operation to the satisfaction 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.

SATELLITE AERIALS

59.Notwithstanding the provisions of Article 4 (1) and Part 25 of Schedule 2 of the General Permitted Development Order 1995, at the reserved matters stage, details of a scheme for satellite dish/aerials 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.

OPEN SPACE MANAGEMENT PLAN

60.That details of a management plan for the management and

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maintenance of the public and communal open spaces including roof top gardens, allotments, and children's play spaces shall be submitted to and approved by the Local Planning Authority prior to the occupation of the residential units such agreed details to be implemented and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that a satisfactory standard of amenity space and play facilities is maintained for the future occupiers of the proposed development.

NOISE

61. The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are exposed to levels indoors not more than 35 dB LAeq 16hrs daytime and not more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason: In order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

VENTILATION

62. Reserved matters applications must be accompanied by a PPG24 (or any equivalent that may replace it) Noise Assessment and "cooling strategy" in accordance with BS8233 and Building Regulations to demonstrate that the residential units will comply with the criteria set out in condition 61 of this permission. The noise assessment must include a full acoustic report of how the flats will be insulated to reduce and mitigate external and internal noise/vibration break in and meet the requirements of condition 61 and provide details of how the heating and ventilation system will provide adequate natural ventilation and adequate cooling to prevent overheating (no overheating in bedrooms and living rooms where in these rooms there is a need for windows to be kept shut to achieve compliance with the noise levels set in condition 61. No works shall commence until these details have been submitted to and approved by the local planning authority and the development carried out in accordance with those details approved.

Reason: In order to secure a comfortable internal environment for the occupants of the residential properties.

NOISE – PLANT

63. The design and installation of new items of fixed plant shall be such that, when in operation, the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of any residential premises shall be a

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rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997. A noise report shall be produced by a competent person(s) to demonstrate compliance with the above criteria, and shall be submitted to and approved by the local planning authority.

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

TRAVEL PLAN

64 That the applicant shall submit 2 travel plans, one for the residential one for the commercial use, 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.

DETAILS OF CHILDRENS PLAY AREAS

65. No phase of residential development hereby permitted shall commence until a specification for the Children's Play Areas, has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with National Playing Field Association 'Six Acre Standard' Best Practise Guidance (2001) and, unless otherwise agreed in writing by the Local Planning Authority, should include the following as a minimum:

- i. An activity zone of at least 400sqm in area that caters for children of 4-8 years in age
- ii. At least 5 types of play equipment (i.e. balancing, rocking etc.)
- iii. Appropriate boundary treatment to provide a continuous and secure boundary
- iv. A barrier to limit the speed of a child entering or leaving the facility
- v. At least 10 metres between the edge of the play area and the boundary of the nearest property
- vi. Planting around the perimeter
- vii. Adequate adult seating provision
- viii. Signage
- ix. Litter bin

Reason: In the interests of health and safety of users of the site and the amenity of local residents.

ENERGY

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66.A detailed energy strategy for the whole site shall be submitted with the detailed application for phase 1. 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.

CODE FOR SUSTAINABLE HOMES

67.Reserved Matters applications in respect of the development shall be accompanied by an Independent Sustainability Assessment, in accordance with Building Research Establishment guidelines, demonstrating that the residential properties are to achieve a minimum Level 4 rating under the Code for Sustainable Homes.

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

RESIDENT LIAISON GROUP

68.For the duration of the development the Applicant will establish and maintain a Liaison Group having the purpose of:

- (a) informing local residents and businesses of the design and development proposals;
- (b) informing local residents and businesses of progress of pre-construction and construction activities;
- (c) considering methods of working such as hours and site traffic;
- (d) providing local residents and businesses with an initial contact for information relating to the development and for comments or complaints regarding the development with the view of resolving any concerns that might arise;
- (e) producing a leaflet prior to commencement of demolition for distribution to local residents and businesses identifying progress of the Development and which shall include an invitation to register an interest in the Liaison Group;
- (f) providing advanced notice of exceptional works or deliveries;
- (g) providing telephone contacts for residents advice and concerns.

The Liaison Group will meet at least once every month

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with the first meeting taking place one month prior to implementation and the meetings shall become bi-monthly after the expiry of a period of four (4) months thereafter or at such longer period as the Liaison Group shall agree.

Reason: In order to ensure satisfactory communication with residents and local stakeholders throughout the construction of the development.

THAMES WATER

69. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

INFORMATIVES:

**INFORMATIVE – LONDON FIRE AND EMERGENCY
PLANNING AUTHORITY**

Burning is not the recommended method of disposing of waste materials and you should contact the Local Authority's Environmental Health Department who will advise on any legislation or by-laws that may be applicable before such methods are employed.

