



Haringey Council

Planning Sub Committee

MONDAY, 14TH JANUARY, 2013 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

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

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AGENDA

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

The Chair will consider the admission of any late items of urgent business. Late items will be considered under the agenda item where they appear. New items will be dealt with at item 10 below.

3. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

4. DEPUTATIONS/PETITIONS

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

5. MINUTES (PAGES 1 - 32)

To confirm and sign the minutes of the Planning Sub Committee held on 17 December 2012.

6. TREE PRESERVATION ORDERS (PAGES 33 - 36)

To confirm the following Tree Preservation Order:

65 Wood Vale, N10

7. LAND REAR OF 27-47 CECILE PARK, CECILE PARK, N8 (PAGES 37 - 90)

Application to replace an extant planning permission reference HGY/2009/1768 in order to extend the time limit for implementation, for demolition of 32 existing lock-up garages and erection of 4 x 2 / 3 storey three bedroom houses with associated landscaping and 8 parking spaces.

RECOMMENDATION: Grant permission to replace extant permission.

8. LAND REAR OF 27-47 CECILE PARK N8 (PAGES 91 - 94)

Conservation Area Consent for application to replace an extant planning permission reference HGY/2009/1768 in order to extend the time limit for implementation, for demolition of 32 existing lock-up garages and erection of 4 x 2 / 3 storey three bedroom houses with associated landscaping and 8 parking spaces.

RECOMMENDATION: Grant Conservation Area Consent.

9. FORMER GLS DEPOT, FERRY LANE, LONDON N17 9NF ('HALE VILLAGE') (PAGES 95 - 128)

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. Redevelopment comprising of 2 no. ten storey Pavilion buildings including 142 no. residential units and basement car parking comprising 87 no. spaces and associated works.

RECOMMENDATION: 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.

10. NEW ITEMS OF URGENT BUSINESS

To consider any items admitted at item 2 above.

11. DATE OF NEXT MEETING

Provisional – Monday 28 January, special Planning Sub Committee, 7pm
Monday 18 February, 7pm

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Friday, 04 January 2013

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**MINUTES OF THE PLANNING SUB COMMITTEE
MONDAY, 17 DECEMBER 2012**

Councillors: Amin, Beacham, Christophides, Mallett, Meehan, Peacock (Vice-Chair), Reid, Reith, Schmitz and Solomon

Also Present: Councillors Bevan, Strickland and Watson

MINUTE NO.	SUBJECT/DECISION
PC241.	<p>APOLOGIES</p> <p>Apologies for absence were received from Cllr Demirci, Cllr Basu and Cllr McNamara, for whom Cllr Meehan, Cllr Reith and Cllr Amin were substituting.</p>
PC242.	<p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p>
PC243.	<p>DECLARATIONS OF INTEREST</p> <p>Cllr Christophides declared an interest in agenda item 10, as the site was within her Ward and Cllr Reid declared an interest in agenda item 12, as this site was within his Ward. Neither of these interests was a disclosable pecuniary or prejudicial interest.</p>
PC244.	<p>DEPUTATIONS/PETITIONS</p> <p>There were no deputations or petitions.</p>
PC245.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the minutes of the meeting held on 12 November 2012 be approved and signed by the Chair.</p>
PC246.	<p>TREE PRESERVATION ORDERS</p> <p>The Committee considered a report, previously circulated, seeking to confirm the Tree Preservation Order placed on the specified Weeping Willow located at 65 Wood Vale, N10.</p> <p>Two objectors addressed the Committee, and stated that the method on which the TPO was based had been applied incorrectly; the score for the tree fell well below the threshold for a defensible TPO due to the poor condition of the specimen, which had been damaged by pollarding, the estimated remaining life span of the tree, its limited crown size and the fact that it was only visible from the street, with difficulty, between two houses. The owner of the site expressed concern regarding the damage caused by the tree to his property, the risk posed by possible structural damage caused to the tree as a result of the</p>

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pollarding that had been undertaken and the future costs of maintaining the specimen under a TPO.

In response to a question from the Committee, the site's owner confirmed that the tree roots were causing damage to the terrace of the property.

Marc Dorfman, Assistant Director, Planning, Regeneration and Economy, suggested that, in light of the evidence presented by the objectors, one of whom was an arboricultural professional, a temporary TPO be applied while the issues raised were looked into in greater detail, and the matter brought back to the next meeting of the Committee. The Committee agreed to pursue this course of action; it was further agreed that photographs of the tree would be included in the report when it was next considered, and the site would also be visited as part of the site visit for the next meeting.

RESOLVED

That this matter be deferred to the next scheduled meeting of the Planning Sub Committee.

PC247.

LAND AT LAWRENCE ROAD, N15 4EX

The Committee agreed to a request to vary the order of the published agenda in order to take item 13 next.

The Committee considered a report, previously circulated, which set out the application in relation to land at Lawrence Road, N15 4EX, including the site plan, images, site and surroundings, planning history, proposal, relevant planning policy, consultation and responses, analysis of the application, human rights and equalities considerations. The report recommended that the application be granted, subject to conditions, a section 106 legal agreement and the direction of the Mayor of London. Mr Dorfman gave a presentation outlining key aspects of the report, which included an alternative design for the building on the corner of West Green Road and Lawrence Road, proposed by the applicants in response to criticisms of the original design. An addendum was also tabled at the meeting, setting out a number of revisions or corrections to the report, and additional consultation responses received.

The Committee examined the drawings and plans associated with the application.

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:

- It was felt that the draft officer report should have been made publicly available in advance of the meeting.
- Residents would have fewer concerns were this an existing residential area, but a significant concern was the loss of employment use.
- Referring to the planning framework documents, development in this location should be mixed-use, whereas this scheme was primarily residential in nature and did not reflect the type of scheme that residents

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had understood would be delivered.

- It was not felt that employment or training possibilities for the site had been explored, and there had been no incentive from the Council to look at alternatives to residential use.
- The site had the potential to contribute to the regeneration of Tottenham, as a prime site for employment or training.
- Concern was raised regarding the increase in the number of local residents this scheme would entail, particularly with regard to the provision of local school places, as local schools were already over-subscribed. It was noted that the proposed s106 contribution for education was just £837k.
- It was suggested that the site could be used for small and medium-sized businesses in industries such as fashion or IT, and that there was the potential to link the two shopping areas on West Green Road and Philip Lane.
- It was reported that the existing buildings were currently unoccupied, but objectors felt that they had been allowed to become run-down deliberately.

Cllr Strickland, Cabinet Member for Economic Regeneration and Social Inclusion, Cllr Watson, local Ward Councillor and Cllr Bevan, Cabinet Member for Housing addressed the Committee with regards to the application, and responded to questions. Cllr Bevan noted that he was speaking in his capacity as design champion, rather than Cabinet Member for Housing.

- It was recognised that this site had been a problem for a long time, and was consistently raised as a concern by local residents and businesses, as its current condition had attracted anti-social and criminal activity.
- Employment uses were being developed across Tottenham as part of the wider regeneration programme, and this development would contribute to the improvement of West Green Road. The scheme would deliver investment and construction jobs.
- It was welcomed that the applicant had confirmed that they would not accept betting shops or payday loan providers as tenants.
- As a Ward Councillor, Cllr Watson advised that he received more complaints regarding Lawrence Road than other area. The empty buildings had been used illegally and had a negative effect on local residents and businesses.
- It was felt that the applicant had engaged positively with the local community and had adapted the scheme in response to points raised. The inclusion of a café and community space, and the increase in the play space within the scheme were welcomed.
- It was not felt that the scheme detracted from the nearby conservation area.
- It was reported that the whole of the south end of Lawrence Road, of which this scheme formed only a part, was identified for mixed-use development. Additional uses could be explored as part of other developments in the area.
- Some concern was expressed regarding the proposed s106 amounts, particularly in respect of education, and clarification was sought as to why the amount offered was less than the contribution sought by the Council on the basis of the proposal.

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- The Design Panel had been split with regard to the proposal, particularly in respect of the design and height of the building on the corner of Lawrence Road and West Green Road. The Committee was asked to give consideration to this issue as part of its decision.
- In response to a question regarding the predominantly residential nature of the proposal and why no action had been taken to encourage employment at the site, Cllr Strickland advised that priority was being given to increase employment at other sites within Tottenham as part of the regeneration work, as it had been demonstrated that there was no demand for employment use at this location.
- Cllr Bevan confirmed that he was happy with the design of the rest of the scheme, it was only the corner building that he had concerns about; he felt that it was for the Committee to form a view on the merits of the two alternative designs put forward for this element.
- Concern was expressed that, because there was already a high level of affordable housing in the area, this seemed to give developers a green light to offer very little affordable housing in order to create a greater housing mix. It was felt that this was concerning, given the level of housing need in the borough.
- Cllr Strickland acknowledged that there had been a number of developments in Tottenham with a low proportion of affordable housing, but advised that the local authority was trying to bring forward schemes in a very challenging market, and this was having an impact on viability. It was felt that a provision of 21% affordable housing was positive, given market conditions.
- It was noted that there was a high level of affordable and social housing in the area, and that the Council's policy was to encourage mixed communities. The Committee noted the distinction between social and affordable housing.
- The Committee asked whether viability was influenced by the price at which land had been purchased, and in which case, whether a scheme could be made viable by selling off the land at a lower price. It was not felt, however, that the Council should be encouraging developers to sell land at a loss.

Two local residents addressed the Committee in support of the application and responded to questions from the Committee:

- This scheme would encourage regeneration in the area, and it was hoped would reduce crime as at the moment Lawrence Road could be frightening.
- The owner of a neighbouring business at Zenith House advised that, while he originally objected to the scheme on design grounds, he felt that there was a need to deliver regeneration at this location and so was supporting the application. He felt, however, that the proposed building at the north west edge of the site was too close to his business, and requested that, were the scheme approved, this building should be relocated so that future residents of the block would not have cause to complain about disturbance from the commercial premises.
- The Committee suggested that a condition could be imposed requiring adequate sound-proofing for the new building in order to avoid any disturbance to future residents from the neighbouring commercial

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property.

The applicants addressed the Committee in support of the application, and responded to questions:

- This scheme would deliver high quality housing in the area, in accordance with the planning brief for the site.
- Two public exhibitions had been held, and the applicants had also met with Members to discuss the scheme; 70% of respondents had been in favour of the proposal, with only 7% against it.
- The applicants were committed to delivering the redevelopment of the site and were ready to start work as soon as possible; the affordable housing would be delivered up front.
- With regards to issues raised on the loss of employment use, the adopted brief stated that the proposals should be housing-led, and the decisions around the use of the site had been based on discussions with officers, market advice and the adopted brief.
- The applicants had submitted a viability assessment, based on the residual land value, but following an assessment by the DVS, who had taken a different position, an alternative offer had been negotiated, to include 21% affordable housing to be delivered up front, and s106 contributions totalling £1.5m.
- With regards to the concerns raised regarding the design of the corner building, particularly with regard to the continuation of the frontage, the applicants had listened to the concerns raised, and proposed an alternative, amended design for the Committee's consideration.
- In response to a question regarding the issues raised about the proximity of part of the scheme to the commercial premises at Zenith House, the applicants advised that they felt comfortable that the scheme offered an appropriate balance between employment use and residents, and would be happy to take on board any comments or conditions in respect of sound proofing.
- In response to a question from the Committee, the applicant confirmed that they did not have a specific company policy on buy to let properties; it was reported, however, that the market no longer supported significant buy to let investment, and that projections had been based on the basis of sales to individual home owners.
- The applicants confirmed that they had no intention of coming back to the Committee to seek permission for an increase in the height of the development, and confirmed that the scheme was deliverable as applied for.
- The Committee asked why the applicants were confident they could sell this number of units at market value, given the challenges other developments in the area had faced, for example at Hale Village. It was confirmed that this was always a commercial risk, but that the applicants felt they had priced the units appropriately and the area benefited from good transport links. It was felt that the development itself would enhance the character of the area and have a wider regeneration impact. It was noted that at the two public consultation exercises, people had enquired about the availability of units in the development, and this had been taken as an encouraging sign.
- In response to a question regarding the pricing of units for shared

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ownership, it was confirmed that this would be set by the housing associations that purchased the units.

- The Committee asked about the mix of units proposed and whether the viability of the scheme was based on the price at which the land was purchased. The applicants advised that the mix of units had been negotiated with officers, and that the viability was assessed on the basis of market value; it was reported that a compromise had been sought, based on the assessment provided by the DVS, and that this had already stretched the project in terms of viability.

Marc Dorfman summed up the points that had been covered as follows:

- With regard to the concerns that this was not a mixed-use scheme, it was confirmed that this site formed only a part of the southern part of Lawrence Road, which was covered by the planning brief requiring mixed use development.
- While there were some operational employment sites within Lawrence Road, the rest of the site had been vacant for many years and had been identified in the 2006 UDP as being suitable for a residential led mixed use scheme. There was further opportunity for new employment space, as well as the preservation of the existing employment space, elsewhere on Lawrence Road, but this particular development would signal the start of the redevelopment of the area, bringing in more investment and bringing forward further schemes.
- Negotiations had been held with the applicants and the DVS, as a result of which the applicant had agreed to the improved s106 offer as set out in the addendum report.
- S106 contributions were pooled across developments, along with other funding, in order to deliver community infrastructure; plans were in place for the expansion of existing schools and the potential delivery of new schools in the borough over the next couple of years.
- It was reported that officers supported the proposed additional condition on sound proofing.
- In light of the concerns raised regarding buy to let, officers could look at the possibility of wording a condition or informative to address this.
- Cllr McNamara had made some comments which had been tabled; in response to these comments, Mr Dorfman advised that conditions around local jobs were part of the s106, that there would be an opportunity for Members to inspect materials prior to work commencing, that an additional condition requiring a management plan could be added, that there was an existing condition proposed to deal with waste and recycling, and that an additional condition around landscaping issues could be added, particularly in the event that the second design for the corner building, which would involve more landscaping, was preferred by the Committee. It was further noted that the applicants had already submitted a detailed plan with regard to landscaping.
- The Committee requested an additional condition that the management company should provide information for residents around waste and recycling issues, in order to avoid future problems.
- The Committee unanimously expressed a preference for the alternative design of the corner unit, as presented at the meeting, although it was

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suggested that there should be some scope for revisiting the issue of the commercial floorspace, if this was felt to be affecting the ability to attract retailers to lease the premises.

- In response to a question from the Committee regarding whether increasing the level of affordable housing might avoid the risk of large numbers of flats being sold as buy to let, Mr Dorfman advised that such a recommendation may jeopardise the planning consent, were it to be granted, as the applicants would not agree to sign the s106 agreement under such terms.
- The Committee asked whether it might be possible to condition that leases for the units should include an owner-occupier covenant. Serinther Atkar, Legal Adviser, advised that, as a non-planning consideration, such a condition would be in breach of the planning circular around appropriate planning conditions, and would be unenforceable.
- As a means of addressing the concerns raised regarding buy to let sales, Mr Dorfman suggested that the Committee allow officers to discuss a means of addressing the Committee's concerns with the applicants, with a resulting condition or informative then agreed with the Chair and Vice Chair of the Committee.

The Chair moved the recommendations of the report, on the basis of the alternative design of the building on the corner of West Green Road and Lawrence Road, with additional conditions around sound-proofing of the building at the north-west corner of the site, a management plan for facilities management, landscaping issues and a condition or informative, to be formulated by officers in discussion with the applicants around how to avoid large numbers of buy to let sales in the development, this to be agreed with the Chair and Vice Chair of the Committee. On a vote, it was:

RESOLVED

That permission be granted for application HGY/2012/1983, subject to:

- Conditions set out below, plus additional conditions around sound-proofing of the building at the north-west corner of the site, a management plan for facilities management, landscaping issues and a condition or informative, to be formulated by officers in discussion with the applicants around how to avoid large numbers of buy to let sales in the development, this to be agreed with the Chair and Vice Chair of the Committee.
- A legal agreement under s106 of the Town and Country Planning Act 1990 (as amended)
- The direction of the Mayor of London; and
- In accordance with the approved plans and documents in the tables below:

DOCUMENTS

Design and Access Statement by bptw Partnership

Planning Statement by Savills

Transport Statement by Transport Planning Practice

Sustainability / Energy Statement prepared by Abbey Consultants

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Air Quality Assessment by Ardent
Flood Risk Assessment by Ardent
Daylight and Sunlight Assessment by Savills
Statement of Community Involvement and Equality Statement by Green Issues Communiqué
Ground Investigation Assessment by Groves
Arboricultural Method Statement by ACD Ecology
Arboricultural Impact Assessment by ACD Ecology
Tree Report by ACD Ecology
Ecological Assessment by ACD Ecology
Landscape Design Strategy prepared by ACD Ecology
Landscape Management and Maintenance Plan by ACD Ecology
Supplementary Report: Lawrence Road Design Proposals by Savills
Design Commentary by bptw Partnership

Plan Number	Plan Title
100	Location Plan – Existing
151	Site Plan
160	Contextual elevations – proposed
161	Contextual elevations – proposed
200	Courtyard house – floor plans
201	3B5P Terraced house – floor plans
202	4B7P Terraced house – floor plans
203	3B5P wheelchair house – floor plans
220	A – Terraced House – Courtyard Elevations
221	F – Terraced house – elevations
300	Block B – floor plans
301	Block B – floor plans
320	Block B – elevations
400 rev C	Block C – floor plans
420	Block C – elevations
500	Block D & E - floor plans
501	Block D & E – floor plans
520	Block D & E – elevations
521	Block D & E – elevations
600	Bay Study 01 – Block C_ West Green Rd
601	Bay Study 02 – Block C&B_ Lawrence Rd
602	Bay Study 03 – Block E_ Lawrence Rd
603	Bay Study 04 – Block A_ Mews Houses
604	Bay Study 05 – Block B_ Walkway Access
605	Bay Study 06 – Block F_ Terraced Houses

Implementation

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

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

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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.

Materials

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

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

Thresholds and Boundary Treatment

4. That the levels of all thresholds and details of boundary treatment be submitted to and approved by the Local Planning Authority

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

Waste storage and recycling

5. The scheme for refuse, waste storage and recycling be implemented in accordance with the approved plans and permanently retained thereafter to the satisfaction of the Local Planning Authority.

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

Logistics

67. The applicant/developer is required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the local authority's approval prior to construction work commencing on site. The Plans should provide details on how construction work (including demolition) would be undertaken in a manner that disruption to traffic and pedestrians on Lawrence Road, West Green Road and Philip Lane is minimised. It is also requested that construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods.

Reason: To reduce congestion and mitigate any obstruction to the flow of traffic on the transportation and highways network.

7. The applicant/operator is required to submit a Service and Delivery Plan (SDP) for the local authority's approval prior to occupancy of the non-

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residential elements of the proposed development. The Plans should provide details on how servicing and deliveries will take place. It is also requested that servicing and deliveries should be carefully planned and co-ordinated to avoid the AM and PM peak periods.

Reason: To reduce traffic and congestion on the transportation and highways network.

Control of Construction Dust:

8. 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. This shall be with reference to the London Code of Construction Practice. In addition either the site or the Demolition 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 ensure that the effects of the construction upon air quality is minimised.

Contaminated land:

9. 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,

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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.

Piling Method Statement

10. No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

Water Supply Infrastructure

11. No development shall be commenced until a Water Supply Impact Study, including full details of anticipated water flow rates, and detailed site plans have been submitted to, and approved in writing by the Local Planning Authority (in consultation with Thames Water).

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

Trees

12. No tree works other than those specified in the submitted Tree Report October 2012 and Landscape Specification October 2012 prepared by ACD shall be carried out and no excavation shall be cut under the crown spread of the trees without the prior written permission of the Local Planning Authority.

Reason: In order to safeguard the trees in the interest of visual amenity of the area in accordance with Policy OS17 of the Unitary Development Plan 2006.

13. The tree protection measures recommended in the submitted Arboricultural

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Method Statement October 2012 prepared by ACD must be carried out in full. A pre-commencement site meeting must be arranged and attended by all interested parties, (Site manager, Consultant Arboriculturist, Council Arboriculturist and Contractors) to confirm all the protection measures to be installed for trees.

Reason: In order to safeguard the trees in the interest of visual amenity of the area in accordance with Policy OS17 of the Unitary Development Plan 2006.

Flood Risk Assessment

14. Development shall not begin until a detailed surface water drainage scheme for the site, based on the approved Flood Risk Assessment (FRA) Lawrence Road FRA (N260-001A) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include a restriction in run-off and surface water storage on site as outlined in the FRA.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

Heat Network

15. The development shall have a communal onsite heat network, and connect to an area wide decentralised energy network if an offer of connection is forthcoming between the date of this approval and three months after the start of construction. Prior to commencement of the development full details of the decentralised energy solution should be submitted to and approved in writing by the Local Planning Authority. The details should include:

- How the proposed building design(s) realise(s) opportunities to include design and technology energy efficiency measures;
- Plan of the development showing the energy centre, connection to the decentralised energy network, and the onsite communal network.
- Details of the energy centre, and demonstration of compliance with area wide decentralised network design guidance as regards temperature and pressure design parameters for the flow and return pipes and heat exchangers, arrangements for connections and heat metering;
- An outline of details for the proposed Street works Licence application; and
- The reduction in carbon emissions achieved through these building design and technology energy efficiency and supply measures, compared with the emissions permitted under the national Building Regulations prevailing at the time the application(s), and achievement of the required Code for Sustainable Homes/BREEAM

If an offer is not forthcoming in the nominated timeframe, prior to commencement of the development, full details of the single plant room/energy centre, CHP and Boiler specifications, communal network and future proofing

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measures should be submitted to and approved in writing by the Local Planning Authority. The details should include:

- how the proposed building design(s) realise(s) opportunities to include design and technology energy efficiency measures;
- Technical specifications for the energy centre, and proposed plant and buffer vessels, and its operation;
- Evidence showing that the combustion plant to be installed meets an emissions standard of 40mg/kWh. Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. Following installation emissions certificates will need to be provided
- Full details of the location and appearance of the flues, including height, design, location and siting;
- Plan showing the energy centre and pipe route for the communal network for the development ;
- An outline of details for the proposed Street works Licence application;
- An assessment of the opportunity for the energy centre to connect and supply hot water to other regeneration sites in the area;
- Details of the design of building services to future proof to connect to an area wide DE network in the future;
- Details of other future proofing measures to enable connection to an area wide DE network, such as provision in the building fabric, external buried pipework routes from the plant room to Lawrence Road, and space allocation for a heat exchanger; and
- The reduction in carbon emissions achieved through these building design and technology energy efficiency and supply measures, compared with the emissions permitted under the national Building Regulations prevailing at the time the application(s), and achievement of the required Code for Sustainable Homes/BREEAM

The energy centre and onsite network shall be installed and maintained as approved.

