



**Haringey** Council

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## Planning Sub Committee

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MONDAY, 9TH DECEMBER, 2013 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

**MEMBERS:** Councillors Basu, Beacham, Demirci (Chair), Mallett (Vice-Chair), McNamara, Reid, Reith, Rice, Solomon and Strang

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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 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 - 14)**

To confirm and sign the minutes of the Planning Sub Committee held on 11 November and the Special Planning Committee held on 21 November.

**6. PLANNING APPLICATIONS**

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

**7. LAND OFF NORTHUMBERLAND PARK N17 0AL (PAGES 15 - 40)**

Variation of condition 42 (pending approval of s.96A application HGY/2013/1861) attached to planning permission HGY/2011/2350, for variation of fourth floor plan to allow for proposed change of use from stadium-related uses to Use Class B1a and associated minor alterations.

RECOMMENDATION: grant amendment subject to conditions and supplementary s106 agreement.

**8. LAND OFF NORTHUMBERLAND PARK N17 0AL (PAGES 41 - 72)**

Variation of condition 42 (pending approval of s.96A application HGY/2013/1861) attached to planning permission HGY/2011/2350, for variation of second floor plan to allow for proposed change of use from stadium-related uses (Use class D2); showroom/brand centre (sui generis), to Class D1 to form a new university technical college and associated minor alterations.

RECOMMENDATION: grant amendment subject to conditions and the completion of a supplemental s106 legal agreement.

**9. 165 TOTTENHAM LANE N8 9BY (PAGES 73 - 142)**

Redevelopment of the site to provide a 4 screen cinema (1,956sqm) (Class D2 use) with ancillary cafe/bar (Class A3/A4 uses), roof top plant, associated infrastructure and other works including proposed hours of opening: 08:00 to 00:30 hours Sunday to Wednesday and Public Holidays and 08:00 to 01:30 hours Thursdays to Saturdays.

RECOMMENDATION: grant permission subject to conditions and the signing of a s106 legal agreement.

**10. 30 MUSWELL HILL, N10 3TA (PAGES 143 - 194)**

Redevelopment of site to provide 12 self-contained flats within 2 residential blocks together with 10 parking spaces and associated landscaping.

RECOMMENDATION: grant permission subject to conditions and s)106 agreement.

**11. LAND TO REAR OF 318-320 HIGH ROAD N15 4BN (PAGES 195 - 232)**

Demolition of a derelict commercial building (B2) and a vacant land parcel, to provide 18 residential dwellings, associated landscaping, refuse and recycling facilities and 2 disabled car parking spaces.

RECOMMENDATION: grant permission subject to conditions and a s)106 agreement.

**12. NEW ITEMS OF URGENT BUSINESS**

To consider any items admitted at item 2 above.

**13. DATE OF NEXT MEETING**

A Special Planning Committee is scheduled for 19 December.

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Friday, 29 November 2013

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**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 11 NOVEMBER 2013**

Councillors: Basu, Beacham, Demirci (Chair), Mallett (Vice-Chair), McNamara, Reid, Reith, Rice, Solomon and Strang

**MINUTE  
NO.**

<b>PC59.</b>	<p><b>APOLOGIES</b></p> <p>Apologies for lateness were received from Cllr Reith as she would not be taking part in discussions for item 6, Somerset Gardens Health Care Centre as a GP patient at the Centre.</p>
<b>PC60.</b>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>Cllr Mallet identified that she would absent herself from discussions for item 8, land to the rear of 32A Beaconsfield Road N15 4SJ as her property adjoined the site.</p> <p>Cllr Demirci identified that he lived in the vicinity of Somerset Gardens Health Centre but provide assurance that it would not affect his impartiality in taking part in discussions.</p>
<b>PC61.</b>	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That the minutes of the Planning Committee on 14 October be approved and signed by the Chair.</li> </ul>
<b>PC62.</b>	<p><b>PLANNING APPLICATIONS</b></p> <p>The Chair varied the order of the agenda to take items 6 and 8 first.</p>
<b>PC63.</b>	<p><b>SOMERSET GARDENS FAMILY HEALTH CARE CENTRE, SOMERSET GARDENS, 4 CREIGHTON ROAD, N17 8NW</b></p> <p>[Cllr Solomon arrived late to the meeting and was therefore prohibited in accordance with the Council's Constitution from taking part in any discussions or voting on this item].</p> <p>The Committee considered a report on the application to grant planning permission for the change of use of the Somerset Gardens Healthcare Centre from use class D1 to mixed use comprising D1 and A1 to permit the incorporation of a proposed pharmacy. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions.</p> <p>The planning officer gave a short presentation highlighting the key aspects of the report. The Committee was asked to note that the officer recommendation to</p>