However, if burning is to take place, then the following precautions should be taken:

1. All timber and other flammable materials are to be removed from the building and timber buildings are to be demolished, before burning is commenced, to prevent:
 - a) Persons being trapped with burning buildings; and
 - b) Premature collapse of the buildings due to heat damage or to the burning away of supporting structure.
2. The controlled burning of all materials is to take place at one point. The surrounding area should be clear of all other flammables to prevent fire spread to adjoining properties. The Fire Brigade is to be consulted prior to the commencement should any doubt arise.
3. The contractor is to ensure the burning of flammable

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materials is under the direct control of a designated person who shall be provided with suitable emergency fire fighting equipment and instruction on how to call the Brigade, including the location of the nearest exchange telephone.

4. Should the fire get out of control the Fire Brigade is to be called immediately using the '999' system procedure.
5. No fire is to be left unattended under any circumstances. All fires are to be extinguished completely before the site is vacated at the end of the day or on completion of the contract.

NB. It should be noted that demolition of masonry on top of a fire is not acceptable as a means of extinguishing the fire.

6. Where demolition is to include the 'hot cutting' of oil storage tanks or associated plant, further advice on "process safety" issues should be sought from the Health and Safety Executive (HSE).

NB. Where hot cutting has already commenced and advice on process safety has not already been sought from HSE, then operations should cease until such time as that advice is provided.

INFORMATIVE - ENVIRONMENT AGENCY - WATER RESOURCES ACT 1991

Under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Moselle Brook, designated a 'main river'.

Drainage plans should be submitted for each phase of the development showing how discharges will be managed. A schematic drawing showing drainage features including foul and surface drainage runs, interceptors, the location and protective measures employed around areas used for the storage of waste, oils and chemicals will be helpful in approving each scheme.

Dewatering has the potential to affect watercourses and groundwater and is subject to control by the Environment Agency under the Water Resources Act 1991 and the Water Act 2003. The applicant should contact the Environment Agency on 08708 506 506 for further information if dewatering is necessary.

INFORMATIVE - ENVIRONMENT AGENCY - WATER EFFICIENCY

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The Thames Region including all London Borough's have been identified as an area of 'serious' water stress'. Therefore water conservation and water efficiency measures need to be core themes in any new development.

Through committing to Code for Sustainable Homes Level 4 in all residential properties, this will achieve the London Plan Policy 4A.16 of the maximum water use target of 105 litres per person per day for residential development.

In terms of commercial development proposals, they will need to demonstrate that the proposal incorporates water conservation measures. We suggest that all such commercial developers design their building in accordance with the Building Research Establishments Environmental Assessment Method (BREEAM) recommendations'. Water efficiency measures can be found on the Envirowise web-site www.envirowise.gov.uk.

This is to ensure compliance with communities and Local Government standards for water efficiency in new buildings.

INFORMATIVE – PROTECTION OF SPECIES

The protection afforded to species under UK and EU legislation is irrespective of the planning system and the applicant should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with appropriate wildlife legislation. Failure to do so may result in fines and potentially, a custodial sentence.

INFORMATIVE – REMOVAL OR VARIATION OF CONDITIONS

The applicant is advised that Section 73 of the Town and Country Planning Act 1990 (Determination of applications to develop land without compliance with conditions previously attached) requires formal permission to be granted by the Local Planning Authority for the removal or variation of a condition following grant of planning permission.

INFORMATIVE – NAMING AND NUMBERING

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

INFORMATIVE – WASTE

In accordance with Section 34 of the Environmental Protection Act and the Duty of Care, any waste generated from construction/excavation on site is to be stored in a safe and secure manner in order to prevent its escape or its handling by

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unauthorised persons. Waste must be removed by a registered carrier and disposed of at an appropriate waste management licensed facility following the waste transfer or consignment note system, whichever is appropriate.

INFORMATIVE – PUBLIC EVENTS

Any events to be held in the public squares or parks will be subject to applicants for appropriate licences from the local authority.

INFORMATIVE – THAMES WASTE – WASTE COMMENTS

Surface Water Drainage – With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.

INFORMATIVE – THAMES WASTE – PUBLIC SEWERS AND WATER MAINS

There are public sewers crossing this site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building over / diversion application form, or other information relating to Thames Waters assets be required, the applicant should be advised to contact Thames Water Developer Services on 0845 850 2777. There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 3 metres of them and will require 24 hours access for maintenance purposes.

INFORMATIVES – THAMES WATER – WATER MAIN DIVERSIONS

There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

Section 106: Yes

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Chair