Reason: To maintain the opportunity for the development to connect to a district heating scheme and contributes to a reduction in overall carbon dioxide emissions in line with G1, UD1, and UD2, of the London Borough of Haringey Unitary Development Plan (UDP) 2006 and London Plan Policy 5.6.

Shopfront Design

16. Detailed plans of the design and external appearance of the shopfronts, including details of the fascias, shall be submitted to and approved in writing by the Local Planning Authority before any shopfront is installed.

Reason: In the interest of visual amenity of the area.

Hours of Construction

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

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

Accessibility

18. In order to ensure that the shops are accessible to people with disabilities and people pushing double buggies, the door must have a minimum width of 900mm, and a maximum threshold of 25mm.

Reason: In order to ensure that the shop unit is accessible to all those people who can be expected to use it in accordance with Policy RIM 2.1 'Access For All' of the Haringey Unitary Development Plan.

Secured by Design

19. 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'.

Satellite Aerials

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

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

Lifetime Homes

21. That all the residential units with the proposed development with the exception of those referred to directly in the Design and Access Statement as not being able to be compliant shall be designed to Lifetime Homes Standard.

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Reason: To ensure that the proposed development meets the Council's Standards in relation to the provision of Lifetime Homes.

22. That at least 22 flats within the proposed development shall be wheelchair accessible or easily adaptable for wheelchair use.

Reason: To ensure that the proposed development meets the Council's Standards for the provision of wheelchair accessible dwellings.

Cycle Parking

23. That the proposed development shall provide service covered storage for 378 cycle spaces.

Reason: In order to promote a sustainable mode of travel and improve conditions for cyclists at this location.

Parking

24. A minimum of 12 disabled car parking spaces shall be provided on site.

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

25. The applicant/developer is required to submit a Parking Management Plan for the local authority's approval prior to occupation of the proposed development. The plans should provide details on how spaces are to be allocated between uses and purposes, such as maintenance, the monitoring of EVCP use to assess whether there is a growing demand and establish when passive spaces need to be brought into use.

Reason: In order to ensure that parking is allocated and management adequately to minimise parking impacts.

Commercial Opening Hours

26. That the commercial uses shall not be operational before 0700 or after 0100 hours on any day.

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

Electric Vehicle Charging Point

27. 20% of all residential parking spaces hereby authorised shall be fitted with electric vehicle charging points (EVCP's), with a further 20% having passive provision.

Reason: To encourage the uptake of electric vehicles in accordance with London Plan Policy 6.13.

INFORMATIVES

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- A Prior to demolition of existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.
- B 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
- C 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 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.

REASONS FOR APPROVAL

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

- a) It is considered that the principle of this development is supported by National, Regional and Local Planning policies which seek to promote regeneration through housing, employment and urban improvement to support local economic growth.
- b) The scheme is considered to be of a high-quality design in respect of the local area and the surrounding conservation area. It would be a well designed replacement for the existing buildings and will enhance the public realm and community safety.
- c) The Planning Application has been assessed against and on balance is considered to comply with the:
 - o National Planning Policy Framework;
 - o London Plan Policies 3.3 'Increasing housing supply', 3.4 'Optimising housing potential', 3.5 'Quality and design of housing developments', 3.6 'Children and young people's play and informal recreation facilities', 3.8 'Housing choice', 3.9 'Mixed and balanced communities', 3.12 'Negotiating affordable housing on individual private residential and mixed use schemes', 4.7 'Retail and town centre development', 4.8 'Supporting a successful and diverse retail sector', 4.9 'Small shops', 4.12 'Improving opportunities for all', 5.2 'Minimising carbon dioxide emissions', 5.3 'Sustainable design and Construction', 5.7 'Renewable energy', 5.10 'Urban greening', 5.14

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'Water quality and wastewater infrastructure', 5.15 'Water use and supplies', 5.21 'Contaminated land', 6.3 'Assessing effects of development on transport capacity', 6.5 'Funding Crossrail and other strategically important transport infrastructure', 6.9 'Cycling', 6.10 'Walking', 6.12 'Road network capacity', 6.13 'Parking', 6.14 'Freight', 7.1 'Building London's neighbourhoods and communities', 7.2 'An inclusive environment', 7.3 'Designing out crime', 7.4 'Local character', 7.5 'Public realm', 7.6 'Architecture', Policy 7.8 'Heritage assets and Archaeology', 7.9 'Heritage-led regeneration', 7.15 'Reducing noise and enhancing soundscapes'; and

o London Borough of Haringey Unitary Development Plan (UDP) 2006 Policies G2 'Development and Urban Design', G3 'Housing Supply', UD2 'Sustainable Design and Construction', UD3 'General Principles', UD4 'Quality Design', UD6 'Mixed Use Developments', UD9 'Locations for Tall Buildings', HSG1 'New Housing Developments', HSG4 'Affordable Housing', HSG7 'Housing for Special Needs', AC3 'Tottenham High Road Regeneration Corridor', M2 'Public Transport Network', M3 'New Development Location and Accessibility', M5 'Protection, Improvements and Creation of Pedestrian and Cycle Routes', M9 'Car- Free Residential Developments', M10 'Parking for Development', CSV1 'Development in Conservation Areas', CSV2 'Listed Buildings', CSV3 'Locally Listed Buildings and Designated Sites of Industrial Heritage Interest', CSV7 'Demolition in Conservation Areas', EMP3 'Defined Employment Areas - Employment Locations', EMP5 'Promoting Employment Uses', ENV1 'Flood Protection: Protection of the Floodplain and Urban Washlands', ENV2 'Surface Water Runoff', ENV4 'Enhancing and Protecting the Water Environment', ENV5 'Works Affecting Watercourses', ENV6 'Noise Pollution', ENV7 'Water and Light Pollution', ENV11 'Contaminated Land' and ENV13 'Sustainable Waste Management'.

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.

PC248.

PEMBROKE WORKS, CAMPSBOURNE ROAD, N8 7PE

The Committee considered a report, previously circulated, on the application for planning permission at Pembroke Works, Campsbourne Road. The report set out details of the site and surroundings, images, the planning history, description of the proposal, relevant planning policy, consultation and responses, analysis of the application, sustainability, human rights and equalities issues and planning obligations, and recommended that the application be granted, subject to conditions and a section 106 legal agreement. Marc Dorfman gave a presentation outlining key aspects of the report, and advised that a meeting could be arranged with Members in order to consider the proposed materials to be used, prior to final approval of materials.

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The Committee examined the drawings and plans.

The Committee discussed the application, and raised the following points:

- The Committee noted the proposed level of affordable housing, and it was felt that this contradicted the stated policy of encouraging higher levels of affordable housing in the West of the borough. Mr Dorfman acknowledged that the level was relatively low, but advised that the Council was ensuring that affordable rents were set at no more than 32% of market rents.
- Mr Dorfman confirmed that the section 106 agreement would include £23k for local employment and training skills.
- The Committee expressed concern that the development would represent a change from skilled to unskilled work, in response to which Mr Dorfman advised that the scheme would deliver training and employment support for young people across a range of skill sets.
- In response to a question from the Committee regarding the overall level of affordable housing in general, and when this would increase, Mr Dorfman reported that the current level of affordable units reflected that applications were being brought forward at a time when levels of subsidy were very low, and it was positive that affordable housing could be delivered in this environment, even at the low levels noted.

The Chair moved the recommendations of the report and it was:

RESOLVED

- 1) That planning permission be granted in accordance with planning application no. HGY/2012/1190, subject to a precondition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under Section 106 of the Town and Country Planning Act 1990 (As Amended) and Section 16 of the Greater London Council (General Powers) Act 1974 in order to secure:
 - 1.1) 26% in units and 32% of affordable habitable rooms comprising of 7 shared ownership units of 5 x 1 bedrooms and 2 x 2 bedrooms, and 4 x 4 bed affordable rent units (to be let to tenants nominated by the Council at an 'affordable rent' equivalent to no more than 32% of the market rent).
 - 1.2) A contribution of £232,000 towards educational facilities within the Borough according to the formula set out in Policy UD10 and Supplementary Planning Guidance 10c of the Haringey Unitary Development Plan July 2006.
 - 1.3) The applicants need to enter into a s.38 Highways Act agreement with the council as Local Highway Authority contribution of £60,000 is being sought in order to dedicate a strip of land between 1.95 and 2.24 metres in width from the proposed site entrance to the junction with Pembroke Road to widen the carriageways on Campsbourne Road and provide inset parking bays.

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- 1.4) A contribution of £23,000 towards local employment and training skills.
- 1.5) Plus a monitoring fee which equates to £1,500.
- 1.6) The s106 to secure one 'car club' space on site with the provision of one year's free membership to an associated car club scheme for residents of the new development. The s106 to also secure free 'car club' membership for 42 units for one year, which equates to £2,100.
- 1.7) The s106 to secure affordable commercial space no more than 50% of market rates in perpetuity.
- 1.8) A residential travel plan must be secured by the s106 agreement, as part of the detailed travel plan, the following measures must be included in order to maximise the use of public transport:
 - a) The developer must appoint a travel plan co-ordinator, working in collaboration with the Facility management Team to monitor the travel plan initiatives annually.
 - b) Provision of welcome induction packs containing public transport and cycling / walking information like available bus / rail / tube services, map and timetables to all new residents.
 - c) Establish or operate a car club scheme, which includes at least 2 cars spaces. The developer must offer free first year membership to all new residents.
 - d) Adequate residential cycle provision, in line with the 2011 London Plan for the residential development.

- 2) That following completion of the Agreement referred to in resolution (1) above, planning permission be granted in accordance with planning application no. HGY/2012/1190 and Applicant's drawing No's 0100, PL_0102, PL_0300, PL_1001B, PL_1002 – PL_1005 incl.; PL_2000 and PL_3000 – PL_3006 incl.

Subject to the following condition(s):

EXPIRATION OF PERMISSION

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

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

IN ACCORDANCE WITH APPROVED PLANS

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

Reason: In order to ensure the development is carried out in accordance

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with the approved details and in the interests of amenity.

PRE-COMMENCEMENT CONDITIONS

MATERIALS & EXTERNAL APPEARANCE

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details and samples of the materials (including but not limited to, brick, cladding, windows and roofing materials) to be used in connection with the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area and to preserve the historic character of the building and conservation area.

BALCONY DESIGN

4. Notwithstanding the details submitted in the approved drawings, no development shall commence until full details and specifications of the balconies (which shall consist of fixed obscured glazing panels) have been submitted to and approved in writing, by the local planning authority and implemented in accordance with those details approved under this condition.

Reason: In order to safeguard the visual amenity of the proposed new building and the area generally.

PHOTOVOLTAIC EQUIPMENT

5. Prior to the commencement of the development full details and design of the photovoltaic equipment shall be submitted to and approval by the Local Planning Authority and implemented in accordance with those approved details.

Reason: To ensure the development is sustainable.

BOUNDARY TREATMENT AND LANDSCAPING

6. Notwithstanding the details of landscaping referred to in the application, no development shall commence until a scheme for the landscaping and treatment of the surroundings of the proposed development to include detailed drawings of:

- a. those existing trees to be retained.
- b. those existing trees to be removed.
- c. those existing trees which will require thinning, pruning, pollarding or lopping as a result of this consent. All such work to be agreed with the Council's Arboriculturalist.

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d. 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, 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.

HARD LANDSCAPING

7. Notwithstanding details shown in the proposed application, no development shall commence until details of a scheme depicting those areas to be treated by means of hard landscaping have been submitted to, approved in writing by the local planning authority and implemented in accordance with the approved details. Such a scheme shall include detailed drawing(s) of those areas of the development to be so treated, a schedule of proposed materials and samples and details of those areas which are permeable surfaces, to be submitted for written approval on request from the Local Planning Authority.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

WASTE AND RECYCLING MANAGEMENT, STORAGE & COLLECTION

8. That a detailed scheme for the provision of refuse and waste storage 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.

CONSTRUCTION MANAGEMENT PLAN

9. Prior to the commencement of the development, a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) shall be submitted to and approved by the local authority's. The plans shall contain details of how construction work (inc. demolitions) are to be undertaken to minimise disruption to traffic and pedestrians on Hornsey High Street, Campsbourne Road and the road surrounding and vehicle movements planned and co-ordinated to avoid the AM and PM peak periods.

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Reason: To reduce congestion and mitigate any obstruction to the flow of traffic on the transportation

CONTAMINATED LAND

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:-

- 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.

CONTROL OF CONSTRUCTION DUST

11. Prior to commencement of the development, a detailed report, including Risk Assessment, detailing management of demolition and construction dust has been submitted and approved by the LPA. This shall be with reference to the London Code of Construction Practice. In addition either the site or the Demolition Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to

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any works being carried out on the site.

Reason: To protect the amenities of nearby properties.

EXTERNAL LIGHTING

12. Notwithstanding the details contained within the development hereby approved, full details of the artificial lighting scheme to the entrance, vehicular routes and parking areas, pedestrian routes and designated communal amenity space shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development.

Reason: to ensure the satisfactory appearance of the development.

CONSIDERATE CONSTRUCTOR SCHEME

13. The site or contractor company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior 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.

BREEAM – DESIGN STAGE ASSESSMENT

14. The development hereby permitted shall be built to a minimum standard of “Very Good” under the Building Research Establishment Environmental Assessment Method (BREEAM) 2008 Scheme. Notwithstanding the BREEAM pre-assessment referred to in the submitted Sustainability Statement (Document Ref: REP-PL-HOR-011A), a BREEAM design stage assessment will 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.

POST-COMMENCEMENT CONDITIONS

BREEAM CERTIFICATE

15. The development hereby permitted shall be built to a minimum standard of “Very Good” under the Building Research Establishment Environmental Assessment Method (BREEAM) 2008 Scheme. 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.

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USE CLASS ORDER RESTRICTION

16. Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 the premises shall be used as Class B1 only and shall not be used for any other purpose including any purpose within Class A1 unless approval is obtained to a variation of this condition through the submission of a planning

CYCLE PARKING

17. Notwithstanding the existing 42 sheltered secure cycle parking spaces currently provided for the proposed site, the applicant will be required to provide a total of 59 sheltered secure cycle parking spaces in line with the standard required by the 2011 London Plan which requires the applicant to provide 2 spaces for 3 and 4 bed units. Such a scheme shall include a detailed drawing of the allocated sheltered secure cycle parking spaces to be submitted for written approval on request from the Local Planning Authority, prior to the occupation of the development.

Reason: to provide enhance cycling facilities in order to promote travel by sustainable modes of transport to and from the site.

SECURED BY DESIGN

18. 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'.

SATELLITE AERIALS

19. Prior to the occupation of the development, details of a scheme for a central 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.

SIGNAGE

20. Any signage required for the proposed commercial unit shall be subject to a separate advertising consent application. Signage shall not be erected on the building without the prior consent of the local planning authority.

Reason: In order to ensure a high quality design finish and external appearance of the development in the interest of the visual amenity of the area including the conservation area.

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CONSTRUCTION HOURS

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

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

INFORMATIVE:

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

INFORMATIVE:

The Council will wish to see that in respect of both external finish and internal standards of finish, the affordable housing and the private housing elements shall be completed to the same standards; and that this requirement shall be contained within the Section 106 Agreement.

INFORMATIVE:

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

REASONS FOR APPROVAL

The proposed redevelopment of this site with a mixed use scheme comprising of residential and commercial use would unlock the full potential of the site, providing a better frontage onto Campsbourne Road.

The scale, bulk and massing of the proposed development will not be significantly greater to that of the adjoining building. The proposed development will not give rise to a loss of privacy or result in a significant degree of overlooking of the rear elevations/ rear gardens of the properties fronting High Street. The density of the proposed development is considered appropriate for a built up site located in close proximity to good transport links and a town centre.

The proposed development is considered to be in accordance with Policies within Haringey's Unitary Development Plan (2006): UD3 'General Principles', UD4 'Quality Design', EMP1 'Defined Employment Area – Regeneration Area', HSG 9 'Density Standards', M10 'Parking for Development'; OS17 'Tree Protection, Tree Masses and Spines' and Supplementary Planning Guidance 'SPG 1A 'Design Guidance and Design Statements' and SPG 3b 'Privacy / Overlooking, Aspect / Outlook and Daylight / Sunlight'.

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,

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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.

PC249.

FORRESTER HOUSE 52 BOUNDS GREEN ROAD N11 2EU

The Committee considered a report, previously circulated, on the application for planning permission at Forrester House, 52 Bounds Green Road, N11 2EU. The report set out details of the site and surroundings, images, planning history, relevant planning policy, consultation and responses, analysis of the application, planning obligations, human rights and equalities considerations and recommended that permission be granted, subject to conditions and subject to a section 106 legal agreement. The Planning Officer gave a presentation highlighting the key aspects of the report. The Committee examined the plans and drawings.

- The Committee asked about how fire risk would be managed, particularly as, unlike regular hotels, there would be provisions for cooking within each unit; it was reported that this was dealt with under building regulations.
- In response to a question regarding whether it was possible to address waste control issues by means of design; it was agreed that an additional condition could be applied, requesting further details of the waste storage arrangements.
- The Committee asked about the proposed condition that no unit is to be occupied by any individual for longer than 90 days, and how such a condition would be monitored and enforced. It was reported that this condition was intended to prevent any future change of use to convert the premises into an HMO, and was enforceable in law. It was suggested that the condition could be reworded to require the applicant to confirm to the Council in writing on an annual basis that no individual had been permitted to stay for longer than 90 days, so that, were such confirmation not received by the authority, this would act as a trigger for monitoring of compliance. It was further suggested that the condition should give the local authority the right to inspect the hotel register, on demand.
- It was confirmed that this application was for a different use-class than an HMO – were there any subsequent desire to convert to an HMO, this would require further planning permission. It was reported that serviced apartments were common in Europe, but less common in the UK.
- The legal advisor confirmed that each room was a separate planning unit in its own right, making future conversion to an HMO complex.

A local resident address the Committee in objection to the application on the grounds that the bulk and height of the proposal would lead to obstruction and significant loss of light to his property, particularly in the morning, from around 7-11am.

The applicant addressed the Committee and raised the following issues:

- While the main concern of the objector was loss of light, the daylight

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study undertaken had shown a loss of no more than 1% light in any of the rooms tested. This report had been submitted to planning officers as part of the application.

- The target was for lets of 2 – 3 weeks, as serviced apartments. It was felt that this was a strong location for such a use, due to the transport links.
- It was confirmed that there would be a 24-hour reception, concierge service and cleaning staff on-site, but there would be no facilities such as a restaurant or bar. Customers would have the option of purchasing breakfast packages as part of their stay, which would provide them with the groceries required for them to prepare breakfast in their own rooms.
- The applicants confirmed that they would have no objection to a condition requiring them to provide written confirmation on an annual basis that no stays exceeded 90 days, and permitting the local authority to inspect the hotel register on demand.

The Chair moved the recommendations of the report with the amendment of condition 13 to require the applicant to provide written confirmation on an annual basis to the local authority that no individual had been permitted to stay for longer than 90 days, and that the local authority could inspect the hotel register on demand, and an additional condition seeking further details of the waste storage and collection arrangements. On a vote, it was:

RESOLVED

That application HGY/2012/1373 be granted planning permission, subject to the conditions below, with the amendment of condition 13 to require the applicant to provide written confirmation on an annual basis to the local authority that no individual had been permitted to stay for longer than 90 days, and that the local authority could inspect the hotel register on demand, and an additional condition seeking further details of the waste storage and collection arrangements, and subject to a section 106 legal agreement.

Subject to the following conditions:

EXPIRATION OF PERMISSION

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

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

IN ACCORDANCE WITH APPROVED PLANS

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

Reason: In order to ensure the development is carried out in accordance

**MINUTES OF THE PLANNING SUB COMMITTEE
MONDAY, 17 DECEMBER 2012**

with the approved details and in the interests of amenity.

PRE – COMMENCEMENT CONDITIONS

MATERIALS & EXTERNAL APPEARANCE

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details and samples of the materials (including but not limited to, brick, cladding, windows and roofing materials) to be used in connection with the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Furthermore, full details of the window treatment and internal features to be retained shall be submitted to and approved in writing by the local planning authority.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area and to preserve the historic character of the building and conservation area.

BOUNDARY TREATMENT AND LANDSCAPING

4. Notwithstanding the details contained within the plans hereby approved, full details of boundary treatments including fencing and gates, to the entire site and landscaping including soft and hard landscaping and trees to be retained and removed, shall 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.

TREE PROTECTION

5. The existing trees on the site shall not be lopped, felled or otherwise affected in any way (including raising and lowering soil levels under the crown spread of the trees) and no excavation shall be cut under the crown spread of the trees without the prior written permission of the Local Planning Authority. Before any works herein permitted are commenced, all those trees shall be protected by secure, stout, exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS 5837:2005 and to a suitable height. Any works connected with the approved scheme within the branch spread of the trees shall be by hand only. No storage of materials, supplies or plant machinery shall be stored, parked, or allowed access beneath the branch spread of the trees or within the exclusion fencing.

Reason: In order to ensure the safety and well being of the trees on the site during constructional works that are to remain after building works are completed.

EXTERNAL LIGHTING

6. Notwithstanding the details contained within the development hereby approved, full details of the artificial lighting scheme to the entrance,

**MINUTES OF THE PLANNING SUB COMMITTEE
MONDAY, 17 DECEMBER 2012**

vehicular routes and parking areas, pedestrian routes and designated communal amenity space shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development.

Reason: to ensure the satisfactory appearance of the development.

CONSIDERATE CONSTRUCTOR SCHEME

7. The site or contractor company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior 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.

BREEAM – DESIGN STAGE ASSESSMENT

8. The development hereby permitted shall be built to a minimum standard of “Very Good” under the Building Research Establishment Environmental Assessment Method (BREEAM) 2008 Scheme. Notwithstanding the BREEAM pre-assessment referred to in the submitted Sustainability Statement (Document Ref: REP-PL-HOR-011A), a BREEAM design stage assessment will 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.

POST-COMMENCEMENT CONDITIONS

BREEAM CERTIFICATE

9. The development hereby permitted shall be built to a minimum standard of “Very Good” under the Building Research Establishment Environmental Assessment Method (BREEAM) 2008 Scheme. 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.

ELECTRIC VEHICLE CHARGING POINTS

10. The applicant must ensure that 20 per cent of all parking spaces must be equipped with electrical charging points and reserved for the use for electric vehicles, with an additional 20 per cent passive provision for electric vehicles in the future and full details submitted to the local planning authority prior to the commencement of the use.

**MINUTES OF THE PLANNING SUB COMMITTEE
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Reason: In order for the development to comply with the London Plan 2011 and to reduce emissions.

TRAVEL PLAN

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

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

USE CLASSES

12. Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 the premises shall be used as an Apartment-Hotel only and shall not be used for any other purpose including any purpose within Class C1 unless formal approval is sought from the Local Planning Authority by way of a full planning application.

