

**MINUTES OF THE PLANNING SUB COMMITTEE
MONDAY, 14 JANUARY 2013**

Councillors: Basu, Beacham, Christophides, Demirci (Chair), Mallett, McNamara, Peacock (Vice-Chair), Reid, Solomon and Wilson

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PC255.	<p>APOLOGIES</p> <p>Apologies were received from Cllr Schmitz for whom Cllr Wilson substituted.</p>	
PC256.	<p>MINUTES</p> <p>RESOLVED</p> <ul style="list-style-type: none"> • That the minutes of the meeting held on 17 December 2012 be approved and signed by the Chair. <p>Members reiterated their request for an invite to view the proposed materials for the Lawrence Road N15 4EX development once they were available.</p>	
PC257.	<p>TREE PRESERVATION ORDERS</p> <p>This item was withdrawn.</p>	
PC258.	<p>LAND REAR OF 27-47 CECILE PARK, CECILE PARK, N8</p> <p>The Committee considered a report, previously circulated, on the application to replace an extant planning permission due to expire on 15 January 2013 for the land to the rear of 27-47 Cecile Park, N8. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant approval to replace the extant permission. Vincent Maher, the Council's Head of Development Management, gave a short presentation highlighting the key aspects of the report. It was advised that the site had a long planning history including numerous planning appeals considering issues including the impact of redevelopment on the character and appearance of the Conservation Area and on the residential amenity, the loss of garages currently located on the site and the design and form of the proposed development. The most recent planning appeal in 2009 found the proposed scheme to be acceptable subject to a reduction in the number of units down to four. Subsequent to this, the current planning approval had been granted for the demolition of 32 lock up garages on the site and the erection of 4 two storey three bedroom homes by Planning Committee on 15 January 2010.</p>	

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The Committee examined the drawings and plans.

Two local residents addressed the Committee in objection to the application and raised the following issues in their presentations and responses to questions from the Committee:

- That the plans and cross-sections submitted as part of the application were misleading and did not accurately reflect current rear extensions and rear gardens to adjoining houses on Tregaron Avenue and Elm Grove and therefore their proximity to the development site. The accuracy of the tree profiles and the height of one of the proposed houses was also questioned, resulting in concerns over the impact of the development on neighbouring properties, in particular a detrimental effect on privacy. Concerns were raised over the potential for misleading plans to have prejudiced the most recent planning appeal although on questioning, it was confirmed that the Planning Inspector had additionally undertaken a comprehensive site visit as part of his investigation.
- Owing to the introduction of a CPZ in the area and a subsequent increase in parking pressures in the locality, retention of the existing use of the site for garages would now be of more value to local residents.
- Concerns were expressed on the risks associated with removal of the asbestos roofing from the garages during demolition and treatment for potential Japanese knotweed on the site.
- It was considered that there had been a lack of engagement by the developers with local residents and that further consultation should be undertaken on current plans in order to seek to find a way forward to satisfy both parties.

The architect commissioned by the applicant addressed the Committee in support of the application and responded to questions:

- It was emphasised that over the history of the planning applications made for the site, the number of dwellings had reduced from 8 down to 4, and which had been deemed acceptable at the most recent planning appeal in 2009.
- Confirmation was provided that a meaningful start had been made to ground works on site including demolition of the garages although it was acknowledged that progression had been adversely impacted and delayed as a consequence of the recession.
- It was confirmed following a question from the Committee, that a separate revised planning application for the site had been submitted to the Council subsequent to the

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application currently being considered. The architect explained that the new application intended to offer an alternative and improved scheme for the site in terms of design and appearance and to better reflect the local character of the area. The separate application was progressing through the planning application process and had yet to reach the decision phase. In light of this information, the Committee was advised by Marc Dorfman that they must only have regard to the current application put before them and the associated recommendation made by officers and to disregard the issue of submission of a subsequent application.