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 11 NOVEMBER 2013**

grant permission was subject to a condition limiting the hours of operation of the pharmacy. Due to the location of the application site, it was considered the proposal would give rise to significant unacceptable noise and nuisance levels in the late hours which would be injurious to the residential amenity. The hours of operation therefore proposed to be imposed by condition on the pharmacy were Monday to Friday 0700hrs-1930hrs only.

A number of objectors addressed the Committee and raised the following points regarding the application:

- The applicant had made limited effort to engage with the local community regarding the application which was considered essential in light of the residential setting of the Health Centre.
- The appropriateness of siting a 100hrs pharmacy in a residential area was questioned, particularly in view of likely disturbance caused to residents in the vicinity from increased traffic and footfall in the area, especially in the evenings as the pharmacy would be open beyond the standard operating hours of the Health Centre.
- It was of concern that should approval be granted for the pharmacy, that needle exchange and/or methadone treatment services could potentially be offered in the future which was considered to be completely unsuitable in a residential area.
- The local area was already sufficiently served by pharmacies located in more appropriate and accessible town centre locations. The applicant had not identified a clear need for a new pharmacy in the area.

Cllr Bull addressed the Committee in support of the key points raised by the objectors including the limited engagement undertaken, despite prompting, with the local community in the development of the plans and the lack of an identified need for a new pharmacy in the area. The potential for the new pharmacy to offer needle exchange and methadone services in the future had also been raised as a concern by a number of local people Cllr Bull had spoken to, particularly owing to the residential location and the potential for associated crime and anti-social behaviour.

The applicants addressed the Committee and raised the following points:

- The provision of an onsite pharmacy aimed to improve the quality of patient care and health outcomes delivered by the Health Centre through providing integrated medicine management and delivery in one location.
- The applicant confirmed that any restrictions imposed to the opening hours of the pharmacy would be unacceptable from a business perspective as it would contravene the terms of the NHS pharmaceutical licence held. In response to a question from the Committee, confirmation was provided that if the restricted hours of operation proposed by officers were imposed, the pharmacy would not be viable and would be forced to close as the terms of the pharmaceutical contract required 100 hours of operation. The applicants were unable to obtain any alternative pharmaceutical contract based on a lower number of hours.
- The Health Centre had undertaken a survey looking at the current use of the pharmacy which illustrated at present limited use of the out of hours service and identified that the majority of customers walked to the centre as opposed to using a car.

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 11 NOVEMBER 2013**

- Data had also been collected from more established, similar pharmacies held by the pharmacy group in other areas of the country and illustrated fairly low visitation levels during the out of hours period.
- The Council's transport team had identified that the application would not have a significant impact on the existing level of traffic or car parking demand in the area.
- The automatic gates to the Centre's car park would be kept open outside of the standard opening hours of the Health Centre for use by pharmacy customers thereby reducing any potential parking problems.
- In relation to community engagement, the plans had been discussed at the Health Centre's patient representation group.
- Confirmation was provided that methadone treatment and needle exchange services were not mandated under the terms of the pharmaceutical contract. A commitment was made to consulting with local people on any future plans to operate these services from the Centre.

Cllr McNamara put forward a motion to amend the condition covering the hours of operation of the pharmacy to 08.00-18.00 Monday-Friday in light of the concerns expressed by residents. The motion was not carried.

The Chair moved the recommendation of the report and it was

**RESOLVED**

- That planning application HGY/2013/1943 be approved subject to conditions:

**IMPLEMENTATION**

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 accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

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

3. The development hereby approved shall be operated within the following hours, Monday to Friday – 0700hrs to 1930hrs and not at all on Saturday and Sundays.

Reason: In order to ensure that the development hereby approved does not prejudice the beneficial enjoyment of the residential buildings in the vicinity.