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

SHORT TERM TENANCY

13. The C1 Apartment Hotel use hereby approved shall be managed in a way to ensure that each individual room/unit is occupied by any individual customer(s)/tenant(s) for a period of not more than 90 days (maximum. 90-day Assured Shorthold Tenancy contracts hereby approved).

Reason: To ensure the property is not used as long term residential accommodation.

WASTE AND RECYCLING MANAGEMENT, STORAGE & COLLECTION

14. Notwithstanding the details provided on the plans full details of the waste and recycling management, storage and collection provisions for the proposed site shall be submitted to and approved by the local planning authority prior to the commencement of the use.

Reason: In order to ensure satisfactory waste and recycling arrangements.

SATELLITE AERIALS

15. Prior to the occupation of the development, details of a scheme for a central 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.

**MINUTES OF THE PLANNING SUB COMMITTEE
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SIGNAGE

16. Any signage required for the proposed commercial unit shall be subject to a separate advertising consent application. Signage shall not be erected on the building without the prior consent of the local planning authority.

Reason: In order to ensure a high quality design finish and external appearance of the development in the interest of the visual amenity of the area including the conservation area.

CONSTRUCTION HOURS

17. The construction works 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, unless alternative arrangements are agreed in writing by the local planning authority.

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

INFORMATIVE: NAMING AND NUMBERING

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

REASON FOR APPROVAL:

The principle use is acceptable in principle and is supported by the intent of National, Regional and Local planning policy. The proposed development would preserve the character of building, street scene and locality. There would be no adverse impact on the amenity of neighbouring owner/occupiers as a result of the proposal. The resulting development would be of a high standard of design. The development is acceptable in terms of impact on traffic and parking and waste management and sustainability. The application is in accordance with policies UD2 'Sustainable Design and Construction', UD3 'General Principles', UD4 'Quality Design', UD7 'Waste Storage', EMP4 'Non-Employment Generating Uses', M3 'New Development Location and Accessibility', M10 'Parking Development', and CLT4 'Hotels Boarding Houses and Guest Houses' of the Haringey Unitary Development Plan (2006) and SPG1a 'Design Guidance', SPG8a 'Waste and Recycling', SPG4 – Access for All – Mobility Standards and SPD 'Housing' of the Haringey Supplementary Planning Guidance and Documents and SP8, SP11 and SP15 of the Draft Local Plan (Formerly Core Strategy) and Proposals Map.

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.

**MINUTES OF THE PLANNING SUB COMMITTEE
MONDAY, 17 DECEMBER 2012**

PC250.	LAND REAR OF 27-47 CECILE PARK, N8 This item was deferred to the next meeting of the Planning Sub Committee.
PC251.	LAND REAR OF 27-47 CECILE PARK, N8 This item was deferred to the next meeting of the Planning Sub Committee.
PC252.	63 LANCHESTER ROAD This item was deferred to the next meeting of the Planning Sub Committee.
PC253.	NEW ITEMS OF URGENT BUSINESS There were no new items of urgent business.
PC254.	DATE OF NEXT MEETING Monday, 14 January 2012, 7pm. The meeting closed at 22:15hrs.

COUNCILLOR SHEILA PEACOCK

Vice-Chair

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999**SUMMARY**

This report seeks to confirm the Tree Preservation Order placed on the tree specified in this report.

REPORT

The tree is located at: 65 Wood Vale N10

Species: T1: Weeping Willow

Location: Rear garden of property

Condition: Good

The Council's Arboriculturalist has reported as follows:

A Tree Preservation Order should be attached on the following grounds:

1. The tree is of high amenity value being clearly visible from a public place.
2. The tree appears healthy for its species and age and has a predicted life expectancy in excess of 40 years.
3. The tree is suitable to the location, significantly contributing to the character of the local area.
4. Due to the trees age and size it supports a variety of wildlife, which contributes significantly to local bio-diversity.

1 objection letter received from 36 Copthall Drive NW7

- Tree is not of sufficient amenity value, it cannot be seen from the street
- Contribution from the tree to character of local area is not significant
- Whilst tree is large there is no evidence that it contributes significantly to local bio-diversity over and above other trees and foliage in the area.

The Council Arboricultural Manager has commented on these objections as follows:

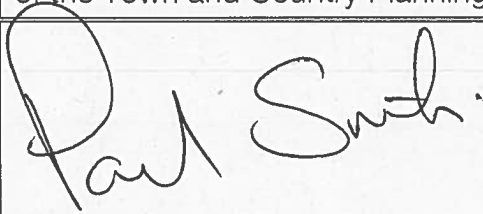
- The tree appears to be in a good condition and healthy for its species and age and has a predicted life expectancy in excess of 50 years.
- The tree is a large mature specimen of good form and is clearly visible to local residents and members of the public from the road, viewed between numbers 63 & 65 Wood Vale.

- The tree is of high landscape value and its removal would have a detrimental effect on the character of the local area.
- The tree is a native species and due to its age and size, creates an important habitat for a variety of local wildlife, including invertebrates, birds and mammals, increasing local bio-diversity
- The tree can be managed in future by regular pollarding or crown reduction, to reduce the risk of damage to nearby buildings and to allow sufficient light to reach the gardens and living spaces of the surrounding properties. Pollarding was last carried out in July 2012.

Taking into accounts the comments of the Arboricultural Manager the Planning Committee is recommended to confirm the Tree Preservation Order.

RECOMMENDATION

That the Tree Preservation Order upon the aforementioned tree under Section 198 of the Town and Country Planning Act 1990 be confirmed.

A handwritten signature in black ink that reads "Paul Smith". The signature is written in a cursive style with a large initial 'P'.

Paul Smith
Head Of Development Management



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Site plan

65 Wood Vale N10

T1. Weeping Willow

HARINGEY COUNCIL

**Directorate of
Urban
Environment**

	Drawn by	AA
	Scale	1:1250
	Date	06/12/2012

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Planning Committee 14th January 2012

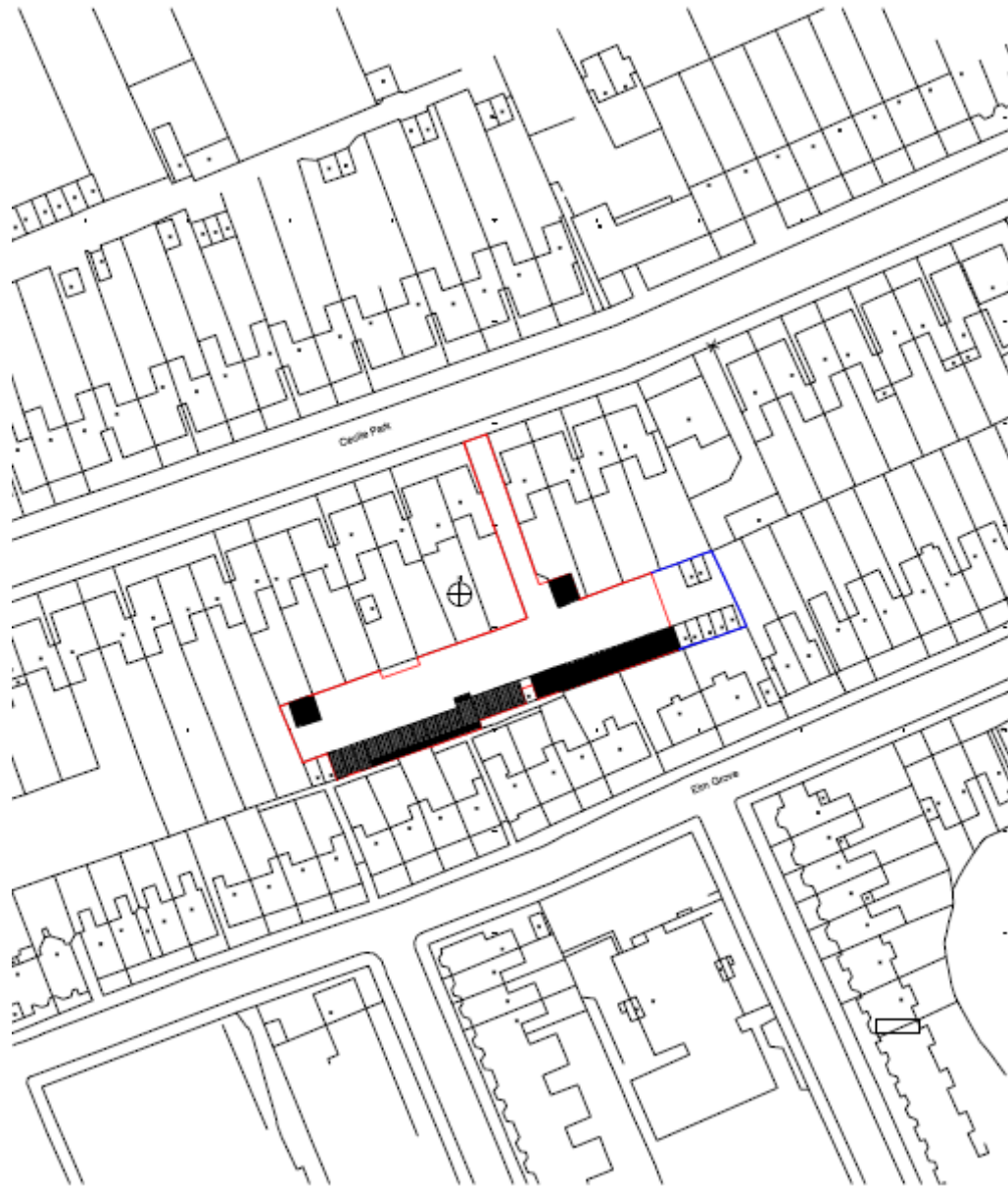
Item No.

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2012/1801		Ward: Crouch End
Address: Land rear of 27-47 Cecile Park Cecile Park N8		
Proposal: Application to replace an extant planning permission reference HGY/2009/1768 in order to extend the time limit for implementation, for demolition of 32 existing lock-up garages and erection of 4 x 2 / 3 storey three bedroom houses with associated landscaping and 8 parking spaces		
Existing Use: Garages		Proposed Use: Residential
Applicant: Mr Guy Dudding		
Ownership: Private		
PLANS		
Plan Number	Revision	Plan Title
PL01		Proposed Site Plan
PL02		Proposed Floorplans and Elevations
PL03		Proposed Site Sections
PL05		Proposed Site Plan
Case Officer Contact: Matthew Gunning P: 0208 489 5280 E: matthew.gunning@haringey.gov.uk		

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6.0	RELEVANT PLANNING POLICY
7.0	CONSULTATION
8.0	RESPONSES
9.0	ANALYSIS / ASSESSMENT OF APPLICATION <ul style="list-style-type: none"> • Background • Planning Appeals • Loss of garages • Design, Form & Layout • Impact on the Character & Appearance of the Conservation Area • Impact on Residential Amenity • Impact on trees.
10.0	HUMAN RIGHTS
12.0	EQUALITIES
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13.0	RECOMMENDATION
14.0	APPENDICES <p>Appendix 1: Comments on objections Appendix 2:- Committee Report - HGY/2009/1768 Appendix 3 - Planning Appeal Decision – APP/Y5420/A/09/2093786</p>
<p>SUMMARY OF REPORT: The determination on this application has been made having regards to the previous consent under LPA Ref: HGY/2009/1768. The current proposal is a renewal of this previous consent. The current and previously approved application proposes the demolition of the existing garages and the redevelopment of the site for residential use, comprising of 4 x two storey three bedrooms houses and 8 no. car parking spaces. The application site has been subject to a long planning history, including numerous planning appeals, during which time the number of units has been reduced from eight to four. In the scheme approved in 2010 a fifth house had been deleted. This previously approved scheme in terms of its layout and design is still considered to be acceptable and compatible with the surrounding residential use and character of the area. This application is therefore recommended for APPROVAL.</p>	

1.0 SITE PLAN



2.0 PHOTOGRAPHS & IMAGES



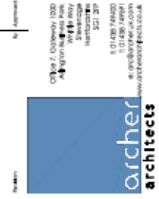
Proposed Site Layout



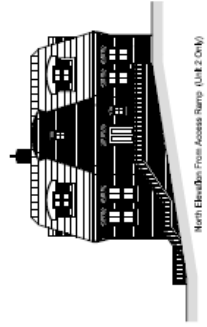
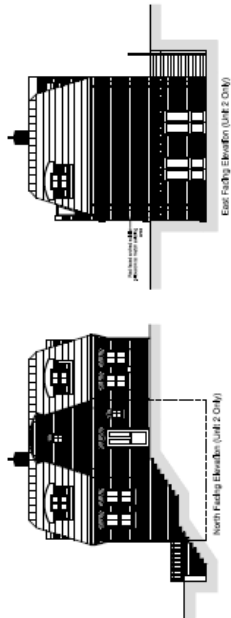
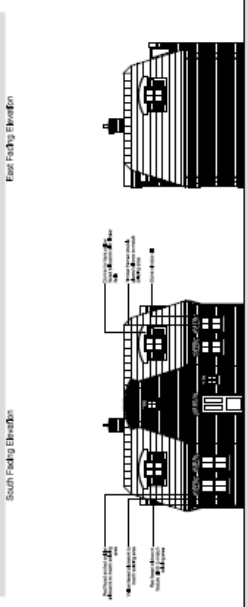
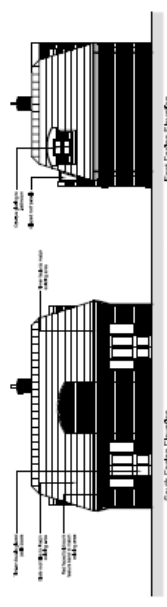
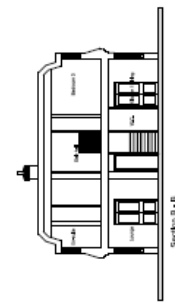
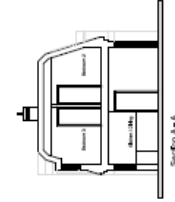
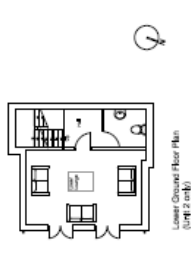
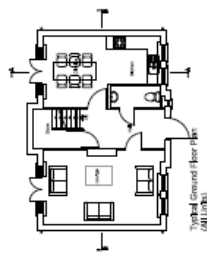
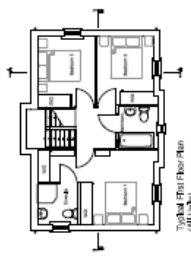
Access road to the site; in between No's 37 and 39.



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Proposed Elevations & Cross Sections



View within the site – looking eastwards



View within the site – looking westwards.

3.0 SITE AND SURROUNDINGS

- 3.1 The application site is located on land to the rear of no's 27-47 Cecile Park and consists of approximately 32 lock-up garages. The site is accessed via a gravelled access road which runs in between No's 37 and 39. The garages are situated along the southern boundary of the site.
- 3.2 Along the southern boundary the site adjoins the rear gardens of properties on Tregaron Avenue. The rear garden boundary with the properties on Cecil Park consists largely of closed boarded fencing with self seeded vegetation. The site is within The Crouch End Conservation Area with the southern edge of the site forming the outer boundary of the conservation area.

4.0 PROPOSAL

- 4.1 This application to replace an extant planning consent (LPA Ref: HGY/2009/1768) in order to extend the time limit for implementation by an additional 3 years.
- 4.2 This consent, as granted by the Planning Committee on 15th January 2010, was for the demolition of 32 existing lock-up garages and for the erection of 4 x two-storey three bedroom houses with associated landscaping and parking (8 no. parking spaces). This current consent expires on 15th January 2013.

5.0 PLANNING HISTORY

5.1 Planning Application History

OLD/1986/0974 - Erection of 17 lock up garages REFUSED 28/07/86

OLD/2000/0604 - Residential development to provide 7 x 2 storey houses and 1 self-contained flat with car ports / parking for 14 cars, also 26 lockup garages – Refused 15/12/00 - subsequent appeal dismissed

OLD/2000/0605 - Conservation Area Consent for the demolition of garages Refused 15/12/00

HGY/2000/0935 - Application to erect 7 houses and one flat and garages in basement area – Refused 05/12/00 subsequent appeal DISMISSED

HGY/2000/0933 - Conservation Area Consent to erect 7 houses and one flat and garages in basement area Refused 05/12/00 - subsequent appeal dismissed

HGY/2001/1696 - Application to erect 6 dwellings and ten garages - Refused 06/04/04 - subsequent appeal dismissed – 21st January 2005

HGY/2001/1697- Conservation Area Consent for the demolition of garages – Refused 27/07/04 - subsequent appeal dismissed

HGY/2005/1985 - Demolition of existing 35 garages and erection of 5 x 2 storey three bedroom houses with associated landscaping and 10 No parking spaces. Withdrawn 14/12/05

HGY/2005/1987 - Conservation Area Consent for the demolition of 35 garages. Withdrawn 14/12/05

HGY/2006/0580 - Demolition of existing 39 garages and erection of 5 x 2 storey three bedroom houses with associated landscaping and 10 no. parking spaces Refused 16/10/2006 - Subsequent appeal dismissed 24th January 2008

HGY/2008/1020 - Demolition of existing 39 garages and erection of 5 x 2 storey three bedroom houses with associated landscaping and 10 no. parking spaces Refused 17/12/2008 - Subsequent appeal dismissed 30th July 2009

HGY/2009/1768 - Demolition of 32 existing lock-up garages and erection of 4 x 2 / 3 storey three bedroom houses with associated landscaping and 8 parking spaces. – Approved 15/01/2010

HGY/2012/1705 - Demolition of 33 existing lock-up garages and erection of 4 x 3 storey four bedroom houses with associated landscaping and 8 parking spaces.-Pending

5.2 Planning Enforcement History

None

6.0 **RELEVANT PLANNING POLICY**

6.1 National Planning Policy

The NPPF was formally published on 27th March 2012. This document sets out the Government's planning policies for England and supersedes the previous Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs). The proposed development is considered to be consistent with the Framework which seeks to approve proposals that accord with the local development plan.

6.2 London Plan 2011

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.7 Renewable energy
Policy 7.8 Heritage assets and archaeology

6.3 Unitary Development Plan

- G1 Environment
- G2 Development and Urban Design
- G3 Housing Supply
- UD3 General Principles
- UD4 Quality Design
- HSG1 New Housing Development
- HSG2 Change of Use to Residential
- HSG9 Density Standards
- M10 Parking for Development
- OS17 Tree Protection, Tree Masses and Spines
- CSV1 Development in Conservation Areas
- CSV7 Demolition in Conservation Areas

6.4 Haringey's Local Plan; Strategic Policies (formerly the Core Strategy – Draft

- SP1 Managing Growth
- SP2 Housing
- SP11 Design
- SP12 Conservation

6.5 Supplementary Planning Guidance / Documents

- SPG1a Design Guidance
- SPG2 Conservation and Archaeology
'Housing' SPD October 2008
- SPG8b Materials
- SPG9a Sustainability Statement

6.6 Other

- Haringey 'Draft Supplementary Planning Document on Sustainable Design and Construction'
- Mayor of London 'London Housing Design Guide' 2010
- Haringey Basement Development Guidance Note (July 2012)
- Crouch End Conservation Area Character Appraisal

7.0 CONSULTATION

Internal	External
Transportation Cleansing Building Control Ward Councillors Hornsey CAAC Conservation Team Council Aboriculturalis	<u>Amenity Groups</u> Hornsey CAAC <u>Local Resident</u> 63a, 1 – 63 (o) Cecile Park, N8 30 – 52 (e) Cecile Park, N8 17a, 29a, 29b Cecile Park, N8 2 – 46 (e) Tregaron Ave, N8 7 – 29 (o) Elm Grove, N8

8.0 RESPONSES

Building Control

- 8.1 Further details are required to demonstrate compliance with the requirements of B5 of the Building Regulations (Access and facilities for the Fire Service), and will require an application to be submitted to this office. Please see link below:

London Fire & Emergency Planning Authority

- 8.2 The Brigade is not satisfied with the proposal for fire fighting access as it would appear to be more than 45metres from the fire brigade access point.

Local Residents

- 8.3 Letters of objection have been received from the residents of the following properties: 25, 29a, 31, 47 Cecile Park, 7, 9 Elm Grove, 35 Womersley Road, 28, 30, 44 Tregaron Avenue who object to the application on the following grounds, as summarised:

- The developers have never successfully submitted a reasonable design with respect to the size of the site;
- Site is too narrow for houses;
- The proposal fails to take account of the nature of the site as an area that is not a frontage to a wide road, but a narrow space overlooking adjacent properties
- Close proximity of the proposal to existing properties in Elm Grove and Tregaron Avenue;
- Loss of privacy to houses and gardens adjoining the site;
- Houses would block light to properties in Cecil Park;
- The houses are less than 12 metres from the houses in Tregaron Avenue whose outlook amenity and privacy will be significantly reduced;
- Habitable rooms should not be within 20 metres of habitable rooms of existing properties as per guideline 8.20 set out previously above;
- Visual character of the conservation area is not being protected;
- Not enough width for and emergency vehicle to access the new properties;
- Tree next to the garden of No 31 will be affected;
- Services in Crouch End area are all ready over-strained eg GP surgeries, schools;
- Risk to pedestrians (children in particular) of cars going in and coming out of the lead in area to the site during construction and afterwards by residents;
- Noise and disturbance in association with construction;

- 8.4 The residents of No 25 Cecile Park has asked that a petition of over 100 local residents be taken into account as evidence of the strong opposition to the principle of the development.

9.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

Background

- 9.1 The current application is in effect a renewal of the previous 2009 consent. The details assessment of the planning issues were carried out as per the committee report prepared for planning reference: HGY/2009/1768 (attached in Appendix 2) and also discussed below.
- 9.2 The Town and Country Planning (General Development Procedure (Amendment No.3) (England) Order 2009 which amended the Town and Country Planning (General Development Procedure) Order 1995 allows extensions to extant permissions. The regulations came into effect on 1st October 2009. As of 1 October 2012 this provision has been extended further so that it applies to all planning applications that:
- are extant on 1 October 2010, and;
 - have not been commenced at the date of application, and;
 - were granted permission prior to the 1 October 2010.
- 9.3 While national planning policy has been superseded by the National Planning Policy Framework and the London Plan has been revised since this previous application has been approved, there are no overriding changes in the Council's policy position or no new material considerations to take account of. The proposal is considered to be in accordance with Haringey's emerging Local Plan: Strategic Policies (April 2012).
- 9.4 As outlined in the report on the 2009 application the various appeal decisions on the previous proposals for the site are particularly important in terms of identifying and assessing the relevant material considerations. The relevant material considerations in this case are considered to be:
- Planning Appeals;
 - Loss of garages;
 - Design, Form & Layout;
 - Effect on the Character & Appearance of the Conservation Area;
 - Impact on trees.