Vincent Maher summarised the discussions and advised that the extant permission granted by the Committee in January 2010 and the Planning Inspectors appeal decision in June 2009 were both material considerations that Members had to have regard to in determining the current application. Protecting the character and appearance of the conservation area was also a material consideration.

Following a question from the Committee, confirmation was provided that no significant changes had been made to any relevant policies or plans pertaining to planning determinations since the extant approval was granted and that Members would need to have specific regard to in considering the current application. The London Plan 2011 and National Planning Policy Framework were now in implementation but did not significant impact per se on the application and its determination.

Confirmation was provided that Council planning officers had visited the site and had been satisfied with the proximity of proposed dwellings on the site to neighbouring properties to the rear and the front in response to concerns raised about overlooking. In response to concerns raised by the objectors about the validation of the final maximum height of the proposed houses, it was proposed, should the application be approved, that a condition be added to require approval of the proposed slab levels by the Council.

The Chair moved the recommendations of the report and it was

RESOLVED

- That planning permission be granted for application HGY/2012/1801 to replace extant permission subject to the following conditions:

IMPLEMENTATION

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this

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permission, failing which the permission shall be of no effect.

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

2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

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

SITE LAYOUT & EXTERNAL APPEARANCE

3. Samples of all materials to be used in conjunction with the proposed development for all the external surfaces of buildings hereby approved, areas of hard landscaping and boundary walls shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references

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

4. A detailed scheme for the provision of refuse, waste storage and recycling within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. Such a scheme as approved shall be implemented and permanently retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of the locality.

5. Notwithstanding the details of landscaping referred to in the application, a scheme for the landscaping and treatment of the surroundings of the proposed development to include detailed drawings of: Those new trees and shrubs to be planted together with a schedule of species shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. Such an approved scheme of planting, seeding or turfing comprised in the approved details of landscaping shall be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner). Any trees or plants, either existing or proposed,

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which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority.

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

CONSTRUCTION

6. Details of the proposed foundations in connection with the development hereby approved and any excavation for services shall be agreed with the Local Planning Authority prior to the commencement of the building works.

Reason: In order to safeguard the root systems of those trees on the site which are to remain after building works are completed in the interests of visual amenity.

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

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

8. The works required in connection with the protection of trees on the site shall be carried out only under the supervision of the Council's Arboriculturalist. Such works to be completed to the satisfaction of the Arboriculturalist acting on behalf of the Local Planning Authority.

Reason: In order to ensure appropriate protective measures are implemented to satisfactory standards prior to the commencement of works in order to safeguard the existing trees on the site.

9. Details of a scheme for ensuring that the proposed development complies with the requirements of the Fire and Community Safety Directorate of the London Fire and Emergency Planning Authority shall be submitted to and approved by the Local Planning Authority prior to the commencement of the works. Such agreed scheme to be implemented and permanently retained to the satisfaction of the Local Planning Authority prior to the occupation of all or any of the housing being built.

Reason: In order to ensure that the proposed development meets the required fire safety standards prior to the occupation of the properties being built.

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10. Before development commences other than for investigative work:

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

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

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

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

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

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

11. No works shall be carried out on the site until a detailed report, including Risk Assessment, detailing management of demolition and construction dust has been submitted and approved by the LPA. (Reference to the London Code of Construction Practice) and that the site or Contractor Company be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior

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	<p>to any works being carried out on the site. Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.</p> <p>PERMITTED DEVELOPMENT RIGHTS</p> <p>12. Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning General Permitted Development Order 1995, no enlargement, improvement or other alteration of any of the dwellings hereby approved in the form of development falling within Classes A to H shall be carried out without the submission of a particular planning application to the Local Planning Authority for its determination. Reason: To safeguard the amenities of neighbouring occupiers and the general locality.</p> <p>Please note that the conditions referred to in the minutes are those as originally proposed in the officer's report to the Sub-Committee; any amended wording, additional conditions, deletions or informatives agreed by the Sub-Committee and recorded in the minuted resolution, will, in accordance with the Sub-Committee's decision, be incorporated into the Planning Permission as subsequently issued.</p>	
<p>PC259.</p>	<p>LAND REAR OF 27-47 CECILE PARK N8</p> <p>The Committee considered a report, previously circulated, seeking Conservation Area Consent for the application to replace extant planning permission for the land to the rear of 27-47 Cecile Park, N8. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant conservation area consent.</p> <p>The Chair moved the recommendation of the report and it was</p> <p>RESOLVED</p> <ul style="list-style-type: none"> • That Conservation Area Consent be granted for application HGY/2012/1802 subject to the following condition: <ol style="list-style-type: none"> 1. The works hereby permitted shall be begun not later than the end of three years from the date of this consent. <p>Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> 	
<p>PC260.</p>	<p>FORMER GLS DEPOT, FERRY LANE, LONDON N17 9NF</p>	

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('HALE VILLAGE')

The Committee considered a report, previously circulated, seeking approval of a reserved matters application (including appearance, layout, access, scale and landscaping) in relation to outline consent no HGY/2010/1897 for Pavilions E3 and E4 and basement car park beneath building plots E3, E4 and E5 forming part of the Hale Village Masterplan Plan and discharge of Conditions 1, 4, 5, 6, 7, 8, 11, 12, 15, 41 and 42 attached to the outline consent. The redevelopment would comprise of 2 ten storey Pavilion buildings incorporating 142 residential units and basement car parking comprising 87 spaces and associated works. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions and the completion of a s106 legal agreement (or the receipt of an acceptable unilateral undertaking from the applicant) setting out 'proportionate liability' for 'Payment Three' (if unpaid by the Hale Village owner) as set out in the existing s106 agreement for Hale Village completed in March 2012.

Vincent Maher gave a short presentation highlighting the key aspects of the report. Outline planning permission for Hale Village had been granted in 2007 and renewed in 2012 and approved the siting of the two Pavilion residential buildings in question. The current application sought consent for reserved matters, with the height and design of the buildings to closely mirror that of two Pavilions approved and subsequently built adjacent to the application site (E1 and E2). It was advised that the proposed building and storey heights exceeded that set out within the outline planning permission but was inline with the approval granted by Planning Committee for Pavilions E1 and E2. The application was also considered acceptable with regards to the Hale Village design code, GLA floor and Secure by Design standards, provision of community spaces and parking provision.

It was advised that two objections had been received from local residents during the consultation period concerning insufficient parking provision and objections to the separation between private and affordable homes in Hale Village. The Committee noted within the report the comments provided by officers in response.

The Committee examined the drawings and plans.

The following points were raised in discussion of the application by the Committee:

- In response to a question it was confirmed that provision would be made for car club access within the Hale Village development, with discussions currently underway with Zipcar.
- The Committee questioned the potential for the Council to

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revise the s106 agreement for the development in light of the developers intention to construct an additional two storeys to each Pavilion, thereby increasing the number of units for sale. Confirmation was provided that the Hale Village outline planning permission allowed for up to 1210 dwellings to be constructed, and which with the additional Pavilion storeys, still would not currently be exceeded. In addition, the calculation of s106 monies was linked to the terms of the original agreement thereby constraining the ability to seek a revision. Marc Dorfman confirmed that officers were not recommending at the present time that any changes be made to the s106 agreement in recognition of the importance of ensuring an appropriate agreement was in place that the scheme could bear, particularly in light of the long standing viability issues in bringing the Hale Village scheme to fruition and its significant contribution to wider regeneration in Tottenham. The legal officer advised that the contributions payable by the Applicant would be on a proportionate basis which meant that such contributions would depend on the amount of floorspace developed and even then such payments would only become payable in the event Hale Village Properties Limited defaulted in payments of contributions that they were liable for under the 2012 s106 agreement.