**INFORMATIVE:** In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our development plan comprising the London Plan 2011, the Haringey Local Plan 2013 and the saved policies of the Haringey Unitary Development Plan

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 11 NOVEMBER 2013**

	<p>2006 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.</p> <p>In addition, where appropriate, further guidance was offered to the applicant during the consideration of the application.</p>
<b>PC64.</b>	<p><b>UNIT 11, MOWLEM TRADING ESTATE, LEESIDE ROAD AND LAND FRONTING WATERMEAD WAY, N17 0QJ</b></p> <p>Owing to time constraints, this item was deferred to the next Committee meeting.</p>
<b>PC65.</b>	<p><b>LAND REAR OF 32A BEACONSFIELD ROAD N15 4SJ</b></p> <p>[Cllr Reith now present. Cllr Mallett absented herself for the duration of discussions on this item].</p> <p>The Committee considered a report on the application to grant planning permission for the construction of 3 x 1 storey dwellings with associated landscaping, car parking and cycle spaces and refuse store on the land rear of 32A Beaconsfield Road. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions. The planning officer gave a short presentation highlighting the key aspects of the report.</p> <p>The Committee's attention was drawn to three additional proposed conditions for the application which were tabled and which covered tree protection, refuse arrangements and lighting plans for the site.</p> <p>The Committee raised the following points in discussion of the application;</p> <ul style="list-style-type: none"> <li>• Concerns were expressed regarding the lack of a consultation response received from the London Fire Brigade (LFB) with regards to this backland application. Officers confirmed that the LFB were not statutory consultees and that fire safety issues had been sufficiently addressed under Building Regulations including the provision of underground fire hydrants on the site.</li> <li>• Members noted the narrow nature of the site and sought assurances that the measurements on the plans were accurate. Confirmation was provided that officers had cross referenced the plans against OS maps.</li> <li>• The designation of the site was queried. Officers confirmed that as no records were held on any lawful use of the land, the site was classified as vacant land as visually it appeared unused for some time. In this regard, the application was considered to have a positive impact on the Conservation Area in terms of bringing the land back into use and securing improvements to boundary treatments.</li> <li>• Members expressed concern over the potential impact of the development on nos 30 and 32 Beaconsfield Road located either side of the entrance to the site. Confirmation was provided that the applicant had offered to install insulation measures to help mitigate any noise disturbance caused by vehicles accessing the site.</li> </ul>



**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 11 NOVEMBER 2013**

A number of objectors addressed the Committee and raised the following points:

- The site was unsuitable for the development proposed due to its narrow nature and the fact that one of the adjacent houses extended above the entrance gateway to the site.
- Nos 30 and 32 Beaconsfield Road, located either side of the entrance to the site, would be affected on a daily basis by noise and vibration from traffic entering the development, especially to the bedroom located above the gateway arch.
- The scheme would result in a loss of privacy to a significant number of neighbouring properties along Beaconsfield and Grove Park Roads whose gardens would back onto the development.
- Only one of the residential units proposed was family sized which was out of line with demand in the local area.
- Development on 'greenfield' land should not be acceptable in a Conservation Area. In addition, any construction on the site would have a detrimental effect on wildlife habitats.
- The accuracy of the plans provided by the applicant in setting out the distance of the scheme to neighbouring boundaries was questioned.
- The objectors felt that the applicant had not made any attempt to consult or engage with neighbouring properties in developing the plans.

Cllrs Vanier and Diakides addressed the Committee and supported the points made by the objectors, in particular that the site was inappropriate for the development proposed due to its narrow nature and was not comparable to other backland developments approved in the borough due to the residential unit above the entrance gateway. Concerns were expressed that the development would cause significant disturbance to neighbouring properties by virtue of the close proximity. The rationale of developing on defacto open land was also questioned.

The applicant addressed the Committee and raised the following points:

- The applicant had owned the site for 19 years and for 10 of those years it had been used as a breakers yard and for storage and as such could not be considered open 'greenfield' land.
- Council officers had confirmed that the land met the requirements for development.
- The new residential units would benefit the local area in providing additional housing.
- The applicant was willing to pay for a noise assessment for 32 Beaconsfield Road and to provide insulation as required to the rooms located over the archway to mitigate any noise disturbance.
- A 1.8m fence was proposed for the site boundary which would provide privacy to neighbouring gardens.
- No works were proposed to existing trees on site and additional planting was planned.