Planning Appeals

- 9.5 There have been numerous appeals on this site over the years. These include an appeal (APP/Y5240/A/01/1058981) on a scheme in 2001 for 7 houses, which was found to be unacceptable as it was going to result in the loss of trees due to basement excavation.

- 9.6 In 2005 a scheme for 6 houses (APP/Y5240/A/04/1149813) was dismissed on the grounds that while changes to the design and layout overcame the harm caused to the conservation area by the previous proposal, this scheme would give rise to unacceptable overlooking and would have an overbearing impact on the occupiers of some of the adjoining properties in Elm Grove and Tregaron Avenue.
- 9.7 In an another Appeal in 2007 (APP/Y5240/A/07/2037862) involving a scheme for 5 houses, the Inspector found that the scheme would provide a satisfactory living conditions for the existing and future occupiers, but felt that the changes to the elevation would result in a style and pattern of development that would detract unacceptably from the character and appearance of conservation area.
- 9.8 In he last appeal for this site in July 2009 (APP/Y5240/A/2093786) relating to a scheme for 5 houses, the Inspector considered the effect on the living conditions of neighbouring occupiers, the effect of the proposed design and layout and the effect of the loss of the existing garages. In all three it was found that the scheme would be acceptable, with the exception of Unit 5, which was considered to harm the health of the tree close to it.

Loss of Garages

- 9.9 The issue of the loss of the garages has been considered in the previous appeals for the site, both in terms of its impact on local parking conditions as well as the effect on the conservation area. In terms of the effect on local parking conditions the Inspector concluded:

“...the loss of the existing garages would cause no significant harm, nor would it conflict with any of the development plan policies identified at the Inquiry.” (para.33/ 2009 appeal decision)”.

- 9.10 In considering its impact on the conservation area, the Inspector considered that:

‘UDP Policy CSV7 seeks to resist demolition in conservation areas, where this would give rise to an adverse impact on the area’s character and appearance. In this case however, it was agreed that the existing garages make no positive contribution to the area. indeed, in my view they detract from it, due to the ugliness of their design; their lack of visual relation to the houses that give the area its special character; and the outworn condition of the buildings and site.’ (para.37).

- 9.11 Based on the Inspector’s decision then and the subsequent 2010 approval, the demolition of the existing garages are considered to be acceptable and in line with Haringey Unitary Development Plan Policy CSV7 ‘Demolition in Conservation Areas’.

Design, Form & Layout

- 9.12 This previously approved scheme is for the erection of 4 x two storey detached houses of traditional construction. The dwellings would be situated between 3.8 and 6 metres from the northern boundary of the application site and between 3.2 and 5.2 metres off the southern boundary of the site. The one end dwelling Number 1 would be situated 4.8 metres and 3.4 metres off the side boundaries of the site. The plans detailed a large amount of landscaping along the pZoperty boundaries with fencing to be erected around the boundary and large number trees planted along the boundary, the building will have a maximum height of 5.7 metres above ground level, reflecting the previous applications/ appeals on this site.
- 9.13 The design of the proposed scheme draws from both materials and forms from the surrounding buildings in Cecil Park and those in the broader conservation area. The steep pitched roofs with Dutch gabled dormer windows can be found along Cecile Park and are reflected in the front elevation of the proposed scheme. The scheme will have painted timber sash windows and the fenestration will be respectful of the proportions and rhythm of the adjacent fenestration. The development will be faced in yellow multi brick work to match the surrounding area with the use of elements of red stock brick work in the feature plinth, banding and solider header coursing.
- 9.14 Three of the houses will have a floorspace of 113 sq.m while one will have a floorspace of 144 sq.m. The dwellings meet the floor space requirements of the London 'Housing Design Guide' 2010. Houses 1, 2, 3 and 4 will all meet the 50 square metre garden amenity space requirement.
- 9.15 All habitable rooms to the north elevation facing Cecile Park Road are over 20 metres apart. There are no first floor windows on the rear elevation at first floor level to avoid overlooking, but instead fenestration on the flank walls. The ground floor habitable rooms will have French doors opening into their own private gardens.
- 9.16 The density of the proposed development will be 153 HRH which is substantially below the density of the surrounding area, however acceptable and appropriate for a backland site of this nature. SPG 3c 'Backlands Development' states that the Council's Density Standards will not generally apply to backlands sites unless it can be shown that the scheme does not constitute town cramming and the density of the proposed development is considered consistent with this statement.
- 9.17 Access to the site for emergency vehicle and service vehicles is considered acceptable. The scheme meets the minimum 3.7 width for fire appliance access and has a sufficient turning head at the end of the site access for emergency and service vehicles to manoeuvre.

Impact on the Character & Appearance of the Conservation Area

- 9.18 The effect of the proposal on the character and appearance of the conservation area has been considered in the previous appeals. In specific the 2009 appeal considered:

“The present use of the site for garaging is itself clearly a departure from the land’s original use, and the existing buildings (garages) make no positive contribution to the area’s qualities. The Inspector continued by saying there is no reason why development pattern should not be allowed to continue to evolve in response to changing circumstances provided that the area’s special architectural and historic interest is not harmed. Given the importance that PPS3 gives to the provision of housing in urban areas, the development now proposed would reflect society’s changing needs. Consequently no harm would be cause to the area’s development pattern and the proposal would preserve the special character and appearance of Crouch End Conservation Area’ (para. 21) of July 2009 Appeal APP/Y5420/A/09/2093786

- 9.19 The Inspector considered that as the scheme proposed a less intensive development with fewer units and that “This overcame the objections that led to the dismissal of the 2007/8 appeal. also considered that the proposed 4 units would not harm the character and appearance of the local area. “(para. 19) July 2009 Appeal (ref: APP/Y5420/A/09/2093786). He also concluded,

“In all the above respects, I conclude that the proposed development would preserve the special character and appearance of the Crouch End conservation area.” (para 23) of July 2009 Appeal (ref: APP/Y5420/A/09/2093786)

- 9.20 In the Crouch End Conservation Area Appraisal adopted in September 2010 the matter of the under-used nature of the lock-up garages was noted and how they detract from the character and appearance of the conservation area and rather offer an opportunity for improvement was noted.

“There are two long narrow areas of lock-up garage courts, one to the north of Nos. 60 to 88 (even) Cecile Park accessed from a track adjoining No. 29 Gladwell Road, and the other to the south of Nos. 27 to 47 (odd) Cecile Park accessed from a drive between No.39 and No. 41. Public views of these garage courts are limited to their entrances because much of their area is hidden from view from nearby streets by the long residential terraces on either side. However, they are visible at the ends of the large maturely planted rear gardens from the rear windows of nearby properties. The semi-derelict and under-used nature of the lock-up garages detracts from the character and appearance of the conservation area and offers an opportunity for improvement. The UDP no longer supports the retention of lock-up garages and as a result the sites have

been the subject of proposals for residential development for over ten years that have resulted in several planning appeals. Planning Inspectors noted “the low level of use of the existing poorly maintained utilitarian garages” and came to the view that “their loss would not lead to an increase in parking on local roads.” They also acknowledged that “the ugly rank of semi-derelict garages adversely affecting the character and appearance of the streets of this part of the Crouch End Conservation Area.” In January 2010 both sites received planning permission for replacement of the garages with discrete, well-planned contemporary residential buildings within the generally open setting of this part of the conservation area that will not compete with the prevailing Victorian and Edwardian buildings. It is considered that the proposed developments will not have a harmful effect on the character or appearance of the Crouch End Conservation Area, which as a result would be preserved.” (Para 7.54)

Impact on Residential Amenity

- 9.21 In considering the effect on the living conditions of the surrounding occupiers, Officers are mindful of what has been said in the previous appeal decisions.
- 9.22 In the 2009 appeal decision the Inspector concurred with the view of the 2008 appeal decision that the dwellings proposed on plots 1 – 4 would not be unduly intrusive. The Inspector however was concerned in respect of the impact of the house at plot 5, which he viewed as having a significant adverse effect. Leading on from the 2010 scheme omitted house No. 5.
- 9.23 As outlined in the 2010 Officers report all the proposed dwellings would be situated between 3.8 and 6 metres from the northern boundary of the application site and between 3.2 and 5.2 metres off the southern boundary of the site. The one end dwelling Number 1 would be situated 4.8 metres and 3.4 metres off the side boundaries of the site. The plans detailed a large amount of landscaping along the property boundaries with fencing to be erected around the boundary and large number trees planted along the boundary.
- 9.24 The layout of the dwellings, with the removal of unit 5 and the fencing and tree planting proposed, results in a scheme which will not adversely affect the residential and visual amenities of neighbouring occupiers.

Impact on Trees

- 9.25 As referred to above the various schemes for this site have raised concerns in respect of their impact on trees. In specific the scheme with a house on plot No 5 raised specific issues in terms of its impact on trees. In the July 2009 Appeal the Inspector found that the future health of the trees in the close proximity to plot 5 would be likely to be put at risk; ‘in my view any such loss of a tree would be likely to harm the area’s character and appearance’ (.para. 22).

9.26 The house on plot 5 has been removed from the scheme and therefore the concerns of the Inspector in terms of the potential effect of this house have been overcome.

9.27 The Council Arboriculturist commented on the 2010 application and concluded that through the use of appropriate conditions the new development could be constructed without any detrimental effects on the existing trees in adjacent gardens.

10.0 HUMAN RIGHTS

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

11.0 EQUALITIES

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

12.0 CONCLUSION

12.1 The determination on this application has been made having regard to the previous consent under LPA Ref: HGY/2009/1768. The current proposal is a renewal of this previous consent.

12.2 The current and previously approved application proposes the demolition of the existing garages and the redevelopment of the site for residential use, comprising of 4 x 2/3 storey three bedrooms houses and 8 no. car parking spaces. The application site has been subject to a long planning history, including numerous planning appeals, during which time the number of units has been reduced from eight to four.

12.3 In the scheme approved in 2010 a fifth house was deleted from the scheme and permission subsequently approved for a scheme of four houses. This previously approved scheme in terms of its layout and design is still considered to be acceptable and compatible with the surrounding residential use and character of the area.

13.0 RECOMMENDATIONS

GRANT PERMISSION TO REPLACE EXTANT PERMISISON

Subject to the following conditions:

IMPLEMENTATION

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

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

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

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

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, 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.

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 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.

PERMITTED DEVELOPMENT RIGHTS

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.

REASONS FOR APPROVAL

The determination on this application has been made having regards to the previous consent under LPA Ref: HGY/2009/1768. The current proposal is a renewal of this previous consent. This previously approved scheme in terms of its layout and design is still considered to be acceptable and compatible with the surrounding residential use and character of the area. As such the proposal will enhance the character and appearance of this part of the Conservation Area. The proposal will not give rise to a significant degree of overlooking or loss of privacy to neighbouring occupiers or adversely affect local residential amenities. As such the proposal is considered to be in accordance with Policies UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing Development', CSV1 'Development in Conservation Areas', OS17 'Tree Protection, Tree Masses and Spines' of the adopted Haringey Unitary Development Plan and Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology' and the Council's 'Housing' SPD.

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

INFORMATIVE: Prior to demolition of existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.

APPENDIX 1: COMMENTS ON OBJECTIONS

No.	Stakeholder	Comments	Response
1	Building Control	Further details are required to demonstrate compliance with the requirements of B5 of the Building Regulations (Access and facilities for the Fire Service), and will require an application to be submitted to this office. Please see link below:	- Noted
2	LFEPA	The Brigade is not satisfied with the proposal for fire fighting access as it would appear to be more than 45metres from the fire brigade access point.	- Access to the site for emergency vehicle and service vehicles is considered acceptable. The scheme meets the minimum 3.7 width for fire appliance access and has a sufficient turning head at the end of the site access for emergency and service vehicles to manoeuvre. Hydrants or a sprinkler system can be used to meet requirements of B5 of the Building Regulations
3.	Local Residents	<ul style="list-style-type: none"> • The developers have never successfully submitted a reasonable design with respect to the size of the site; • Site is too narrow for houses; • The proposal fails to take account of the nature of the site as an area that is not a frontage to a wide road, but a narrow space overlooking adjacent properties • Close proximity of the proposal to 	<ul style="list-style-type: none"> - The siting and form of the buildings are considered to be acceptable and pick up on building materials and detail in the area. - The building footprint and forms sit comfortably within the constraints of the site and represent a reduction in hardsurfacing compared to the existing garages.

No.	Stakeholder	Comments	Response
		<p>existing properties in Elm Grove and Tregaron Avenue;</p> <ul style="list-style-type: none"> • Loss of privacy to houses and gardens adjoining the site; • Houses would block light to properties in Cecil Park; • The houses are less than 12 metres from the houses in Tregaron Avenue whose outlook amenity and privacy will be significantly reduced; • Habitable rooms should not be within 20 metres of habitable rooms of existing properties as per guideline 8.20 set out previously above; • Visual character of the conservation area is not being protected; • Not enough width for and emergency vehicle to access the new properties; • Tree next to the garden of No 31 will be affected; 	<ul style="list-style-type: none"> - While the buildings sit close to boundary of the site, they are positioned and designed not to adversely affect the amenities of adjoining residents. <p>It has already been found by previous Inspectors that the living conditions of adjoining residents will not be adversely affected.</p> <ul style="list-style-type: none"> - Bearing in mind the height of the proposed buildings and separation distances there will be no loss of light to neighbouring properties. - As indicated above and as noted by previous Inspector the proposal will not adversely affect the amenities of neighbouring residents. - This 20m gap between facing windows applies to first floor windows and not ground floor windows. The line of vision from ground floor windows is blocked by garden fences and vegetation. - The unsightly appearance to this site will be improved therefore enhancing the appearance of the conservation area. - Access to the site for emergency vehicle and service vehicles is considered acceptable. The scheme meets the minimum 3.7 width for fire appliance access and has a sufficient turning head at the end of the site access for emergency and service vehicles to manoeuvre. Hydrants or a sprinkler system can be used to meet requirements of B5 of the Building Regulations. - As noted previously through the use of appropriate conditions

No.	Stakeholder	Comments	Response
		<ul style="list-style-type: none"> • Services in Crouch End area are all ready over-strained eg GP surgeries, schools; • Risk to pedestrians (children in particular) of cars going in and coming out of the lead in area to the site during construction and afterwards by residents; • Noise and disturbance in association with construction. 	<p>the new development can be constructed without any detrimental effects on the existing trees in adjacent gardens.</p> <ul style="list-style-type: none"> - While all additional housing places additional pressure on services there is an overriding need for housing. Local services can be added to deal with additional demand. - The comings and goings in connection with these 4 additional houses are not considered to be significant and may in fact be lower than the use for lock up garages. - This would not be a reason in itself to resist or refuse permission to develop this site.

APPENDIX 2:- COMMITTEE REPORT - HGY/2009/1768

**APPENDIX 3 - PLANNING APPEAL DECISION –
APP/Y5420/A/09/2093786**

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Planning Committee 11 January 2010

Item No.

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2009/1768

Ward: Crouch End

Date received: 19/10/2009

Last amended date: N / A

Drawing number of plans: PL01 - PL05 incl.

Address: Land rear of 27 - 47 Cecile Park N8

Proposal: Demolition of 32 existing lock-up garages and erection of 4 x 2 / 3 storey three bedroom houses with associated landscaping and 8 parking spaces

Existing Use: Garages

Proposed Use: Residential

Applicant: Mithril Homes

Ownership: Private

PLANNING DESIGNATIONS

Conservation area

Road Network: Borough Road

Officer Contact: John Ogenga P'Lakop

RECOMMENDATION

GRANT PERMISSION subject to conditions

SITE AND SURROUNDINGS

Approximately 42 lock-up garages currently occupy the site. The garages are situated along the southern boundary of the site. Vehicle access is gained between numbers 37 and 39 Cecile Park. Much of the site is gravelled. The site is within The Crouch End Conservation Area; the southern edge of the site forms the boundary of the Conservation Area.

PLANNING HISTORY

9 applications for the erection of lock up garages were submitted between 1967 and 1984 following the granting of permission for 39 garages in 1967.

- OLD/1986/0974 - Erection of 17 lock up garages REFUSED 28/07/86
- OLD/2000/0604 - Residential development to provide 7 x 2 storey houses and 1 self-contained flat with car ports / parking for 14 cars, also 26 lockup garages REFUSED 15/12/00 subsequent appeal DISMISSED
- OLD/2000/0605 - Conservation Area Consent for the demolition of garages REFUSED 15/12/00
- HGY/2000/0935 - Application to erect 7 houses and one flat and garages in basement area REFUSED 05/12/00 subsequent appeal DISMISSED
- HGY/2000/0933 - Conservation Area Consent to erect 7 houses and one flat and garages in basement area REFUSED 05/12/00 subsequent appeal DISMISSED.
- HGY/2001/1696 - Application to erect 6 dwellings and ten garages REFUSED 06/04/04 subsequent appeal DISMISSED.
- HGY/2001/1697- Conservation Area Consent for the demolition of garages REFUSED 27/07/04 subsequent appeal DISMISSED.
- HGY/2005/1985 - Demolition of existing 35 garages and erection of 5 x 2 storey three bedroom houses with associated landscaping and 10 No parking spaces.
WITHDRAWN 14/12/05
- HGY/2005/1987 - Conservation Area Consent for the demolition of 35 garages.
WITHDRAWN 14/12/05
- HGY/2006/0580 - Demolition of existing 39 garages and erection of 5 x 2 storey three bedroom houses with associated landscaping and 10 no. parking spaces REFUSED subsequent appeal DISMISSED
- HGY/2008/1020 - Demolition of existing 39 garages and erection of 5 x 2 storey three bedroom houses with associated landscaping and 10 no. parking spaces REFUSED subsequent appeal DISMISSED

DETAILS OF PROPOSAL

The application proposes the demolition of 32 existing lock-up garages situated on the site and erection of 4 x 2/3 storey three bedroom houses with associated landscaping and the formation of 8 no. parking spaces. 3 units would contain a ground floor level with combined kitchen and dining room with a first floor level of three bedrooms one with ensuite. The one other unit referred too as unit 2

would contain the same layout at the first floor level but with the living room at lower ground level.

CONSULTATION

Internal

Transportation
Cleaving
Building Control
Ward Councillors
Hornsey CAAC
Conservation Team
Council Arboriculturalist

Local Residents

63a, 1 – 63 (o) Cecile Park, N8
30 – 52 (e) Cecile Park, N8
17a, 29a, 29b Cecile Park, N8
2 – 46 (e) Tregaron Ave, N8
7 – 29 (o) Elm Grove, N8

RESPONSES

Conservation Officer

This site has had a succession of 3 planning applications and 3 planning appeals for residential development on this backland site. In response to the Refusals the applicants have reduced the number of houses from 7 to 6 to 5.

In this application the number has been reduced further to 4 detached houses.

In para. 21 of the most recent Planning Appeal, Ref APP/Y5420/A/09/2093786 & /2093789, the Inspector's affirmed the principle of residential development on this backland site; 'the appeal would now involve only a small number of buildings, of relatively low height, and its visual impact would be slight. Consequently I do not consider that harm would be caused to the area's development pattern.'

The Planning Inspector had concerns regarding the siting of the house on Plot 5 and considered that its effect on trees would be harmful to the character and appearance of the Conservation Area.

The current application deletes the previously proposed house on Plot 5, which addresses the basis of the previous reason for refusal for the scheme, and accordingly there is no Design & Conservation objection to the current proposals.

Waste Management - If waste containers are housed, housings must be big enough to fit as many containers as are necessary to facilitate once per week collection and be high enough for lids to be open and closed where lidded containers are installed. Internal housing layouts must allow all containers to be

accessed by users. Applicants can seek further advice about housings from Waste Management if required.

Transportation - Transportation has raised several objections to previous applications HGY/2008/1020 and HGY/2008/1021 on the basis of the loss of available parking space due to the loss of the garages and the potential for an increase in on street parking in an area which has been defined as being within the “Crouch End Restricted Conversion Area” as having high on street parking demand.

These applications have been subject to the Planning Appeal Process and previous highway inspectors have dismissed the transportation and highways objections saying “The loss of the existing garages would cause no significant harm, nor would it conflict with any of the development policies identified in the inquiry”. And as such it would not be prudent to raise an objection to the development on the grounds of loss of parking or an increase in on street parking stress.

Aboriculturalist - There are no trees on the site that will be affected by the development. However, there are two significant trees in the rear gardens of adjacent properties, where consideration is necessary.

Located to the rear of 38-40 Tregaron Avenue is a mature Horse chestnut (T1) protected by a Tree Preservation Order (TPO). This tree has been subject to regular heavy crown reduction. Its has a thin canopy and has been infected by *Cameraria ohridella*, an insect pest that causes degradation of the foliage and leads to it falling prematurely.

Located in the rear garden of 31 Cecile Park is a mature Sycamore (T2). It also has a thin canopy but this condition on both trees is probably the result of them suffering from drought stress.

Tree Protection

B.S. 5837:2005 Trees in relation to construction recommends a minimum Root Protection Area (RPA) for trees on development sites. The RPA is an area around each tree to be left undisturbed.

For T1 and T2 this distance is 12m square. However, the assessment of the RPA must take into consideration many factors, including the soil type and structure and the distribution of roots when influenced by past or existing site conditions.

The site is presently used for lock-up garages. The land in front of the garages has been subject to regular vehicle traffic. This would lead to the assumption that the soil is compacted. These conditions are not favourable to root growth, as poor soil structure and the availability of oxygen and water is greatly reduced.

The poor rooting environment of this site would indicate that the majority of the trees roots will be located within the residential gardens where conditions are more favourable.

Hornsey CAAC – We still feel that there are too many houses for this site, which is narrow and unsuitable for housing. But if this is still to be considered there should be only four houses, not five. We reiterate our earlier comments about the design: the detailing is fussy, the dormers are heavy and the mansard roofs are unsuitable on houses of this size. We also regret the loss of lock-up garages, which will increase the pressure on roadside parking and lead to more parking in front gardens.

To the **initial** consultation, a **petition** with 106 signatures and other letters of objection was received. The objections that have been raised can be summarised as follows:-

- Would disrupt the visual outlook between Cecile park and Tregaron Avenue
- Noise levels would increase as well as vulnerability to crime
- Concern regarding loss of property values
- Site is a backlands property and there is already too much development on sites such as this
- Would have an adverse impact on the conservation area
- Would result in loss of privacy and overlooking
- Loss of valuable open space
- Narrow entrance to site will create difficulties for refuse collection & emergency vehicles
- Amounts to overdevelopment of the site
- Overlooking from first floor side window of No. 11 Elm Grove
- Would result in loss of light to surrounding properties including gardens
- Lack of landscaping details
- Concern that the front elevation of the dwellings does not accurately reflect the relationship with the houses located to the rear. Is it proposed to reduce the level of the site to achieve the low height of the houses? And if so what effect will the lowering of the houses have on the trees?
- Development would have a significant impact on adjoining properties fronting Tregaron Ave. These Tregaron Ave properties have shorter gardens.
- Further housing in an area already densely populated with many existing problems.
- Concern at proximity of the proposed houses to existing neighbouring housing.
- Impact on trees.
- Loss of existing garages / parking on the site would exacerbate existing parking issues in the area

A letter was also received from Member of Parliament Lynne Featherstone regarding a petition about the proposal asking that careful consideration should be taken particularly in view of the long history of the site.