In recognition of the complexity of the s106 agreement and process for the Hale Village scheme and changes made as a consequence of the downturn in the housing market, the Committee requested circulation of a short 2 page summary document covering the s106 history and schedule for the scheme for future reference. In addition, written answers were also sought for circulation to the Committee in response to the following questions in order to provide clarification:

- The amount of the original s106 agreement for Hale Village
- The amount paid to date under the agreement
- The amount outstanding to date under the agreement and the date this was scheduled for payment

The importance was also emphasised of planning reports being written in Plain English, particularly when covering complex issues such as s106 agreements, in order to ensure that the details were clearly conveyed and comprehensible to Members and residents.

The Chair moved the recommendations of the report and it was

RESOLVED

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That planning permission be granted for application HGY/2012/2210 subject to discharge of conditions 01 (a),(b) (d) means of enclosure, (f) landscaping; 04; 05. 06, 07, 08; 11; 15; 41; and 42 only subject to:

- conditions as below
- either a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) or an acceptable unilateral undertaking by the applicant (the terms of either are to be approved by the Assistant Director of Planning, Regeneration and Economy in conjunction with the Head of Legal Services) providing for the plot owner of Pavilions 3 & 4 to be liable for a proportionate share (based on the floorspace of the proposed Pavilions as a proportion of the final total floorspace in Hale Village) of the outstanding 'Payment Three' (£2.195m.) under the Hale Village s106 agreement dated 29 March 2012 should any of that payment remain unpaid by Hale Village Properties Ltd. as the principal owner of Hale Village; and in accordance with the approved plans and documents as follows:

DOCUMENTS
Title
Planning Statement
Design and Access Statement
Daylight Sunlight Report
Environmental Sustainability Plan

PLANS		
Plan Number	Rev.	Plan Title
1145_0010	A	Location Plan
1145_0015	A	Site Plan
1145_0100	B	Basement Plan
1145_0101	B	Ground Floor Plan
1145_0102	B	Typical Floor Plan (1-7)
1145_0103	A	Eighth Floor Plan
1145_0104	A	Ninth Floor Plan
1145_0105	A	Roof Plan
1145_0200	C	Elevations
1145_0205	A	Contextual Elevations
(90) LP001	-	Coloured Masterplan
(90) LP002	-	General Arrangement Plan
SCH(94)L001	-	Planting Schedule
SCH(97)L001	-	Materials Schedule

CONDITIONS:

TIME LIMIT

1. The development hereby permitted shall commence within two years of the date of this planning permission
Reason: This condition is imposed by virtue of Section 92 of the Town & Country Planning Act 1990 and to prevent the

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	<p>accumulation of unimplemented planning permissions.</p> <p>DRAWINGS</p> <p>2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1276_0010, 1276_0110, 1276_0100D, 1276_0101C, 1276_0102C, 1276_0103C, 1276_0104C, 1276_0108A, 1276_200C, 1276_201C and Energy Statement October 2012. Reason: In order to ensure the development is carried out in accordance with the approved details for the avoidance of doubt and in the interests of amenity.</p> <p>MATERIALS</p> <p>3. Samples of all materials to be used in conjunction with the proposed development for all the external surfaces of buildings hereby approved in pursuant to condition 1 of planning permission HGY/2012/1897 shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references. All approved materials shall be erected in the form of a samples board to be retained on site throughout the works period for the development and the relevant parts of the works shall not be carried out other than in accordance with the approved details. Reason: To ensure a comprehensive and sustainable development and to achieve good design throughout the development, in accordance with policies UD1, UD2, UD3 and UD4 of the London Borough of Haringey Unitary Development Plan 2006.</p> <p>INFORMATIVES: The new development will require naming. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.</p> <p>The applicant is reminded of the other obligations of the grant of outline planning permission including an obligation to conduct a travel plan.</p>	
<p>PC261.</p>	<p>DATE OF NEXT MEETING</p> <p>A special Planning Committee was scheduled for 28 January, 7pm.</p> <p>The next ordinary meeting of the Committee would be 18 February, 7pm.</p>	

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COUNCILLOR ALI DEMIRCI

Chair