Cllr Reith proposed a motion, which was subsequently carried, and it was

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 11 NOVEMBER 2013**

	<p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That planning application HGY/2013/1777 be rejected on the grounds that development should not be permitted in a Conservation Area; concerns over the loss of privacy and noise disturbance to 32 Beaconsfield Road and that the scheme would overall have a negative impact on the residential amenity.</li> </ul> <ol style="list-style-type: none"> <li>1. The proposal would constitute an unsatisfactory form of backland development which is out of character with the existing form of development in the conservation area. This would give rise to an unacceptable relationship between the existing pattern of development and the proposal to the detriment of adjacent properties particularly and the amenity of the area generally contrary to National Planning Policy Framework March 2012, Policies 3.5, 7.4, 7.6 and 7.8 of the London Plan 2011, Policies SP11 and SP12 of the Haringey Local Plan 2013, Saved Policy UD3 of the Haringey Unitary Development Plan 2006 and Haringey's draft SPG3c Backlands Development 2006.</li> <li>2. The proposal involves the development of a back-land site in a manner which would result in unacceptable overlooking and noise and disturbance to existing nearby properties which in turn would overlook the proposed development, leading to a serious loss of privacy and noise impacts to all occupants in the vicinity contrary to National Planning Policy Framework March 2012, Policy7.6 of the London Plan 2011, Policy SP11 of the Haringey Local Plan 2013, Saved Policy UD3 of the Haringey Unitary Development Plan 2006 and Haringey's draft SPG3c Backlands Development 2006.</li> </ol>
<p><b>PC66.</b></p>	<p><b>FORMER CANNON RUBBER FACTORY, 881 HIGH ROAD, N17 8EY</b></p> <p>Owing to time constraints, this item was deferred to the next Committee meeting.</p>
<p><b>PC67.</b></p>	<p><b>DATE OF NEXT MEETING</b></p> <p>The next ordinary meeting was scheduled for 9 December.</p>

COUNCILLOR ALI DEMIRCI

Chair

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
THURSDAY, 21 NOVEMBER 2013**

Councillors: Basu, Beacham, Demirci (Chair), Egan, Mallett (Vice-Chair), McNamara, Reid, Reith and Solomon

Also Present: Councillor Bevan

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>
PC01.	<p><b>APOLOGIES</b></p> <p>Apologies were received from Cllrs Rice and Strang. Cllr Egan substituted.</p>
PC02.	<p><b>UNIT 11, MOWLEM TRADING ESTATE, LEESIDE ROAD AND LAND FRONTING WATERMEAD WAY, N17 0QJ</b></p> <p>The Committee considered a report on the application to grant planning permission for the proposed redevelopment of the site at Unit 11, Mowlem Trading Estate to permit the siting of a relocated builders' merchants (Use Class B8) and industrial and warehousing (Use Class B 1(c), B2 and B8) floorspace with repositioned access/egress to/from Leaside Road. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions and a s)106 legal agreement.</p> <p>The planning officer gave a short presentation highlighting the key aspects of the report. The Committee's attention was drawn to an amendment to the wording of condition 6 within the report which should read 'The scheme shall include a restriction in run-off to <b>125.17l/s</b> and surface water storage on site as outlined in the FRA'. Confirmation was also provided that the applicant had agreed to provide a £10k s)106 financial contribution towards landscaping improvement works along Watermead Road.</p> <p>The Committee raised the following points in consideration of the application:</p> <ul style="list-style-type: none"> <li>• Officers confirmed that the new road created by the proposed relocation of the existing vehicular access further along Leaside Road would be designated a private road. It was advised that the current road was well maintained.</li> <li>• Further details were requested of the fencing proposed for the site. The applicant's representative, Mr Kentish, confirmed that the current intention was to install silver painted metal fencing, although the applicant would be willing to change the colour inline with any request from the Committee or officers. In light of this, officers agreed to reword condition 11 to require details of the proposed boundary treatment to be submitted to the Council for approval. An informative would also be added requesting the applicant consult the Committee on the boundary treatment proposed including providing samples of fencing materials.</li> </ul> <p>One objection had been received in response to the application from Cllr Bevan. Cllr Bevan addressed the Committee to emphasise the importance of securing</p>

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
THURSDAY, 21 NOVEMBER 2013**

landscaping treatment for such a prominent site as part of the redevelopment. He confirmed however that his concerns had been addressed through the commitment made by the applicant to provide a s)106 contribution for landscaping works and was pleased that the landscaping of the boundary and surrounding areas would be secured by condition, with plans additionally to be reviewed by the Design Panel. Officers agreed to add an additional informative requesting the applicant consult the Committee on the landscaping plans prior to final approval by officers.