One other objection was received from a Mason Associates highlighting issues such as effect of the proposal on trees, overlooking and unacceptable harm due to overbearing.

Building Control - 'The proposals have been checked under Regulation B5 – access for the fire service, and we have no observations to make'.

RELEVANT PLANNING POLICY

National Policy

PPS1 'Sustainable Development'
PPS3 'Housing'
PPG15 'Planning and the history environmental'

Unitary Development Plan

UD 3 'General Principles'
UD 4 'Quality Design'
CSV 1 'Development in Conservation Areas'
CSV 7 'Demolition in Conservation Areas'
HSG 1 'New Housing Developments'
HSG 2 'Change of Use to Residential'
HSG 9 'Density Standards'
M3 'New Development Location and Accessibility'
M10 'Parking for Development'

Supplementary Planning Guidance

SPD 'Housing' - 'Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes'
SPG 1a 'Design Guidance and Design Statements'
SPG 3b 'Privacy / Overlooking / Aspect / Outlook and daylight / Sunlight'

ANALYSIS/ASSESSMENT OF THE APPLICATION

During the appeal into the most recently refused scheme, the Inspector considered in detail all the issues relevant to the scheme in the light of the comments of the Inspectors at the previous appeals. While the current application has to be considered on its own merits the Planning Inspectors Appeal decisions on the previous proposals for the redevelopment of the site provide important guidance in terms of the relevant planning issues that need to be considered. The main issues relevant to this application are:

1. Planning Appeal History
2. Effect on the living Conditions
3. Effect of design and layout on the Crouch End Conservation Area
4. Impact on Trees
5. Demolition of Existing Garages
6. Density
7. Sustainability
8. Refuse and Emergency Access

9. Comments on the objections raised

1). Planning Appeal History

There have been numerous Appeals on the site over the years. A scheme for 7 houses and 1 flat in 2001 (APP/Y5240/A/01/1058981) was found to be unacceptable as it was going to result in loss of trees due to basement excavation.

In 2005 another scheme this time for 6 houses (APP/Y5240/A/04/1149813) it was found that the changes to the design and layout overcame the harm caused to the conservation area by the previous proposal but could give rise to unacceptable overlooking and overbearing impact on the occupiers of some of the properties in Elm Grove and Tregaron Avenue.

In another Appeal in 2007 (APP/Y5240/A/07/2037862) involving a scheme for 5 houses, the Inspector found that the scheme would provide a satisfactory living conditions for the existing and future occupiers but that the changes to the elevation would result in a style and pattern of development that would detract unacceptably from the character and appearance of conservation area.

In a most recent Appeal July 2009 (APP/Y5240/A/2093786) involving a scheme for 5 houses, the Inspector considered the effect on the living conditions of neighbouring occupiers, the effect of the proposed design and layout and the effect of the loss of the existing garages. In all three it was found out that the scheme would be acceptable if it was not for unit 5 which he considered would harm the health of the tree close to it.

2). Effect on the living Conditions

In considering the effect on the living conditions of the surrounding occupiers, the Inspector concurred with the view of the Inspector at the 2008 appeal that the dwellings proposed on plots 1 – 4 would not be unduly intrusive. He was however concerned at the impact of the house at plot 5 which he considered would have a significant adverse effect. As a result, the current scheme omits the house at plot No. 5.

All the proposed dwellings would be situated between 3.8 and 6 metres from the northern boundary of the application site and between 3.2 and 5.2 metres off the southern boundary of the site. The one end dwelling Number 1 would be situated 4.8 metres and 3.4 metres off the side boundaries of the site. The plans detail a large amount of landscaping along the property boundaries with fencing to be erected around the boundary and large number trees planted along the boundary. The fencing and tree planting would screen the development and if permission is granted it is recommended that landscaping conditions be attached requiring details of the fencing and planting prior to work on the site commencing. It is considered that the current layout of the dwellings, with the removal of unit 5 and the proposed landscaping measures would prevent the issues of overlooking and loss of privacy.

3). Effect of design and layout on the Crouch End Conservation Area

In considering the impact of the proposal in terms of the effect on the conservation area, the Inspector found that:

'The present use of the site for garaging is itself clearly a departure from the land's original use, and the existing buildings (garages) make no positive contribution to the area's qualities. The Inspector continued by saying there is no reason why development pattern should not be allowed to continue to evolve in response to changing circumstances provided that the area's special architectural and historic interest is not harmed. Given the importance that PPS3 gives to the provision of housing in urban areas, the development now proposed would reflect society's changing needs. Consequently no harm would be caused to the area's development pattern and the proposal would preserve the special character and appearance of Crouch End Conservation Area' (para. 21) of July 2009 Appeal APP/Y5420/A/09/2093786

The Inspector considered that as the scheme proposed a less intensive development with fewer units and that

"This overcame the objections that led to the dismissal of the 2007/8 appeal. also considered that the proposed 4 units would not harm the character and appearance of the local area. "(para. 19) July 2009 Appeal (ref: APP/Y5420/A/09/2093786)

He also concluded,

"In all the above respects, I conclude that the proposed development would preserve the special character and appearance of the Crouch End conservation area."(para 23) of July 2009 Appeal (ref: APP/Y5420/A/09/2093786)

4). Impact on Trees

The Inspector did however express concern over the potential impact of plot No. 5 on the surrounding trees. In the July 2009 Appeal (APP/Y5420/A/09/2093786), the Inspector found that the future health of the trees in the close proximity to plot 5 would be likely to be put at risk; *'in my view any such loss of tree would be likely to harm the area's character and appearance'....paragraph 22.*

The Council Arboriculturist has commented on the application and concluded that through the use of appropriate conditions the new development can be constructed without any detrimental effects on the existing trees in adjacent gardens.

The house on plot 5 has now been removed from the scheme and therefore the concerns of the Inspector in terms of the potential effect of this house have been overcome.

5). Demolition of Existing Garages

The Inspector considered the issue of the loss of the garages in detail, both in terms of its impact on local parking conditions as well as the effect on the conservation area. In terms of the effect on local parking conditions the Inspector concluded:

“For these reasons, I conclude that the loss of the existing garages would cause no significant harm, nor would it conflict with any of the development plan policies identified at the Inquiry.” (para.33).

In considering its impact on the conservation area, the Inspector considered that;

‘UDP Policy CSV7 seeks to resist demolition in conservation areas, where this would give rise to an adverse impact on the area’s character and appearance. In this case however, it was agreed that the existing garages make no positive contribution to the area. indeed, in my view they detract from it, due to the ugliness of their design; their lack of visual relation to the houses that give the area its special character; and the outworn condition of the buildings and site.’ (para.37).

Based on the Inspector’s decision then, it is considered that the demolition is therefore acceptable and in line with Haringey Unitary Development Plan Policy CSV7 ‘Demolition in Conservation Areas’ above.

6). Density

The recommended density in Policy HSG 9 ‘Density Standards’ states that residential development in the borough should normally be provided at a density of between 200 – 700 habitable rooms per hectare (hrh) and should have regard to the density ranges set out in Table 4B.1 of the London Plan.

The application site is 0.17 hectares in area including the access road and the proposed development would have a total of 26 habitable rooms. The density of the proposed development would therefore be 153 hrh.

Given that the application relates to a backland site situated within the Crouch End Conservation Area a density of 153 habitable rooms per hectare is considered appropriate. A development with higher density is unlikely to be compatible with the existing pattern of development in the area. SPG 3c ‘Backlands Development’ states that the Council’s Density Standards will not generally apply to backlands sites unless it can be shown that the scheme does not constitute town cramming and the density of the proposed development is considered consistent with this statement.

7). Sustainability

A Sustainability checklist has not been submitted with the application. The design and access statement and the application introduced many materials to be use for the proposed development. It is considered that the use of conditions would be vital to cover the subject of sustainability.

8).Refuse and Emergency Access

The Council's Building Department has assessed the proposed development and confirmed that the proposal has been checked under Regulation B5 – access for the fire service, and stated that they had no further observations make.

The Councils Waste Management Department has also provided comments on the application. They have recommended a number of conditions that would have been attached were permission was to be granted.

Proposed houses 1, 2, 3 and 4 would all meet the 50 square metre garden amenity space requirement. The detached layout of the proposed dwellings and spacing of the dwellings along the width of the site would avoid issues of overlooking and loss of privacy between the new dwellings. The proposed development would create a satisfactory environment for the future owners / occupiers of the dwellings.

8). Comments on the objections received

As pointed above, there has been a **petition** with 106 signatures and other letters of objections that was received during the cause of the time for the proposal. While most of the issues raised has been dealt with in the different section of this report, I would reiterate here that it has already been decided by the Inspector that the living conditions for existing and future occupiers would be acceptable in relation to plot 1-4. That the proposal would not detract from the character and appearance of Crouch End Conservation Area. The Inspector also noted in paragraph 33 of the decision that the loss of the existing garages would cause no significant harm, nor would it conflict with any of the development plan policies and as a result of this deliberations, Conservation Area Consent for demolition of the garages has already been granted by the Inspector of the July 2009 Appeal. (ref: APP/Y5420/A/09/2093789).

SUMMARY AND CONCLUSION

The application site comprises the lock up garage court at the rear of 27-47 Cecile Park. The current application proposes the demolition of the existing garages and the redevelopment of the site for residential use, comprising the erection of 4 x 2/3 storey three bedrooms houses and 8 no. car parking spaces. Each house has 2 parking spaces. Access is from Cecile Park via the existing access way for the garage court.

The site is located within the Crouch End Conservation Area and has been subject to a number of applications for change of use to residential in recent years. During that time the number of units proposed has reduced from eight to four. The Inspector in the most recent appeal decision noted the reduction in the number of units proposed and the consequent reduction in the intensity of the use of the site.

The current scheme has been revised to address the issues identified by the Inspectors in dismissing previous planning appeals. It must also be noted that the Inspector granted Conservation Area Consent for the demolition of the garages in July 2009.

In the most recent appeal decision the Inspector considered in detail all the issues raised by the proposal, including the loss of the existing garages, and concluded that the proposed development would not result in significant harm being caused to the conservation area or the locality, with the exception of the impact of plot No. 5. This house has now been deleted from the scheme, resulting in four units in total, and as a result, the harm caused by that unit has been overcome. As such, no issues remain that mean the scheme should not be granted planning permission subject to conditions.

With the latest Inspector's decision in mind therefore, it is considered that the current scheme is acceptable and is now in compliance with the aims of relevant national guidance, the relevant policies of the Unitary Development Plan 2006 and the requirements of PPG15 and the scheme is therefore recommended for approval.

RECOMMENDATION

GRANT PERMISSION

Registered No. HGY/2009/1768

Applicant's drawing Nos. PL01 - PL05 incl.

Subject to the following conditions:

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

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

2. 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.

3. 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 avoid overdevelopment of the site.

4. 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.

5. That 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.

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

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

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

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

thermal and electrical energy to the site. Resulting carbon savings to be calculated.

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

3). All reserved matters applications must contain an energy statement demonstrating consistency with the site wide energy strategy developed in 2). Consistency to be approved by LB Haringey prior to the commencement of development. Reason: To ensure the development incorporates energy efficiency measures including on-site renewable energy generation, in order to contribute to a reduction in Carbon Dioxide Emissions generated by the development in line with national and local policy guidance. Reason: To ensure the development incorporates energy efficiency measures including on-site renewable energy generation, in order to contribute to a reduction in Carbon Dioxide Emissions generated by the development in line with national and local policy guidance.

7. 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, 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.

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

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

INFORMATIVE: That the applicant agrees with London Fire Brigade the best suitable way of entering the site by providing dimensions of the ramp including length width and ratio.

REASONS FOR APPROVAL

It has already been decided out by the Inspector that the living conditions for existing and future occupiers would be acceptable and that the proposal would not detract from the character and appearance of Crouch End Conservation Area. The Inspector also noted in paragraph 33 of the decision that the loss of the existing garages would cause no significant harm, nor would it conflict with any of the development plan policies.

With the latest Inspector's decision in mind therefore, it is considered that the current scheme is acceptable and is now in compliance with the aims of policy UD3(c) of the Unitary Development Plan 2006 which states that development should not significantly affect the public and private transport networks, including highways or traffic conditions and the requirement of PPG15 and policy CSV1 of the Unitary Development Plan 2006 and is therefore recommended for approval.



Appeal Decisions

Inquiry held on 9 and 10 June 2009

Site visit made on 19 June 2009

by **John Felgate BA (Hons), MA, MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
30 July 2009

Appeal 'A' Ref: **APP/Y5420/A/09/2093786**

Land to the rear of 27-47 Cecile Park, Hornsey, London N8 9AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mithril Homes Limited against the decision of the Council of the London Borough of Haringey.
- The application Ref HGY/2008/1020, dated 1 May 2008, was refused by notice dated 17 December 2008.
- The development proposed is "to demolish 39 no. existing garage lock-ups and construct 5 no. two/three storey 3 bed houses with associated landscaping and 10 no. parking spaces".

Appeal 'B' Ref: **APP/Y5420/A/09/2093789**

Land to the rear of 27-47 Cecile Park, Hornsey, London N8 9AX

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
- The appeal is made by Mithril Homes Limited against the decision of the Council of the London Borough of Haringey.
- The application Ref HGY/2008/1021, dated 1 May 2008, was refused by notice dated 17 December 2008.
- The application proposes the demolition of the 39 existing garages on the site.

Decision

1. I dismiss Appeal A.
2. I allow Appeal B, and grant conservation area consent, for the demolition of the existing garages at the rear of 27-47 Cecile Park, Hornsey, London N8 9AX, in accordance with the terms of the application Ref HGY/2008/1021, dated 1 May 2008 and the relevant details contained in the submitted plans.

Application for costs

3. Following the Inquiry, an application for costs was made by the appellant against the Council. That application is the subject of a separate Decision.

Procedural matter

4. Further submissions were also received after the close of the Inquiry, from the appellant and from the Hornsey Conservation Areas Advisory Committee (HCAAC), regarding the status of the Council's SPG11a, and clarifying the nature of HCAAC's original comments on the appeal application. Whilst all such matters should normally be raised during the inquiry itself, in this case I consider that these late representations should be accepted, in the interests of fairness to all parties.
-

Planning background

5. In 2001, a scheme for 7 houses and one flat, with 14 parking spaces or car ports and 26 lock-up garages, was dismissed on appeal (APP/Y5240/A/01/1058981). The Inspector in that appeal found that the mass and bulk of the terraced arrangement, and the likely loss of trees due to basement excavations, would cause unacceptable harm to the character and appearance of the Crouch End Conservation Area.
6. In 2005 a scheme for 6 detached houses, 9 parking spaces and 12 garages (APP/Y5420/A/04/1149813) was also dismissed. On that occasion, the Inspector found that the changes to the design and layout overcame the harm caused to the Conservation Area by the previous proposals. However, she considered that these changes would give rise to unacceptable overlooking and overbearing impacts on the occupiers of some of the neighbouring properties in Elm Grove and Tregaron Avenue.
7. In December 2007, a third appeal was heard, relating to a scheme of 5 houses with 10 parking spaces (APP/Y5420/A/07/2037862). The scheme involved further changes to both the layout and design compared to the 2005 proposals. In her decision, dated January 2008, the Inspector found that the scheme would now provide satisfactory living conditions for existing and future occupiers. But she also considered that the changes to the elevational treatment would result in a style and pattern of development that would detract unacceptably from the Conservation Area's character and appearance.

Main issues

8. In the light of this background, and all of the submissions now before me, I consider that the main issues in the present appeals are as follows:

Appeal A

- the effects on the living conditions of neighbouring occupiers, and those of the future occupiers of the proposed development itself;
- the effects of the proposed design and layout on the character and appearance of the Crouch End Conservation Area;
- the effects of the loss of the existing garages on the supply of car parking spaces in the area; and any consequent effects in terms of congestion, highway safety or visual impact due to additional on-street parking.

Appeal B

- the effects of the proposed demolition on the character and appearance of the Conservation Area.

APPEAL A

Relevant Planning Policies

9. In the UDP¹, Policy UD3 requires new developments (amongst other aims) to protect the amenity of residential occupiers; complement the character, nature and scale of the local area; and not to significantly affect the local highway network or traffic conditions. In addition, Policy UD4 seeks a high quality of design, including regard for the spatial and visual character of the site and the

¹ Haringey Unitary Development Plan, adopted July 2006

local street scene. In Conservation Areas, Policy CSV1 seeks to ensure that developments preserve or enhance the historic character and qualities of their surroundings, and respect the area's character and appearance.

10. National policy in PPS3² encourages the most efficient use of land, in order to provide of a wide choice of housing, especially in sustainable locations. PPG13³ advocates a reduction in parking provision in urban areas in order to encourage more sustainable modes of transport. PPG15⁴ sets out advice on development in conservation areas. Similar policies are also contained in The London Plan.

Reasons for decision

Effects on living conditions

11. In the 2008 decision, the Inspector found that living conditions for existing and future occupiers would be acceptable, as noted above. In the present scheme, four of the proposed dwellings (referred to at the Inquiry as plots 1-4) would be sited almost identically to the 2007/08 proposals, and the sizes and fenestration of those units would likewise be similar to that previous scheme.
12. In so far as those four plots are concerned, I concur with the view of the 2008 Inspector. Although the existing houses in Tregaron Avenue and Elm Grove have short gardens, the new buildings would be set on lower ground; they would also be reasonably compact in their design and would have no upper floor windows facing south. Consequently, they would not be unduly intrusive to the properties beyond this boundary. In relation to the houses in Cecile Park, the dwellings on plots 1-4 would be sited some 6m from the site's northern boundary, and in the circumstances, I consider that their effects would be acceptable.
13. However, in the case of plot 5, the new dwelling would be sited only about 2m from the boundary of No 47 Cecile Park. This siting would be significantly closer to the boundary than in the 2007/08 proposals. Given its proximity and higher ground level, it seems to me that in this position the proposed dwelling would have an unacceptably overbearing and over-dominant visual impact on the outlook from No 47 and its garden. Although there are trees on the boundary, these would not screen the new building all year round. And in any event, there is no proper evidence before me as to whether those trees would be likely to survive building works in such close proximity.
14. The new dwelling would also have main windows on both ground and first floors facing this boundary. Those at first floor level would overlook No 47's garden from such close range that a significant loss of privacy would occur. Indeed, at this range, serious overlooking would still be likely in my view, even if the lower panes were to be obscured, as suggested at the Inquiry. Whilst it might be possible to overcome the this problem by minor changes to the design, no such alternative details are before me. And in any event, a condition to that effect would not overcome the dwelling's visual impact. I appreciate that the siting now proposed would maximise the spacing from Elm

² Planning Policy Statement 3: Housing (2006)

³ Planning Policy Guidance 13: Transport (2001)

⁴ Planning Policy Guidance 15: Planning and the historic Environment (1994)

Grove, but for the above reasons, I consider that the impact of plot 5 on living conditions at No 47 Cecile Park would be unacceptable.

15. In addition, given their proximity to the boundary, it appears that plot 5's north-facing windows would be heavily overshadowed; either by the existing trees, if these were able to be retained, or alternatively by any new landscaping and other boundary treatments which would otherwise become necessary here. The two main bedrooms, kitchen and lounge would all suffer substantial obstruction to their light and outlook when the trees are in leaf. Any thinning to relieve this overshadowing would only worsen the other impacts that I have identified above. I therefore consider that living conditions for the occupiers of plot 5, sited as now proposed, would be likely to be unsatisfactory. This reinforces my concerns regarding the effects on the existing occupiers adjoining that plot.
16. I accept that the shape and topography of the site makes it difficult to develop, and I agree that in such circumstances compromises are sometimes justified. Consequently, although the new dwellings on plots 1-4 would also be overlooked and overshadowed, and would have little amenity space, I consider that in these cases the shortcomings are not so serious as to warrant refusal of permission, particularly in the light of previous decisions concerning the site. But this does not overcome my concerns regarding Plot 5, which follow directly from the change in the siting of the building compared to the earlier schemes.
17. I appreciate that the Council has raised no objections relating to living conditions. But the issue is before me in the submissions of a number of other parties, including HCAAC, GLC-RAG and others, and was aired at the Inquiry, including in my questions to the appellants' witness.
18. For the reasons explained above, I conclude that the siting and design of the dwelling on plot 5 would not protect the amenity of the occupiers of No 47 Cecile Park, nor would it provide acceptable living conditions for that dwelling's own future occupiers. In these respects, the appeal scheme would fail to comply with the relevant provisions of Policy UD3.

Effects of design and layout on the Conservation Area

19. The most recent of the previous appeal schemes, in 2007/08, was found to cause harm to the Conservation Area, due to the design and elevational treatment. However, the earlier 2005 scheme was judged to be acceptable in that regard. In the present appeal scheme, the design and appearance of the dwellings would be generally similar to those proposed in 2005. I concur with that Inspector's view that these aspects would be acceptable. Moreover, compared to the 2005 plans, fewer units are now proposed, and no lock-up garaging, and thus the present scheme would be less intensive and more spacious. In so far as these changes would affect the development's impact on the character and appearance of the area, I consider the changes to be unobjectionable, and indeed beneficial. Consequently it seems to me that the present appeal proposals would overcome the objections that led to the dismissal of the 2007/08 appeal.
20. I note the concerns raised by HCAAC, and by the Gladwell-Landrock-Cecile Park Residents' Action Group ('GLC-RAG') and other residents, regarding various aspects of the design and layout. I accept that the mansard roofs at first floor

level, and the Dutch-style detailing of the dormers and gables would contrast with the area's prevailing Victorian and Edwardian architecture. But even in conservation areas, there is no requirement that development should necessarily copy that which exists, indeed PPG15 specifically rejects that idea (paragraph 4.17). In my view that advice is especially pertinent on such a well contained and concealed backland site as here. In this case, it seems to me that the features that I have referred to would make for an interesting and unusual small development, with its own internal consistency and unity of design. In my view the quality of the design would be acceptable, and the overall appearance of the development would therefore be satisfactory.