The Chair moved the recommendation of the report subject to the amendment agreed above to condition 11 and the addition of two informatives covering consultation on landscaping plans and boundary treatment and it was

**RESOLVED**

- That planning application HGY/2013/1792 be approved subject to conditions and a s)106 agreement.

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 Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

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

Reason: In order to avoid doubt and in the interests of good planning.

3. Notwithstanding the description of the materials in the application, no development shall take place until precise details of the materials to be used in connection with the development hereby permitted be submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority and retained as such in perpetuity.

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

4. a) No development shall commence until a desktop study and conceptual model shall be submitted to, and approved in writing by the Local Planning Authority. A desktop study 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. 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.

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
THURSDAY, 21 NOVEMBER 2013**

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.

5. No development shall commence until a detailed report, including Risk Assessment, detailing management of demolition and construction dust has been submitted to, and approved in writing by the Local Planning Authority. 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 Local Planning Authority prior to any works being carried out on the site.

Reason: To ensure that the construction does not prejudice the ability of neighbouring occupiers' reasonable enjoyment of their properties.

6. No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) by McCloy Consulting Ltd, dated August 13, and the Sustainable drainage design statement Revision 2.0 dated, October 2013 and Paul D Kentish's email to Aaron Lau dated 8 October 2013 13:53, 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 to 125.7l/s 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.

7. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

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

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
THURSDAY, 21 NOVEMBER 2013**

Reason: To ensure protection of controlled waters.

8. Prior to the occupation of the development hereby permitted, a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure protection of controlled waters.

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

Reason: To ensure protection of controlled waters.

10. No buildings of the development hereby permitted shall be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating 'Very Good' has been achieved for this development

Reason: To ensure that the development achieves a high level of sustainability

11. No development shall take place until full details of both hard and soft landscape

works have been submitted to, and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme]. The soft landscaping scheme shall 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 approved in writing by the Local Planning Authority.
- 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

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
THURSDAY, 21 NOVEMBER 2013**

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 retained thereafter.

Reason: In order for the Local Planning 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

12.No development shall commence until a construction management plan (CMP) and construction logistics plan (CLP) have been submitted to and approved in writing by the Local Planning Authority. The Plans should provide details on how construction work (inc. demolitions) would be undertaken in a manner that disruption to traffic and pedestrians on Watermead way and Leaside Road would be minimised. It is also requested that construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods.

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

13.No development shall commence until a delivery and servicing plan (DSP) has been submitted to and approved in writing by the Local Planning Authority.

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

14.No development shall commence until the applicant has entered into a Section 278 agreement or appropriate agreement with the Council's Highway, Parking and Transport Department to enable works to reinstate the highway and footway to adoptable standards, including the removal of redundant vehicle crossovers on the footway abutting Leaside Road. The use hereby approved shall not commence until the above works have been completed to the satisfaction of the Local Planning Authority, at the cost of the developer.

Reason: In the interest of highway safety and to protect the visual amenity of the locality.

Informatives:

a) Thames Water

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

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

Water - 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.

b) Environmental Health

**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
THURSDAY, 21 NOVEMBER 2013**

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.

c) Environment Agency

i) Contamination

Groundwater characterisation at the site is required. Site investigation works have identified a medium to high risk to groundwater from elevated contaminants identified in soil sampling completed so far. Primary controlled waters receptors at the site relate to the groundwater abstraction and also the nearby Pymmes Brook (if groundwater is in hydraulic continuity with the river).

ii) Surface water

In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:

a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

b) Confirmation of the critical storm duration.

c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

d) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required.

e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.

f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

d) Community Infrastructure Levy

The applicant is advised that the proposal will be liable for the Mayor of London's CIL. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £104,440 (2,984 sqm x £35). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

e) Working with the applicant

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our development plan comprising the London Plan 2011, the Haringey Local Plan 2013 and the saved policies of the Haringey Unitary Development Plan 2006 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance.