21. I also acknowledge the view expressed by some parties that any development within this backland area, between the existing streets, would conflict with the area's characteristic pattern of development. But the present use of the site for garaging is itself clearly a departure from the land's original use, and the existing buildings make no positive contribution to the area's qualities. I see no reason why the development pattern should not be allowed to continue to evolve in response to changing circumstances, provided that the area's special architectural and historic interest is not harmed. Given the importance that PPS3 gives to the provision of housing in urban areas, the development now proposed would reflect society's changing needs. In any event, the appeal scheme would involve only a small number of buildings, of relatively low height, and its visual impact would thus be slight. Consequently I do not consider that harm would be caused to the area's development pattern.
22. In all the above respects, I conclude that the proposed development would preserve the special character and appearance of the Crouch End Conservation Area. However, I also note the submissions from a number of parties with regard to trees. Whilst no detailed information or assessment is before me, I have no reason to disagree with the Inspector's comments in the 2008 decision, and in so far as the trees affected by Plots 1-4 are concerned (including the TPO tree), I see no reason why these could not be adequately safeguarded by conditions. But at paragraphs 12-14 above, I have explained my concerns with regard to the proposed dwelling on Plot 5, which would be sited differently from the earlier proposals. In part those concerns relate to the proximity of that proposed unit to trees on or near the boundary. In the absence of any evidence to the contrary, it appears to me that the future health of the trees in the vicinity of Plot 5 would be likely to be put at risk by the present scheme; due to both the direct impact of the proposed construction works, and the likelihood of future pressure for their removal or reduction. In my view any such loss of trees would be likely to harm the area's character and appearance.
23. As a result of this latter consideration, relating solely to the trees affected by Plot 5, I conclude that the scheme fails to comply with the relevant provisions of Policies CSV1, UD3 and UD4.

Effects of the loss of the existing garages

24. In the 2001 appeal decision, the Inspector found that the net loss of 14 of the existing garages would not have a significant adverse impact on on-street parking. In the 2005 decision, the Inspector held that the loss of 25 garages would cause no harm. The 2007/08 proposals involved the loss of all the

garages, but the Inspector concluded that the scheme should not fail in that regard. Nevertheless, I have relied on my own observations, and on the evidence before me during the present appeal.

25. From my visits to the area, I accept that the area around Cecile Park is under considerable pressure for on-street parking. Whilst the introduction of the controlled parking zone (CPZ) has evidently reduced the level of day-time parking in nearby streets, Cecile Park is excluded. And in any event, the peak demand is in the evenings and overnight, when the CPZ does not operate. These observations are confirmed by the evidence of the Council's survey, which shows high levels of night-time occupancy in some nearby streets, and instances of parking on corners or across dropped kerbs. Although that survey pre-dated the CPZ, and excluded part of Cecile Park, its findings have some relevance, particularly in relation to the eastern part of Cecile Park itself and some of the adjoining streets. I have no doubt at all that the pressures on parking space in the area cause frequent inconvenience, and sometimes considerable stress, to residents. I accept that this reduces the quality of life in the area, and I sympathise with those who have made these points. However, it seems to me that these conditions are not unusual in an inner London Borough; indeed they appear typical of many similar areas nearby. Furthermore, whilst I acknowledge the concerns that have been expressed about safety, there is no evidence before me of any serious accident record, nor anything else to suggest that traffic or parking around the appeal site give rise to higher levels of danger or risk than other residential streets in the area.
26. The proposed development would result in the loss of 39 garages. However, the appellants maintain that they are mostly used for storage, and although there is only limited evidence to support that claim, there is also none to refute it. Local residents report that some garages are used, or have been used, for various purposes other than parking, including sawing logs and storing exhibition floats. Recent evidence regarding the Gladwell Road garages (rear of 60-88 Cecile Park) showed that the great majority on that site were used for some form of storage. *Manual For Streets* also contains survey findings that across the country between 36% and 45% of garages are used for storage. During my visits to the appeal site and the area, I saw no vehicles entering or leaving the site, nor any visible signs of any useable vehicles being kept there. If many of the garages were used for parking, given the number of properties that back onto the site, I would have expected this to be known to residents and to the Council, but there is nothing before me to that effect. Whilst I accept that the evidence is somewhat unsatisfactory, on balance it seems most likely that the number of vehicles that would be displaced from the site by the proposed development would be relatively few.
27. Furthermore, there is clear evidence that few of the garage tenants live close to the appeal site. Indeed only about six give addresses in Cecile Park or any of the adjoining streets, whereas more than half of the total are outside the Crouch End or Hornsey areas altogether. In most of these cases, it seems likely that any vehicles that might be displaced would have no obvious reason to be parked close to the appeal site once the garages were removed. Consequently, the effects would be spread over a wide area, rather than concentrated in Cecile Park or any of the adjoining streets. Whilst I accept that some existing kerbside spaces might also be lost due to the need for
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restrictions around the site access, it seems likely that these would be few in number. Overall, taking account of the likely numbers of vehicles at the site, and the geographical distribution of the tenants, I consider that the effect on parking demand and traffic in the vicinity of Cecile Park is likely to be slight.

28. I appreciate that some may feel that any increase in on-street parking, however widely dispersed, can only worsen the existing problems. But in this case there is no objection by the Highway Authority, and no technical evidence of any kind to support the view that danger or serious obstruction would be likely to result. Unlawful or dangerous parking could in any case be dealt with through the enforcement of existing controls. Consequently I see no basis on which to find that the appeal proposal would significantly affect the highway network or traffic conditions, which is the relevant criterion in Policy UD3.
29. In addition, the appeal site is close to a main bus route, reportedly carrying 26 buses an hour, and within walking distance of several railway stations, providing good access to central London and to the major transport interchange at Finsbury Park. In my view therefore, it is a highly sustainable location. The scheme would also add to the local housing stock, and would make fuller use of the land. In all these respects, the appeal proposals are in accordance with national and London-wide policy aims. I consider those policies particularly relevant in this appeal, because their underlying premise is that the intensification of housing in sustainable locations is a necessary part of an integrated solution to both housing and transport problems. In this context, it seems to me that any minor harm that might result from the appeal proposal, in terms of additional parking or congestion, would be outweighed by the scheme's contribution to sustainable transport objectives.
30. I fully understand the views of those who argue that, irrespective of their current usage, the garages could be put to better use, especially if let or sold to local residents. I accept that there is support for that view in the Council's survey. However, whilst a policy to retain garages was included in the 1998 UDP, that policy ceased to have effect in 2006. There is no equivalent policy in the current development plan, nor apparently in any emerging DPD. I note the reference by some objectors to Policy CW2, which protects community facilities, but I can see nothing to suggest that that policy is meant to apply to garages. My attention was also drawn to draft supplementary guidance in SPG3c⁵ and SPG11a⁶. However, neither of these documents was ever progressed as far as becoming formally adopted, and I note that the Council itself does not place any reliance on them in this appeal. Consequently, I consider that little weight should be given to either of these in my decision.
31. I note the Council's contention that Policy HSG11 shows the existence of extreme parking pressures in the area, but this does not change my view of the issues in this case, based on the reasoning set out above. I also note the contents of the appeal decisions relating to the Gladwell Road garages site (APP/Y5420/E/05/1181972) and Alford House (APP/Y5420/A/04/1161239). But those cases involved other sites, with their own individual circumstances, whereas my decision is based on my observations of the present appeal site and on the evidence put before me.

⁵ SPG3c: Backlands Development (Haringey Council, September 2003)

⁶ SPG11a: Car repair Workshops and Garages (Haringey Council, September 2003)

32. I acknowledge the Council's further argument that the displacement of parked vehicles, or the loss of the opportunity for off-street parking, would cause visual harm to the Conservation Area. But in my view that argument is tenuous at best. On the Council's own evidence, the area is already fully parked at times. For the reasons given already, I consider it unlikely that the proposed development would add noticeably to that existing level, even if further capacity existed. I accept that if it were possible to relieve the area of on-street parking, its appearance would be improved. But I see no realistic prospect that such an outcome could be brought about under current policies, irrespective of my decision on this appeal.
33. For these reasons, I conclude that the loss of the existing garages would cause no significant harm, nor would it conflict with any of the development plan policies identified at the Inquiry.

Other matters and conclusions on Appeal A

34. I have had regard to all the other matters raised, including those relating to access for larger vehicles, wildlife, housing policies, and the lack of an infrastructure contribution. However, I find none of these matters determinative in this case.
35. For the reasons set out above, I have concluded that the loss of the existing garages would not cause any significant harm. However, I find that the siting of the proposed dwelling on Plot 5 would give rise to unacceptable living conditions, both for its own future occupiers, and for the occupiers of No 47 Cecile Park. I also find that the same proposed dwelling would be likely to have an adverse impact on nearby trees, causing unacceptable harm to the character and appearance of the Crouch End Conservation Area.
36. Appeal A is therefore dismissed.

APPEAL B

37. UDP Policy CSV7 seeks to resist demolition in conservation areas, where this would give rise to an adverse impact on the area's character or appearance. In this case however, it was agreed that the existing garages make no positive contribution to the area. Indeed, in my view they detract from it, due to the ugliness of their design; their lack of visual relation to the houses that give the area its special character; and the outworn condition of the buildings and site.
38. I appreciate that PPG15 advises that consent for demolition should not be given unless there are acceptable plans for redevelopment, and I note the Council's concern to avoid dereliction. But in this case, it seems to me that these considerations are outweighed by the continuing visual harm caused by the garages' retention. In the circumstances, I conclude that their demolition would cause no harm, and thus would not conflict with Policy CSV7.
39. Appeal B is therefore allowed, unconditionally.

John Felgate

INSPECTOR

DOCUMENTS TABLED AT THE INQUIRY

- 1 List of conditions suggested by the Council.
- 2 Council's notification letter to interested parties, sent on 12 May 2009.
- 3 Extracts from Haringey UDP, adopted July 2006.
- 4 Details of other garages for rent in Crouch End area, tabled by Mr Chivers (on behalf of the Council).
- 5 Set of photographs of car parking in the surrounding area on 4 June 2009, tabled by Mr Groves (on behalf of the appellants).
- 6 Statement of Common Ground, signed by both parties.
- 7 Plans relating to the 2005 appeal decision (APP/Y5420/A/04/1149813).
- 8 Plans relating to the 2005 appeal decision (APP/Y5420/A/07/2037862).
- 9 Officers' report relating to application HGY/2007/1866 – Gladwell Road garages site (r/p 60-88 Cecile Park).
- 10 Refusal notice HGY/2007/1866 (as above).
- 11 Dudrich Holdings' advertisement card, offering garages to let, tabled by the appellants.
- 12 Set of photographs of the site and parking in the surrounding area, tabled by Mr Chivers (replacing those contained in Mr Chivers' Appendix 1).
- 13 Tree Preservation Order, dated 10 March 1977.
- 14 Letter from Dr W G Smith, of 31 Cecile Park.
- 15 Written statement by Councillor David Winskill (representing Crouch End Ward).
- 16 Ordnance Survey plan showing the location of Alford House site, Stanhope Road.
- 17 Written statement by Mr Bob Maltz, on behalf of Hornsey Conservation Areas Advisory Committee.
- 18 Further written submissions by Mr Maltz, on his own behalf.
- 19 Schedule of tenancies at Gladwell road garages, tabled by Mr Maltz.
- 20 Photograph and copy email relating to damage caused at Prime Zone Mews, tabled by Mr Maltz.
- 21 Extracts from Lynne Featherstone MP's web pages, tabled by the appellants.

DOCUMENTS RECEIVED AFTER THE CLOSE OF THE INQUIRY

- 22 Appellant's costs application, dated 15 June 2009 (including further representations on SPG11a: Car Repair Workshops and Garages).
- 23 Letter from Mr Maltz, dated 20 June 2009; with comments on SPG11a, and copies of HCAAC's representation and extract from Officer's report.
- 24 Council's response to costs application, dated 25 June 2009.
- 25 Appellant's final comments on costs application and SPG11a, dated 30 June 2009.



Costs Decision

Inquiry held on 9 and 10 June 2009

Site visit made on 19 June 2009

by **John Felgate** BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
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Decision date:
30 July 2009

Costs application in relation to Appeal Ref: APP/Y5420/A/09/2093786 Land to the rear of 27-47 Cecile Park, Hornsey, London N8 9AX

- The application is made under the Town and Country Planning Act 1990, sections 78, 320 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Mithril Homes Limited, for a full award of costs against the Council of the London Borough of Haringey.
- The inquiry was in connection with an appeal against refusals of planning permission and conservation area consent for the demolition of 39 existing garages and the construction of 5 two- and three-storey, 3-bedroom houses.

Summary of Decision: The application is allowed in the terms set out below in the Formal Decision and Costs Order.

Submissions for the Appellant

1. The Council had taken seven months to determine the application. No proper reason had ever been given for that delay. Prior to determining the application, the Council had failed to respond to requests for information about the application's progress, or to engage in discussions about objections.
2. The planning officer's report had given incorrect and incomplete information to the committee regarding the Council's surveys and other information which related to the wrong site. The report also failed to refer to the findings of the previous appeal decisions at the present site relating to parking issues, although it dealt at length with decisions relating to other sites. The Committee was also not informed about the legal advice submitted by the appellants. Consequently, the Council's decision was inconsistent with previous inspectors' decisions, and with the Council's own position in previous appeals.
3. Prior to the Inquiry, the Council had again failed to discuss relevant matters, or to cooperate in producing the statement of common ground.
4. In the appellants' submission, the Council's refusal of permission was unreasonable because it had been based on faulty information and advice. The appeal should therefore not have been necessary. In addition, unnecessary expense had been incurred in chasing the Council for responses, and in obtaining Counsel's opinion, prior to the committee meeting.

Response by the Council

5. The length of time taken to deal with the application was not unduly long given the complexity of the matter, the number of objectors, and the previous planning history. There was insufficient evidence to confirm whether the appellants' account of the negotiations was accurate. But in any event, the
-

appellants had certainly been aware of the likely recommendation since October 2008, and an appeal could have been lodged against non-determination to shorten the timescale.

6. Despite the admitted cutting and pasting of some sections of the officer's report, it was clear which site the report referred to, and no confusion had resulted. The previous decisions and surveys relating to the Gladwell Road garages site were pertinent, because the parking issues were closely related. The previous decisions relating to the appeal site itself were referred to elsewhere in the report, but in those cases the Council had not objected to the loss of parking, and the Inspectors had been given less information about that issue. They were therefore less relevant than the Gladwell Road case, and the latter was also more recent.
7. The surveys of parking stress and the demand for garages were new information that justified the Council's change of stance on those issues. Members had also taken account of residents' concerns and relevant policies. There had been no obligation on officers to comment on the appellants' legal opinion, but in any event the appellants acknowledge that members were aware of it in reaching their decision.
8. The statement of common ground had been dealt with properly and was agreed before the start of the Inquiry. The Council had behaved reasonably throughout.

Reasoning

9. I have considered this application for costs in the light of Circular 8/93 and all the relevant circumstances. The Circular advises that, irrespective of the outcome of the appeal, costs may be awarded against a party who has behaved unreasonably and thereby caused unnecessary expense.
10. Although of the report presented to the planning committee on 8 December 2008 was not intentionally misleading, I agree that Section 5, dealing with the existing garages, was confusing and ambiguous. In my view that section of the report failed to make any clear distinction between the information that related to the Gladwell Road site, which was copied from an earlier report, and that relating to the present appeal site. Whilst I accept that the parking and garage surveys have some relevance to this site, their main focus and purpose related to Gladwell Road, and that should have been made clear. In addition, the report also contained some completely erroneous information, such as the reference to the Drivers Jonas letter, and comments from HCAAC which related to a different application. In all these respects there was an unreasonable lack of care in the Council's handling of the application, which is likely to have had a bearing on the committee's decision to refuse planning permission.
11. But in my view the most serious flaw in the officer's report was that Section 5 also failed to refer to the three previous appeal decisions on the site itself. Although these decisions were referred to elsewhere in the report, committee members could not have been expected to know that those decisions had dealt with the garage issue. In all three cases, whilst the Inspectors accepted that the area was subject to parking pressures, they nevertheless concluded that the loss of garages should not prevent redevelopment from taking place. In

none of those three cases did the Inspectors express reservations due to any lack of information. Whilst I agree that the Gladwell Road decision was relevant too, in omitting all of the appeal decisions that related directly to the present appeal site, I consider that the officer's report lacked the required degree of balance and objectivity on that issue. In the circumstances, this was unreasonable. From all that I have seen and heard, it seems to me that this failing is likely to have been especially instrumental in influencing the Council's eventual decision.

12. In the light of that flawed report, the planning committee made a decision to refuse permission, relying wholly on the issue of the loss of the garages. As such, that decision was directly contrary to the conclusions of the three Inspectors regarding this site, and contrary to the Council's own position at all of those previous appeals. It was also contrary to the advice of the Highway Authority. The only reasons given for that change of stance were the 2006 Gladwell Road appeal decision, and the Council's subsequent surveys relating to parking and garage demand. However, it seems to me that the survey results provided little information that was not already obvious. Indeed, all of the previous Inspectors had acknowledged the parking problems. I accept that the evidence of the potential demand for garages was new, but in my view the Council failed to properly weigh that information against the lack of any garage policy in the development plan. Similarly, for the reasons give above, the Gladwell Road decision should have been viewed in a more balanced way, alongside the decisions relating to the present site.

Conclusions

13. As a result, I conclude that the Council's action in refusing planning permission was an unreasonable one, based on a reason that could not be, and was not, substantiated. Although my decision is to dismiss the appeal in respect of planning permission, my reasons for so doing are quite different from those relied on by the Council. I am therefore satisfied that the appeal would not have been necessary had it not been for the Council's unreasonable behaviour. Consequently, I agree that the appellants should be awarded their full costs in connection with the appeal.
14. I agree that the delay in determining the application, and the Council's failure to keep the appellant informed of the reasons, or to engage in meaningful discussions, were also unreasonable. But in view of my conclusion above, these do not affect my decision.

Formal Decision and Costs Order

15. In exercise of my powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other powers enabling me in that behalf, I HEREBY ORDER that the Council of the London Borough of Haringey shall pay to Mithril Homes Limited, the costs of the appeal proceedings, such costs to be assessed in the Supreme Court Costs Office if not agreed. The proceedings concerned an appeal under section 78 of the Town and Country Planning Act 1990 as amended, and sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, against the refusal of planning permission and conservation area

consent for the demolition of 39 existing garages and the construction of 5 houses, on land at the rear of 27-47 Cecile Park, Hornsey, London N8 9AX.

16. The applicant is now invited to submit to the Council of the London Borough of Haringey, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, the enclosed guidance note gives details of how to apply for a detailed assessment by the Supreme Court Costs Office.

John Felgate

INSPECTOR

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Planning Committee 17th December 2012

Item No.

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2012/1802	Ward: Crouch End
Address: Land rear of 27-47 Cecile Park N8	
Proposal: Conservation Area Consent for application to replace an extant planning permission reference HGY/2009/1768 in order to extend the time limit for implementation, for demolition of 32 existing lock-up garages and erection of 4 x 2 / 3 storey three bedroom houses with associated landscaping and 8 parking spaces	
Existing Use: Garages	Proposed Use: Residential
Applicant: MrGuy Dudding Verisma Managment Ltd	
Ownership: Private	
Date received: 18/09/2012	
Drawing number of plans: PL01,PL02 PL04 and PL05	
Case Officer Contact: Matthew Gunning	
RECOMMENDATION: GRANT CONSERVATION AREA CONSENT	

1.0 SITE AND SURROUNDINGS

1.1 As per HGY/2012/1801

2.0 PLANNING HISTORY

As per HGY/2012/1801

3.0 RELEVANT PLANNING POLICY

National Planning Policy

4.1 National Planning Policy Framework - The National Planning Policy Framework has replaced Planning Policy Statement 5 which in turn replaced PPG15.

4.2 London Plan 2011

Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.9 Heritage-led regeneration

4.3 Haringey Unitary Development Plan (2006)

G10 Conservation
CSV1 Development in Conservation Areas
CSV5 Alterations and Extensions in Conservation Areas
CSV7 Demolition in Conservation Areas

4.4 Supplementary Planning Guidance

SPG2 Conservation and Archaeology

4.0 CONSULTATION

As per HGY/2012/1801

5.0 RESPONSES

As per HGY/2012/1801

6.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

6.1 As outlined in the report for the accompanying planning application HGY/2012/1801, a previous Planning Inspector considered the existing garages make no positive contribution to the character and appearance of the conservation area. The Inspector went onto say that indeed, in his view they detract from it due to the ugliness of their design; their lack of visual relation to the houses that give the area its special character.

- 6.2 Based on the Inspector's decision then and the subsequent 2010 approval, the demolition of the existing garages are considered to be acceptable and in line with Haringey Unitary Development Plan Policy CSV7 'Demolition in Conservation Areas'.

13.0 RECOMMENDATIONS

GRANT CONSERVATION AREA CONSENT

Applicant's drawing No.(s) PL01,PL02 PL04 and PL05

Subject to the following condition

1. The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

REASONS FOR APPROVAL

The demolition of the existing garages are considered to be acceptable as they do not make a neutral or positive contribution to the character and appearance of Crouch End Conservation Area. As such this application accords with policy CSV7 'Demolition in Conservation Areas' of the adopted Haringey Unitary development Plan 2006 and SPG2 'Conservation & Archaeology'.

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Planning Sub-Committee

Item No.

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE 14 January 2013

Reference No: HGY/2012/2210	Ward: Tottenham Hale
Date received: 21 November 2012	
<p>Address: Former GLS Depot, Ferry Lane, London, N17 9NF ('Hale Village')</p> <p>Proposal: 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. Redevelopment comprising of 2no. ten storey Pavilion buildings including 142no. residential units and basement car parking comprising 87no. spaces and associated works.</p> <p>Existing Use: Vacant land within the mixed use Hale Village development</p> <p>Proposed Use: Residential (Use Class C3)</p> <p>Applicant/Owner: Bellway Homes Ltd.</p>	

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

Case Officer Contact:

Jeffery Holt

P: 0208 489 5131

E: jeffrey.holt@haringey.gov.uk

PLANNING DESIGNATIONS:

Unitary Development Plan 2006:

- Tottenham Hale Urban Centre Masterplan Area
- Defined Employment Area
- Area of Archaeological Importance

RECOMMENDATION

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.

SUMMARY OF REPORT:

This reserved matters application seeks approval to the scale, external appearance, layout and landscaping of two residential Pavilions on the east side of Hale Village at Tottenham Hale. The height and design closely mirrors that of two consented (and built) pavilions immediately to the south of the application site.

The height is above the parameter building and storey heights set out in the plans approved in the original outline planning permission (granted in 2007) by 2.85m. and 2 storeys respectively but this is considered acceptable as the height increase was accepted previously by Planning Sub-Committee in respect of the adjacent Pavilions E1 and E2 (ref: HGY/2010/1427). Both application buildings are the same storey height as the two built Pavilions immediately to the south and the height is 0.3m. lower than those consented Pavilions (due to ground levels).

With sandstone cladding and large areas of glazing the buildings are attractive and well designed with the top two storeys set back from the building edge on the south, west and east sides. Private and communal amenity space is provided to a good standard with all flats having access to either a private balcony or a roof terrace.

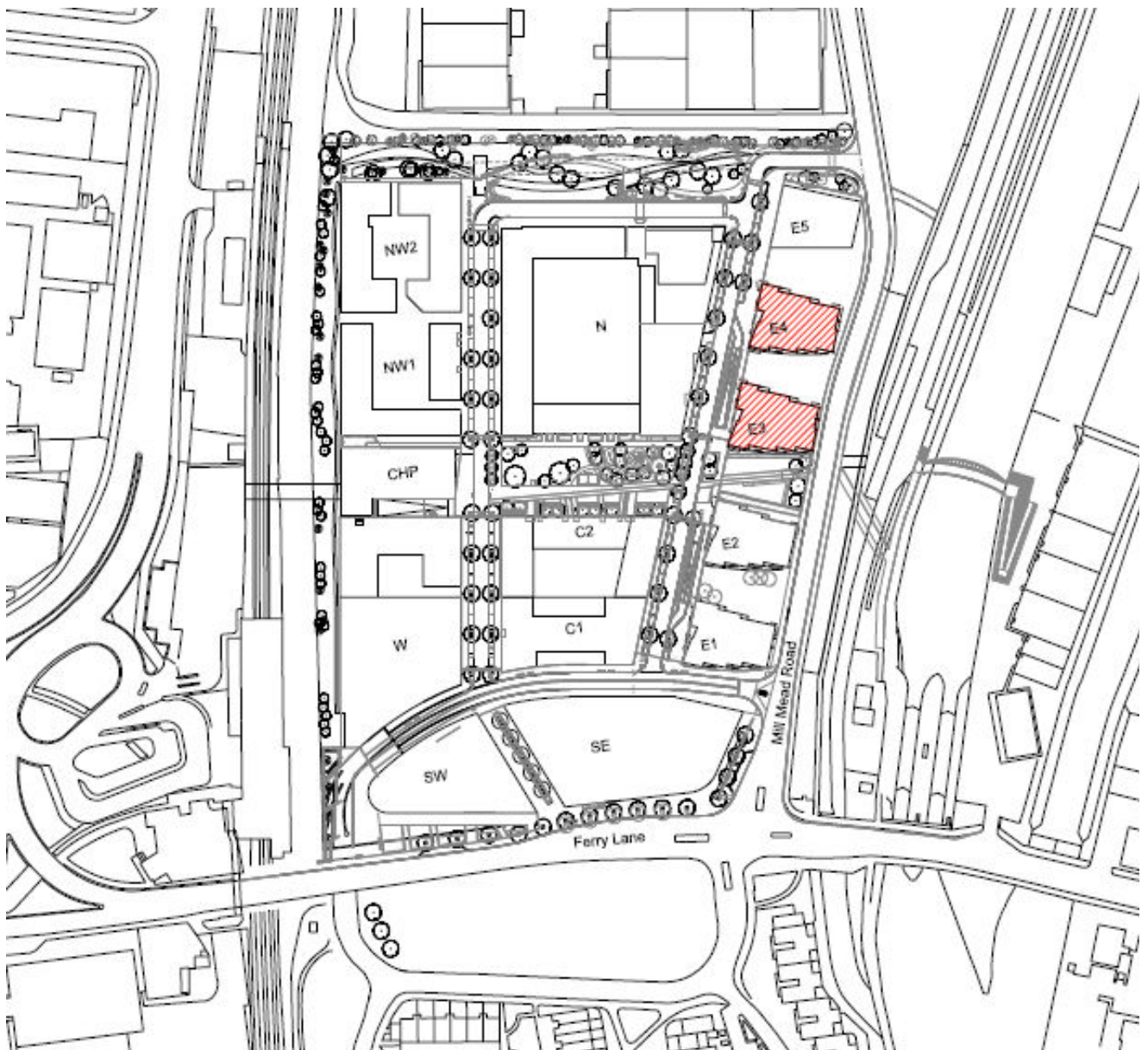
Notwithstanding the additional building and storey heights, the proposed development is considered acceptable and displays a high level of consistency with the Hale Village Design Code.

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

It is considered that the scheme is well designed, is consistent with planning policy and is appropriate to the ongoing development of Hale Village. It is recommended for approval subject to conditions and either a s106 agreement or an acceptable 'unilateral undertaking' to set out the 'proportionate liability' (based on floorspace) 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.

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1.0 PROPOSED SITE PLAN



2.0 IMAGES

View from north-east



View from north-east



View from south-west



3.0 SITE AND SURROUNDINGS

- 3.1 This application is for two 10 storey residential buildings comprising 71 flats in each building. Car parking is to be provided in a basement underneath the buildings and the adjoining plot to the north (for which a future reserved matters planning application needs to be made for a single building – though it is likely to be very similar to the application buildings).
- 3.2 The application site forms two development plots on the eastern side of the mixed use Hale Village development at Tottenham Hale. The site fronts Millmead Road to the east with the River Lea and Lea Valley Regional Park beyond. To the west is Waterside Way, an internal road within Hale Village, which serves other buildings within Hale Village including, directly west of the application site, Block N (built) and Block NE (consented) which are 7 & 8 storey (respectively) residential blocks with a proposed community centre on the ground floor of Block NE. An area of open space including a play area (named Perkin Park) is to the south-west of the application site.
- 3.3 The outline planning permission for Hale Village (originally granted in 2007 and renewed in 2012) approved the siting of these two Pavilion residential buildings. This reserved matters application seeks consent for the scale, appearance and layout of each building together with landscaping on each plot.

- 3.4 To the south of the application site are Pavilions 1 & 2 (the designs of which are closely mirrored by the application proposal). To the north is Plot E5, a proposed 5th. Pavilion residential building that has outline planning permission for its siting but it will require reserved matters consent for design details similar to this application.
- 3.5 Table 1 below summarises the current position with the potential number of homes that might be built at Hale Village in relation to the outline planning permission that allows up to 1,210 dwellings. If this application is approved then it is likely that approximately 1,166 homes will be built in the entire Hale Village scheme (subject to the grant of future reserved matters permissions). 746 homes currently have detailed consent, 682 of which are either occupied or under construction.

TABLE 1 : HALE VILLAGE DWELLING NOS.

Block	No. of dwellings	Tenure
SE	154 (completed)	Shared ownership
NW1	102 (completed)	Shared ownership & social rent
N	176 (completed)	Shared ownership & social rent
C	110 (completed)	Shared ownership & social rent
<i>Sub-total:</i>	<i>542</i>	<i>Affordable</i>
Pavilions 1 & 2	140 (nearing completion)	Open market
NE	64 (construction yet to start)	Open market
Pavilions 3 & 4	142 (subject to p.p.)	Open market
Pavilion 5	71 (subject to p.p.)	Open market
SW	207 (subject to p.p.)	Open market
<i>Sub-total:</i>	<i>624</i>	<i>Open market</i>
TOTAL	1,166	

4.0 PLANNING HISTORY

- 4.1 Outline planning permission was originally granted for the Hale Village mixed use development including new homes, student accommodation, offices, retail & open space on 9 October 2007 linked to a s106 agreement. This permission was renewed on 29 March 2012 following the signing of a new s106 agreement that changed the terms of the 2007 agreement taking into account viability issues given the major downturn in the housing and property market. The application reference numbers and descriptions are listed below:

- HGY/2010/1897 - Extension of time limit for implementation of outline planning permission HGY/2006/1177 granted 9th October 2007 for a mixed use redevelopment of the site comprising of

demolition of all structures and remediation for the development of a mixed use scheme comprising up to 1210 residential units (Use Class C3), student accommodation (C2), office (B1), hotel (C1), retail (A1, A2, A3, A4, A5 and B1) uses, a health centre (D1), a health club (D2), crèche (D1) and a primary school, with provision for underground and on-street car parking, to be comprised within separate building blocks ranging in height from 1 to 18 storeys, incorporating public open space, an unculverted watercourse and Combined Heat and Power (CHP) with associated renewable energy systems – GRANTED

- HGY/2006/1177 - Demolition of all structures and remediation for the development of a mixed use scheme comprising up to 1210 residential units (Use Class C3), student accommodation (C2), office (B1), hotel (C1), retail (A1, A2, A3, A4, A5 and B1) uses, a health centre (D1), a health club (D2), crèche (D1) and a primary school, with provision for underground and on-street car parking, to be comprised within separate building blocks ranging in height from 1 to 18 storeys, incorporating public open space, an unculverted watercourse and Combined Heat and Power (CHP) with associated renewable energy systems (outline application) – GRANTED

5.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 5.1 The development comprises two 10 storey Pavilion buildings with a total of 142 flats (71 in each Pavilion) comprising a mix of 1, 2 & 3 bed units. All flats will be marketed for private sale. The design of both pavilions closely mirrors the design of Pavilions 1 & 2 to the south, both of which are nearing completion.
- 5.2 The main bulk of the each Pavilion will rise to 8 storeys with two further storeys set back from the building edge especially on the south, west and east sides.
- 5.3 Pedestrians will access both Pavilions from Waterside Way with cars accessing the basement car park by new ramp on Waterside Way with the existing ramp in front of Pavilions E1 & E2 becoming the exit ramp. The basement car park will be constructed as an extension to the existing basement car park under Blocks to the south of the application site that is accessed from Jarrow Road. The new basement car park under the application site will also extend under the site of Pavilion 5 to the north.
- 5.4 While this car park extension will provide 87 parking spaces in total, 53 will be allocated to residents in Pavilions 3 & 4 (this application) with a further 34 spaces being reserved for future use by residents of Pavilion 5.
- 5.5 74 cycle spaces will be provided in secure cycle stores beneath each Pavilion (148 in total). The basement will also accommodate refuse bin stores.
- 5.6 The application also seeks consent for the landscaped courtyard between the two application Pavilions (510sqm) and for half of the courtyard (255sqm.) that will be between Pavilion 4 and a future Pavilion 5. These courtyards provide communal amenity space solely for the use of residents.

5.7 With a consented footprint of 620 sqm., each Pavilion has 8 flats per floor up to the 8th. storey with 4 flats and then 3 flats on the 9th and 10th. storeys respectively.

5.8 The size and mix of flats in each building is as follows:

▪ 1 bedroom –	27
▪ 2 bedroom –	41
▪ 3 bedroom –	<u>3</u>
Total	71

5.9 At 10 storeys, these two Pavilions exceed the 8 storey parameter height originally approved in the outline planning permission. The overall height of each Pavilion will generally be 28.6m. above immediate ground level (37.85m. AOD) which is also above the parameter height in the Hale Village Design Code of 35m AOD. This same increase in height has been accepted previously for Pavilions E1 and E2 and was proposed in order to improve the design of the buildings and the financial viability of the Hale Village scheme. The design of the Pavilions also closely mirrors that of the two pavilions to the south. The elevations up to the 8th. storey will be sandstone stone-clad with large window openings and balconies especially on the 1st to 8th. storeys. Balconies are a mixture of stone-cladding and glass. The top two storeys will be lighter structures with large areas of glazing.

5.10 Each flat up to the 8th. storey will have a balcony and flats at 9th. & 10th. storey level will have private roof terraces.

6.0 RELEVANT PLANNING POLICY

6.1 The planning application is assessed against relevant national, London and local planning policy, including relevant:

- National Planning Policy Framework
- The London Plan 2011
- Haringey Unitary Development Plan (Adopted 2006)
- Haringey Supplementary Planning Guidance and Documents
- Haringey Local Plan Strategic Policies and Proposals Map:
 - Haringey’s draft Local Plan Strategic Policies were submitted to the Secretary of State in March 2011 for Examination in Public (EiP). The EiP Inspector has declared these policies as ‘sound’ – they will be recommended to the Council for formal adoption in February 2013 to replace the strategic policies within the existing Unitary Development Plan. As a matter of law, significant weight should be attached to the Strategic Policies however they cannot yet in themselves override Haringey’s Unitary Development Plan (2006) which remains for the time being the statutory plan unless material considerations indicate otherwise.
- Haringey Draft Development Management Policies:
 - The consultation draft of the Development Management DPD (DM DPD) was issued in May 2010 following the responses received. The DM DPD is at an earlier stage than the Strategic Policies and therefore can only be accorded limited weight at this point in time.

6.2 A full list of relevant planning policies is in Appendix 2.

7.0 CONSULTATION

7.1 The Council has undertaken wide consultation. This includes statutory consultees, internal Council services, Ward Councillors, local residents and businesses. A list of consultees is provided below.

7.1.1 Statutory Consultees

- Thames Water Utilities
- Met Police Crime Prevention Officer - Andrew Snape
- Natural England
- Network Rail
- Greater London Archaeological Advisory Service
- Environment Agency
- British Waterways
- London Underground

7.1.2 Internal Consultees

- Building Control
- Transportation
- Waste Management/Cleansing
- Tottenham Team
- Design and Conservation
- Housing Enabling Team
- Housing, Design and Major Projects
- Tottenham Team

7.1.3 External Consultees

- Ward Councillors
- Tottenham Hale Stakeholders Group
- Ferry Lane Action Group
- Ferry Lane Estate RA
- Tottenham Hale RA
- Lea Valley Regional Park

7.1.4 Local Residents

- Residents and business occupiers of approximately 700 properties were consulted in the general area of the application site.
- A Development Management Forum was held on 12 December 2012 attended by a local ward Councillor. Below is a summary of the points raised:
 - Privacy of ground floor units which face onto amenity areas
 - Public access arrangements for communal amenity areas
 - Signage – some residents find it hard to navigate
 - Some residents maintain objection to height as per previous pavilions application

7.1.5 The officer response to these points are below:

- The landscaping treatment for the amenity area includes screening for ground floor units

- The amenity area will be for residents of the Pavilion blocks only.
- Signage will consist of block names shown on the glazed entrance doors. Mandatory signage will be accordance with the Building Regulations
- The principle and design of the height increase has been accepted previously for Pavilions E1 and E2 and the same view is taken in this instance

7.2 A summary of statutory consultees' and residents'/stakeholders' comments and objections is in Appendix 1. 2 responses have been received raising the following broad issues:

- an objection to the separation between private and affordable homes in Hale Village
- the affordable element is not truly affordable. There is not enough social rent.
- insufficient parking for new residents, visitors and disabled drivers.

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

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

8.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

8.1 Principle of Development

8.1.1 The principle of this development is established by the outline planning permission granted in 2007 (renewed in 2012) which approved the general siting of these two residential buildings.

8.1.2 This reserved matters application seeks to discharge conditions relating to external appearance, scale, layout and landscaping.

8.2 Density

Table 1 under paragraph 3.5 below summarises the current position with the potential number of homes that might be built at Hale Village in relation to the outline planning permission that allows up to 1,210 dwellings. If this application is approved then it is likely that approximately 1,166 homes will be built in the entire Hale Village scheme (subject to the grant of future reserved matters permissions). 746 homes currently have detailed consent, 682 of which are either occupied or under construction. This will result in a density of approximately 242 units per hectare across the Hale Village site, which is within the range set out Table 3.2 of the London Plan 2011.

8.3 Design, height, mass & materials

- 8.3.1 Policies UD3 'General Principles', UD4 'Quality Design' and SPG1a 'Design Guidance' set out the Council's general design principles for new development in the Borough. As part of the outline permission, a design code was prepared for the Hale Village development. This sets out specific design guidelines for the individual blocks.
- 8.3.2 The two application buildings are very similar in design and appearance to the two Pavilions to the south (consented as 10 storey buildings in 2011). Those consented Pavilions exceeded the parameter height approved in the outline planning permission. The additional storeys are set back from the building edge on the south, west and east side. The implications of the increase in height were fully considered by the Planning Committee in granting consent for those buildings in October 2010.
- 8.3.3 For that application, it was considered that an important principle of the Design Code for the Hale Village development is to achieve consistency in the heights of the buildings on the east and south east frontages of the development. The effect of the additional floors proposed will be to increase the overall height of the Pavilions so that they match the height of Block SE to the south. By unifying the heights of the Pavilions with Block SE, the principle of the Design Code to achieve consistency in building heights is achieved.
- 8.3.4 The additional floors, by having smaller floorplates than those in the rest of the building, were considered to create a more sculpted top to the building and add interest to the building's massing.
- 8.3.5 The buildings would have a high quality finish and appearance with sandstone cladding and large areas of glazing. Precise finishes will be the subject of a further condition.
- 8.3.6 Landscaping is provided in the open courtyard areas beside the buildings. This arrangement follows the landscaping scheme for Pavilions E1 and E2 which provides a quiet enclosed area for residents in between those two buildings. Different planting and hard landscaping treatments are used to define private and semi-private areas as well as provide screening for ground floor flats. The proposed landscaping scheme is considered acceptable
- 8.3.7 The proposed development is therefore considered to have a sound design which responds adequately to the site context and aims of the Design Code. The proposal is in compliance with Policies UD3 and UD4 of the UDP.

8.4 Impact on Amenity

- 8.4.1 Policy UD3 requires development proposals to have no significant adverse impacts on residential amenity.
- 8.4.2 Maintaining a continuous height of buildings along this eastern perimeter of Hale Village, albeit at a greater height, reflects one of the basic design principles established in the Hale Village Design Code. As such the implications of this arrangement on the amenity of nearby land uses have been considered from the outset.

8.4.3 Pavilions E1 and E2 are well designed buildings and the extra height has had no significant adverse impact on residential amenity or the surrounding area. The distance between these buildings and Block C is similar to the distance between Block N (now built) and Pavilions E3 and E4 proposed under this application. Therefore the same amenity conditions will be repeated here and there is considered to be no harm having regard to Policy UD3.

8.5 Residential Accommodation

- 8.5.1 Although the building envelopes and external design are almost identical to Pavilions E1 and E2, the internal layout of the residential accommodation has been modified to meet updated space standards in the London Plan 2011, improve layout efficiency, daylight and private amenity. As a result the unit mix across the two Pavilions is amended to 54 x 1-bed, 82 x 2-bed and 6 x 3-bed flats. This is an increase of 18 x 1-beds and 2 x 3-beds at the expense of 18 x 2-bed flats.
- 8.5.2 All flats meet the GLA's Draft London Housing Design Guide standards and are Lifetime Homes compliant with 10% being wheelchair adaptable. Two of the eight flats per floor (up to the 8th. storey) in each building only face north, although the building footprint enables the balconies to those flats to have easterly views over the waterside and Lea Valley Regional Park. This is considered acceptable.
- 8.5.3 All residential units have private amenity space, the majority are in line with, or in excess of, GLA standards. However a small number fall slightly below due to the need to match the building footprint of E1 and E2. The shortfall is well compensated for by the private communal space between E3 and E4 (510m²) and E4 and E5 (255m²).
- 8.5.4 Children's playspace is provided by the existing purpose-built play area within Hale Village. This area is within 30m of E3 and 60m of E4.
- 8.5.5 All flats are intended for private market sale. Whilst a development of over ten dwellings would normally trigger an affordable housing contribution, the required supply of affordable housing to meet GLA and Haringey policy is provided elsewhere within Blocks SE, C, NW1 and N of the site (see the table under para. 3.5). An objection has been received against the separation of affordable and private units into different blocks. This reflects the practicalities of managing social and shared-ownership properties as Housing Associations are reluctant to manage pepper-potted schemes. Despite this, all residential blocks are designed to be tenure blind and are well integrated as all residents will share the public realm and child play areas.
- 8.5.6 The proposed residential accommodation is therefore in compliance with Policies HSG1, HSG4 and HSG10 of the UDP.

8.6 Traffic and Parking

- 8.6.1 National planning policy seeks to reduce greenhouse gas emissions and congestion. This advice is also reflected in the Parking Policies in the London Plan 2011. The transport impact of the proposed development has been assessed by the Council's Transport and Highways Group against UDP Policies

M2 'Public Transport', M3 'New Development Location and Accessibility' and M10 'Parking for Development' of the Unitary Development Plan.

- 8.6.2 The proposed development is located in an area with a Public Transport Accessibility Level (PTAL) of 4. It is within easy walking distance of Tottenham Hale transport interchange. The traffic generated by the development proposals as a whole is still within the threshold assessed as part of the original application (HGY/2006/1177). The applicant has proposed providing some 87 off street parking spaces as part of the construction of the basement under Pavilion 3, 4 and 5; 53 of the proposed 87 car parking spaces will be for the use of the proposed development. The parking provision proposed is in line with the Council's parking policy M10 Parking as outlined in appendix 1 of the UDP. The applicant has also provided cycle parking in line with the 2011 London Plan.
- 8.6.3 This development has a site wide refuse management plan which facilitates the collection of refuse and recycling which are stored and collected via the Jarrow Road site access.
- 8.6.4 An objection has been received over the number of parking spaces with additional spaces sought, especially for visitors. The parking supply is calculated against Local Development Plan standards which seek to discourage car use. Disabled parking is provided with 10% spaces allocated for Blue Badge holders.
- 8.6.5 The proposed development is in line with the site wide masterplan and original approved outline application and is therefore considered acceptable having regard to the above policies. Notwithstanding this, condition 14 requires the developer to implement travel plans to minimise the impact of new development on the surrounding highway network.

8.7 Inclusive Design and Access

- 8.7.1 UDP Policy UD3 "General Principles" and SPG 4 "Access for All – Mobility Standards" seek to ensure that there is access to and around the site and that the mobility needs of pedestrians, cyclists and people with difficulties. In addition, the London Plan requires all new development to meet the highest standards of accessibility and inclusion; to exceed the minimum requirements of the Building Regulations and to ensure from the outset that the design process takes all potential users of the proposed places and spaces into consideration, including disabled and deaf people, older people, children and young people.
- 8.7.2 The proposed building is designed to provide inclusive access for those with impaired mobility. All entrances to the flats and common areas will be level. Lifts are provided to all floors and sufficiently sized for wheelchair access and manoeuvring. Staircases and corridors are minimum 1200mm wide. 10% of units are designated as fully wheelchair adaptable in accordance with Lifetime Homes standard. Internal signage will be designed according to best practice

8.8 Secure by Design

- 8.8.1 The proposed building has been designed with regard to the Home Office document *Safer Places – the planning system and crime prevention* (2003). The public realm, communal and private spaces are all passively surveyed. All lighting

will be in accordance with Haringey Guideline and British Standards with the installation of CCTV considered where deemed necessary. The Metropolitan Police has no objection to the scheme and will work with the applicant to obtain full Secure by Design certification.

8.9 Energy & Sustainability

8.9.1 Chapter 5 of the London Plan 2011 sets out the approach to climate change and requires developments to make the fullest contribution to minimizing carbon dioxide emissions. The energy strategy for the development has been developed using the Mayor's 'lean, clean, green' energy hierarchy.

8.9.2 The submitted energy statement shows that the building exceeds Part L of the Building Regulations 2010 through energy efficiency measures alone and when connected to the site wide district heating scheme, the development will achieve 70.06% reduction in carbon emissions, greatly exceeding the 25% target set out in Policy 5.2 of the London Plan. The development will achieve Code for Sustainable Homes (CSH) Level 4.

8.9.3 The building will also have a green roof system which will provide wildlife habitat and passive cooling to the building.

8.10 Ground Conditions and Contamination

8.10.1 The original EIA contained a preliminary assessment of potential ground contamination across the whole Hale Village site. Since then more detailed assessments have been made as construction has progressed and remediation measures undertaken pursuant to condition 51 of the outline planning permission. No further assessment of contamination is needed for this site.

8.11 Archaeology

8.11.1 The original EIA contained a preliminary assessment of the potential archaeological artefacts on the site. Further studies have also been done since then and construction on this site will be controlled via extant conditions attached to the outline consent.

8.12 Refuse management

8.12.1 Insufficient information has been submitted on this matter at this stage. Accordingly, it is recommended that condition 12 not be discharged now. Refuse details will form part of a later condition to be assessed. The development cannot proceed without this having been agreed.

8.13 Environmental Impact Assessment

8.13.1 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 require (in accordance with EU Directives) that certain development be assessed by the local authority as to whether it is likely to

have significant environmental effects. If it is determined that there are likely to be significant environmental effects, the development must undertake an environmental impact assessment (“EIA”).

- 8.13.2 This individual development does not require an EIA due to the limited size of the site however an EIA was undertaken for the outline permission covering the whole of Hale Village. The conclusions and mitigation measures of that EIA were accepted.
- 8.13.3 The current application departs from the parameters of the outline permission by having a greater height. This would potentially affect only issues relating to daylight/sunlight and townscape. These were fully assessed in the approval of Pavilions E1 and E2 and it was considered that the additional floors will have a minor impact on townscape views and lighting conditions compared to the consented parameter plan due to the stepped back design of the additional floors. The same view is taken for the buildings under consideration here.
- 8.13.4 In summary, the conclusions and mitigation measures of the original EIA are not considered to be materially affected by these proposals and therefore they remain robust.

8.14 Reserved Matters - Conditions discharged

- 8.14.1 The application provides the design details of Pavilions E3 and E4 and in doing so seeks to discharge the following conditions of the outline permission HGY/2010/1897:
- 01 – Reserved matters a) design, b) external appearance, d) means of enclosure, f) landscaping.
 - 04 – Lifetime Homes
 - 05 – detailed drawings and samples of materials
 - 06 – samples of materials
 - 07 – secure by design
 - 08 – planting
 - 11 – urban design report
 - 12 – refuse storage
 - 15 – car parking, loading and servicing
 - 41 – environmental sustainability plan
 - 42 – floor space figures

8.15 Planning Obligations – Section 106 Legal Agreement and Heads of Terms

- 8.15.1 Section 106 agreements, or planning obligations, are legally binding commitments by the applicant/developer and any others that may have an interest in the land to mitigate the impacts of new development upon existing communities and/or to provide new infrastructure for residents in new developments. Guidance is set out in Circular 05/2005 “Planning Obligations” and the Council’s Development Plan policies and supplementary planning guidance, specifically SPG10a “Negotiation, Management and Monitoring of Planning Obligations” (Adopted 2006).

- 8.15.2 The policy tests which planning obligations must meet in order to be lawful were recently enshrined in statute by the Community Infrastructure Levy Regulations 2010. Planning obligations must be: 1) necessary to make the development acceptable in planning terms, 2) directly related to the development, and 3) fairly and reasonably related in scale and kind to the development.
- 8.15.3 There is a s106 agreement in place for the whole Hale Village development which was completed in 2012. The funding obligations in that agreement have required the payment so far of a total of £3.1m. towards infrastructure improvements in the surrounding area. Those payments (Payments One and Two) have been made. Further obligation payments are due linked to future plot sales and other triggers (subject to conditions). These obligations fall on Hale Village Properties Ltd. as the freehold owner of most of Hale Village. To cover part of any possible shortfall in the payment of some of those funding obligations, the Sub-Committee has previously approved the principle of 'proportionate liability' s106 agreements relating to part of those outstanding payments attaching to the owners of individual development plots. Such agreements have been completed with the owners of Pavilions 1 & 2 and Blocks C, N & NW2.
- 8.15.4 It is recommended that approval of this application is linked either to a similar 'proportionate liability s106 agreement or an acceptable 'unilateral undertaking' by the applicant as plot owner. Either are to provide for the plot owner of Pavilions 3 & 4 to be liable for a proportionate share (based on floorspace) of the outstanding 'Payment Three' (£2.195m.) should any of that payment remain unpaid by Hale Village Properties Ltd. as the principal owner of Hale Village.
- 8.15.5 A unilateral undertaking by Bellway Homes Ltd. is considered acceptable in this situation (rather than a s106 agreement which requires the agreement of all parties with an interest in the application site) as the 'proportionate liability' obligation will fall solely on Bellway Homes Ltd.
- 8.15.6 In the event that Hale Village Properties are unable to comply with the provisions of the S106 Agreement in respect of Payment Three, this will mean that Bellway Homes Ltd. (when they become the owner of the application site) will have a proportionate liability for part of 'Payment Three' (Payments One and Two having been paid) in the 2012 s106 agreement (Payment Three is for £2.195m.).

9.0 HUMAN RIGHTS

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

10.0 EQUALITIES

- 10.1 In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:-
- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 10.2 The new duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.
- 10.3 The original outline permission considered the impact of the Hale Village development on the equality strands identified in equalities legislation in force at that time. It was considered that the development would result in positive equalities outcomes. Due to the relatively minor departure from the original vision the outline permission had for this site, a full Equalities Impact Assessment is not considered necessary.
- 10.4 The current proposal will not result in significantly different outcomes for those sharing the protected characteristics under the Equality Act 2010.

11.0 SUMMARY AND CONCLUSION

- 11.1 This reserved matters application seeks approval to the scale, external appearance, layout and landscaping of two residential Pavilions on the east side of Hale Village at Tottenham Hale. The height and design closely mirrors that of two consented (and built) pavilions immediately to the south of the application site.
- 11.2 The height is above the parameter building and storey heights approved in the outline planning permission (originally granted in 2007) by 2.85m. and 2 storeys respectively but this is considered acceptable. Both application buildings are the same storey height as the two built Pavilions immediately to the south and the height is 0.3m lower than those consented Pavilions (due to ground levels).
- 11.3 With sandstone cladding and large areas of glazing the buildings are attractive and well designed with the top two storeys set back from the building edge on the south, west and east sides. Private and communal amenity space is provided to a good standard with all flats having access to either a private balcony or a roof terrace.
- 11.4 All dwellings are for private sale with affordable housing provided elsewhere in the Hale Village development.
- 11.5 There will be no significant harm to residential amenity and the traffic impact of the development is accommodated within the transport strategy for the overall

Hale Village development.

- 11.6 Notwithstanding the additional height, the proposed development is in accordance with the outline parameter plans and consistent with the Hale Village Design Code.
- 11.7 In summary, the conclusions and mitigation measures of the original EIA are not considered to be materially affected by these proposals and therefore they remain robust.
- 11.8 In determining this application, officers have had regard to the Council's obligations under the Equality Act 2010.
- 11.9 It is considered that the scheme is well designed, is consistent with planning policy and is appropriate to the ongoing development of Hale Village. It is recommended for approval subject to conditions and a s106 agreement or unilateral undertaking covering 'proportionate liability' for Payment Three in the existing s106 agreement for Hale Village completed in March 2012.

12.0 RECOMMENDATION

- 13.0 **GRANT PERMISSION** to discharge 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**

- 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 accumulation of unimplemented planning permissions.

DRAWINGS

- 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.

MATERIALS

- 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.

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.

The applicant is reminded of the other obligations of the grant of outline planning permission including an obligation to conduct a travel plan.

REASONS FOR APPROVAL

The reasons for the grant of approval are as follows:

- a) It is considered that the principle of this development is supported by national, regional and local planning policies which seek to promote regeneration through housing, employment and urban improvement to support local economic growth.
 - b) The development is considered to be suitably designed in respect of its surroundings, its impact on neighbouring properties and environmental site constraints.
- a) The Planning Application has been assessed against and is considered to be in general accordance with
- National Planning Policy Framework;
 - London Plan Policies 3.3 'Increasing housing supply', 3.4 'Optimising housing potential', 3.5 'Quality and design of housing developments', 3.6 'Children and young people's play and informal recreation facilities', 3.8 'Housing choice', 3.9 'Mixed and balanced communities', 3.12 'Negotiating affordable housing on individual private residential and mixed use schemes', 5.2 'Minimising carbon dioxide emissions', 5.3 'Sustainable design and Construction', 5.7 'Renewable energy', 5.10 'Urban greening', 5.14 'Water quality and wastewater infrastructure', 5.15 'Water use and supplies', 5.21 'Contaminated land', 6.3 'Assessing effects of development on transport capacity', 6.5 'Funding Crossrail and other strategically important transport infrastructure', 6.9 'Cycling', 6.10 'Walking', 6.12 'Road network capacity', 6.13 'Parking', 7.1 'Building London's neighbourhoods and communities', 7.2 'An inclusive environment', 7.3 'Designing out crime', 7.4 'Local character', 7.5 'Public realm', 7.6 'Architecture', Policy 7.8 'Heritage assets and Archaeology', 7.15 'Reducing noise and enhancing soundscapes'; and
 - Haringey Unitary Development Plan (UDP) 2006 Policies G2 'Development and Urban Design', G3 'Housing Supply', UD2 'Sustainable Design and Construction', UD3 'General Principles', UD4 'Quality Design', UD9 'Locations for Tall Buildings', HSG1 'New Housing Developments', HSG4 'Affordable Housing', AC2 'Tottenham International', M2 'Public Transport Network', M3 'New Development Location and Accessibility', M5 'Protection, Improvements and Creation of Pedestrian and Cycle Routes', M10 'Parking for Development', ENV1 'Flood Protection: Protection of the Floodplain and Urban Washlands', ENV2 'Surface Water Runoff', ENV4 'Enhancing and Protecting the Water Environment' ENV5 'Works Affecting Watercourses', ENV6 'Noise Pollution',

ENV7 Air, Water and Light Pollution', ENV11 'Contaminated Land' and ENV13 'Sustainable Waste Management'.

APPENDICES:

- 13.1 Appendix 1: Consultation Responses
- 13.2 Appendix 2: Planning Policies
- 13.3 Appendix 3: Planning History

APPENDIX 1

Consultation Responses

No.	Stakeholder	Question/Comment	Response
	STATUTORY		
	Thames Water	No objection.	Noted
	Metropolitan Police	<p>No objection to the scheme.</p> <p>Early Contact is recommended in order to gain a Secured by Design award.</p> <p>The key challenges for these proposed Pavilion Blocks will be:</p> <ul style="list-style-type: none"> - Communal Door Standards - must be to SBD standards - Individual Flat Door and Windows - also to SBD standards - Basement Car Park - to consider the transition between basement and residential block and ensure there is good security. 	Noted. The proposal is broadly consistent with condition 7.
	Natural England	<p>Site in close proximity to the Walthamstow Reservoirs Site of Special Scientific Interest (SSSI). However, not likely to be an adverse effect on this site.</p> <p>The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.</p>	<p>Noted</p> <p>Proposed landscaping and green roof provide habitat for wildlife</p>
	Canal and River Trust England	No comments	Noted.
	INTERNAL		

No.	Stakeholder	Question/Comment	Response
	Transport	<p>The site is located in an area with a high public transport accessibility level and is located with easy walking distance of Tottenham Hale transport interchange.</p> <p>The parking provision proposed is in line with the Council's parking policy M10 Parking as outlined in appendix 1 of the UDP. The applicant has also provided cycle parking in line with the 2011 London plan.</p> <p>The proposed development is in line with the site wide master plan and original approved development proposals, subsequently the transportation and highways authority would not object to this application subject to the following conditions:</p> <p>1) A residential travel plan must be secured by way of a condition and submitted to the Transportation Planning team no later than 3 months after the development is occupied.</p>	<p>Noted.</p> <p>A travel plan is required by a condition in the original outline approval so no additional condition is necessary.</p>
	Waste Management	<p>The proposed development does not provide sufficient information on waste storage and collection arrangements in order for bespoke comments to be provided.</p>	<p>Condition 12 of the outline permission requires this to be addressed as the reserved matter stage. As there is insufficient information to discharge this condition at this stage, this will not be determined now.</p>

No.	Stakeholder	Question/Comment	Response
		This part of the application has been given RAG traffic light status of RED for waste storage and collection arrangements.	
	Tottenham Team	Supports the continued redevelopment of the Hale Village area in line with Policy goals	Noted
	DEVELOPMENT MANAGEMENT FORUM	Set out and addressed in paragraphs 7.1.4 and 7.1.5	
	RESIDENTS	2 Responses received	
	19a Pembroke Rd	There should be no spatial split between affordable and private housing The affordable element is not truly affordable. There is not enough social rent.	The mixing of affordable and private housing is balanced against the management needs of Housing Associations. The scheme includes social rent housing. However, there is a large supply of social rent housing in the area. Increasing shared ownership will help to address the local housing balance
	138 Coppermill Heights Daneland Walk Hale Village London	Parking is too expensive for existing residents Insufficient parking for new residents and visitors. Insufficient parking for disabled residents/visitors	This is a management issue. Parking supply is provided in accordance with Council aims to reduce car use. Condition 14 requires the developer to implement a travel plan to reduce parking and off site traffic impacts. 10% of parking is for blue badge holders

PLANNING POLICIES

RELEVANT PLANNING POLICY

NATIONAL PLANNING POLICY FRAMEWORK

REGIONAL PLANNING POLICY

London Plan 2011

- Policy 2.14 Areas for Regeneration
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing Choice
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.5 Decentralised energy networks
- Policy 5.11 Green roofs and development site environs
- Policy 6.1 Integrating transport & development
- Policy 6.3 Assessing transport capacity
- Policy 6.4 Enhancing London's transport connectivity
- Policy 6.13 Parking
- Policy 7.2 Creating an inclusive environment
- Policy 7.3 Secured by design
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.8 Heritage Assets and Archaeology

The Mayors Transport Strategy (May 2010)

The Mayor's Land for Transport Functions SPG (March 2007)

The Mayor's Sustainable Design & Construction SPG (2006)

The Mayor's Culture Strategy: Realising the potential of a world class city (2004)

The Mayor's Ambient Noise Strategy (2004)

The Mayor's Energy Strategy (2004)

The Mayor's Draft Industrial Capacity SPG (2003)

The Mayor's Air Quality Strategy: Cleaning London's Air (2002)

The Mayor's Biodiversity Strategy: Connecting with London's Nature (2002)

The Mayor's Planning for Equality & Diversity in Meeting the Spatial Needs of London's Diverse Communities SPG

The Mayor's Accessible London: Achieving an Inclusive Environment SPG

The Mayor and London Councils' Best Practice Guide on the Control of Dust & Emissions during Construction

LOCAL PLANNING POLICY

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

- G1 Environment
- G2 Development and Urban Design
- G4 Employment
- G6 Strategic Transport Links
- G7 Green Belt, Met. Open Land, Significant Local Open Land & Green Chains
- G9 Community Well Being
- G10 Conservation
- G12 Priority Areas
- AC1 Heartlands/Wood Green
- UD1 Planning Statements
- UD2 Sustainable Design and Construction
- UD3 General Principles
- UD4 Quality Design
- UD7 Waste Storage
- UD8 Planning Obligations
- ENV1 Flood Protection: Protection of Floodplain, Urban Washlands
- ENV2 Surface Water Runoff
- ENV4 Enhancing and Protecting the Water Environment
- ENV5 Works Affecting Water Courses
- ENV6 Noise Pollution
- ENV7 Air, Water and Light Pollution
- ENV11 Contaminated Land
- ENV13 Sustainable Waste Management
- EMP1 Defined Employment Areas – Regeneration Areas
- M2 Public Transport Network
- M3 New Development Location and Accessibility
- M5 Protection, Improvement and Creation of Pedestrian and Cycle Routes
- M8 Access Roads
- M10 Parking for Development
- M11 Rail and Waterborne Transport
- OS2 Metropolitan Open Land
- OS5 Development Adjacent to Open Spaces
- OS6 Ecologically Valuable Sites and Their Corridors
- OS7 Historic Parks, Gardens and Landscapes
- OS12 Biodiversity
- OS16 Green Chains
- CSV1 Development in Conservation Areas
- CSV8 Archaeology

Haringey Supplementary Planning Guidance (October 2006)

- SPG1a Design Guidance (Adopted 2006)
- SPG2 Conservation and Archaeology (Draft 2006)

- SPG4 Access for All (Mobility Standards) (Draft 2006)
- SPG5 Safety By Design (Draft 2006)
- SPG7a Vehicle and Pedestrian Movements (Draft 2006)
- SPG7b Travel Plans (Draft 2006)
- SPG7c Transport Assessment (Draft 2006)
- SPG8a Waste and Recycling (Adopted 2006)
- SPG8b Materials (Draft 2006)
- SPG8c Environmental Performance (Draft 2006)
- SPG8d Biodiversity, Landscaping & Trees (Draft 2006)
- SPG8e Light Pollution (Draft 2006)
- SPG8f Land Contamination (Draft 2006)
- SPG 8g Ecological Impact Assessment (Draft 2006)
- SPG 8h Environmental Impact Assessment (Draft 2006)
- SPG 8i Air Quality (Draft 2006)
- SPG9 Sustainability Statement Guidance Notes and Checklist (Draft 2006)
- SPG10a Negotiation, Mgt & Monitoring of Planning Obligations (Adopted 2006)
- SPG10d Planning Obligations and Open Space (Draft 2006)
- SPG10e Improvements Public Transport Infrastructure & Services (Draft 2006)
- SPD Housing

Haringey Heartlands Development Framework (Adopted April 2005)

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

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

- SP1 Managing Growth
- SP2 Housing
- SP4 Working towards a Low Carbon Haringey
- SP5 Water Management and Flooding
- SP6 Waste and Recycling
- SP7 Transport
- SP8 Employment
- SP9 Imp Skills/Training to Support Access to Jobs/Community Cohesion/Inclusion
- SP10 Town Centres
- SP11 Design
- SP12 Conservation
- SP13 Open Space and Biodiversity
- SP14 Health and Well-Being
- SP15 Culture and Leisure
- SP16 Community Infrastructure

Draft Development Management Policies (Published for Consultation May 2010)

- DMP9 New Development Location and Accessibility
- DMP10 Access Roads
- DMP13 Sustainable Design and Construction

- DMP14 Flood Risk, Water Courses and Water Management
- DMP15 Environmental Protection
- DMP16 Development Within and Outside of Town & Local Shopping Centres
- DMP19 Employment Land & Premises
- DMP20 General Principles
- DMP21 Quality Design
- DMP22 Waste Storage
- DMP25 Haringey's Heritage
- DMP26 Alexandra Palace
- DMP27 Significant Local Open Land & Development Adjacent to Open Spaces
- DMP28 Ecologically Valuable Sites their Corridors and Tree protection

Draft Sustainable Design and Construction SPD (October 2010)
Haringey's 2nd Local Implementation Plan (Transport Strategy) 2011 – 2031

OTHER DOCUMENTS

CABE Design and Access Statements
Diversity and Equality in Planning: A Good Practice Guide (ODPM)
Planning and Access for disabled people: A Good Practice Guide (ODPM)
Demolition Protocol Developed by London Remade
Secured by Design

APPENDIX 3

PLANNING HISTORY for HALE VILLAGE

HGY/2006/1177 – Outline consent for the development was granted in 2007 for a mixed use scheme with up to 1,210 residential units, student accommodation, offices, hotel, retail uses, a health centre, a health club, crèche and a primary school, with provision for underground and on-street car parking, to be comprised within separate building blocks ranging in height from 1 to 18 storeys, incorporating public open space, an unculverted watercourse and Combined Heat and Power (CHP) with associated renewable energy systems (outline application)

HGY/2007/2099 - Reserved matters consent was granted in December 2007 for the podium and basement located beneath Blocks SW, SE, C, P1 and P2 and a Combined Heat and Power Energy Centre (CHP).

HGY/2007/2203 - Reserved matters consent was granted in December 2007 for the development of Block W to provide a 687 student room development and ground floor retail unit within a part eleven, part seven storey building.

HGY/2007/2250 - A Section 73 application to vary conditions 13, 34, 52, 53 and 62 of the outline consent (HGY/2006/1177) was granted in February 2008.

HGY/2008/0393 - Reserved matters consent was granted in 2008 for the detailed design of Pavilion blocks 1 and 2 no. eight storey buildings.

HGY/2008/1971 - Reserved matters consent was granted in December 2008 for the detailed design of Block SE, an eight storey building comprising ground floor offices and 154 no. affordable dwellings.

HGY/2008/1970 - Reserved matters consent was granted in December 2008 for the detailed design of Block NW1, a part four, seven and eleven storey building, comprising 102 no. affordable dwellings.

HGY/2009/0246 - Reserved matters consent was granted in March 2009 for the detailed design of Block C, a part four, part seven storey building comprising 110 no. affordable dwellings.

HGY/2009/0295 - Reserved matters consent was granted in March 2009 for the detailed design of Block N, a part four, part seven storey building, comprising 176 no. affordable dwellings.

HGY/2009/1105 - Reserved matters consent was granted in November 2009 for the detailed design of public realm for the entire Hale Village Masterplan.

HGY/2010/1427 - Full planning permission was granted in October 2010 for the erection of two additional floors to Pavilions 1 and 2 to create 2 no. ten storey buildings.

HGY/2010/1897 - Extension of time limit for implementation of outline planning permission HGY/2006/1177 granted 9th October 2007 for a mixed use redevelopment of the site comprising of demolition of all structures and remediation for the development of a mixed use scheme comprising up to 1210 residential units (Use Class C3), student accommodation (C2), office (B1), hotel (C1), retail (A1, A2, A3, A4, A5 and B1) uses, a health centre (D1), a health club (D2), crèche (D1) and a primary school, with provision for underground and on-street car parking, to be comprised within separate building blocks ranging in height from 1 to 18 storeys, incorporating public open space, an unculverted watercourse and Combined Heat and Power (CHP) with associated renewable energy systems – GRANTED

HGY/2012/0799 – Reserved matters application for 890sqm Community Centre (Use Class D1) and 64 residential units in a part 7/part 8 storey block on Block NE including appearance, layout, scale and landscaping - GRANTED

HGY/2012/1687 - Reserved matters application for the use of the ground floor and mezzanine level within Block C1 as a Renal Unit (Use Class D1) comprising a total floor area of 2128 sq.m (GEA), installation of a new ground floor facade, alterations to the basement car parking layout beneath Block C and installation of plant within the basement beneath Block C - GRANTED

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