**MINUTES OF THE SPECIAL PLANNING SUB COMMITTEE  
THURSDAY, 21 NOVEMBER 2013**

<b>PC03.</b>	<p><b>FORMER CANNON RUBBER FACTORY, 881 HIGH ROAD, N17 8EY</b></p> <p>The Committee considered a report on the application to approve the details pursuant to condition 42 (boundary treatment) attached to planning permission HGY/2012/2128. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy and analysis, and recommended to discharge condition 42 attached to planning permission HGY/2012/2128 subject to a s)106 agreement.</p> <p>The planning officer gave a short presentation highlighting the key aspects of the report which had been submitted for Committee consideration as it required a variation to the s)106 agreement associated with the original permission. It would be necessary to enter into a legal agreement with the applicant as the boundary treatment of part of the site would be temporary, with the new temporary southern boundary wall removed and replaced by a more appropriate boundary treatment as and when the adjoining site came forward for redevelopment. This interim wall would ensure the stability of the existing wall on the adjoining Sainsbury's site.</p> <p>The Chair moved the recommendation contained within the report and it was</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That planning application HGY/2013/2169 be approved to discharge condition 42 (boundary treatment) attached to planning permission HGY/2012/2128 subject to a s)106 agreement that secures the following:       <ol style="list-style-type: none"> <li>1. The boundary treatment approved shall be retained only for a temporary period (until the adjoining site(s) is redeveloped)</li> <li>2. The owner will not unreasonably withhold their permission for the developer of the adjoining site(s) to come onto their land and remove the wall on their land and erect a replacement boundary treatment, such detail to be first agreed in writing with the Local Planning Authority.</li> <li>3. That the replacement boundary treatment will be erected at no expense to the owner of the Brook House or school site.</li> </ol> </li> </ul>
<b>PC04.</b>	<p><b>DATE OF NEXT MEETING</b></p> <p>The next ordinary Planning Committee meeting was scheduled for 9 December.</p>

COUNCILLOR ALI DEMIRCI

Chair

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Planning Committee 9<sup>th</sup> December 2013

Item No.

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2013/1973	<b>Ward:</b> Northumberland Park
<b>Address:</b> Land Off Northumberland Park N17 0AL	
<b>Proposal:</b> Variation of condition 42 (pending approval of s.96A application HGY/2013/1861) attached to planning permission HGY/2011/2350, for variation of fourth floor plan to allow for proposed change of use from stadium-related uses to Use Class B1a and associated minor alterations	
<b>Existing Use:</b> D2 (stadium related use)	
<b>Proposed Use:</b> B1a (office)	
<b>Applicant:</b> TH Property Limited / Stardare Limited	
<b>Ownership:</b> Private	

**DOCUMENTS****Title**

Supplementary Statement to Transport Statement September 2013 submitted under HGY/2013/1976

**PLANS**

Plan Number	Rev.	Plan Title
11580 NMA 001	P1	Site Location Plan
11580 NMA 104	P3	Fourth Floor Plan
11580 002	P1	Existing OS Map Planning Application Boundary
BHC-XX-9091	00	Indicative Blue Badge Vehicle Pupil/Staff Cycle parking plan

**Case Officer Contact:**

Jeffery Holt

P: 0208 489 5131

E: [jeffrey.holt@haringey.gov.uk](mailto:jeffrey.holt@haringey.gov.uk)**PLANNING DESIGNATIONS:**

- Local Employment Area

**RECOMMENDATION****GRANT AMENDMENT subject to conditions and supplemental s106 agreement**

## SUMMARY OF REPORT

Under planning permission ref: HGY/2011/2350, permission was granted for a 5-storey building with food store (Use Class A1), educational uses (Use Class D1), stadium-related uses (Use Class D2) and showroom/brand centre (sui generis) on the southern side of Northumberland Park. The building is enabling development for the wider Northumberland Development Project (NDP) which seeks to deliver regeneration by through redevelopment of the White Hart Lane Stadium and surrounds.

The application seeks a minor material amendment to the above permission under s.73 of the Town and Country Planning Act 1990 (as amended) to facilitate the change of use of the fourth floor from stadium-related use (D2) to office B1(a).

Under Policy SP8 of the Haringey Local Plan 2013, the site is in a Local Employment Area and the proposed B1(a) use would be in accordance with employment activities sought in these areas.

Due to the site's high public transport accessibility, a forthcoming CPZ and the provision of 7 disabled parking spaces, the proposed change of use will not cause harm to the highways and transport network.

Accordingly, it is recommend that the amendment is approved and Condition 42 be amended to reflect the revised plans, subject to the agreement of a supplemental s106 securing further travel plans and contributions towards their monitoring.

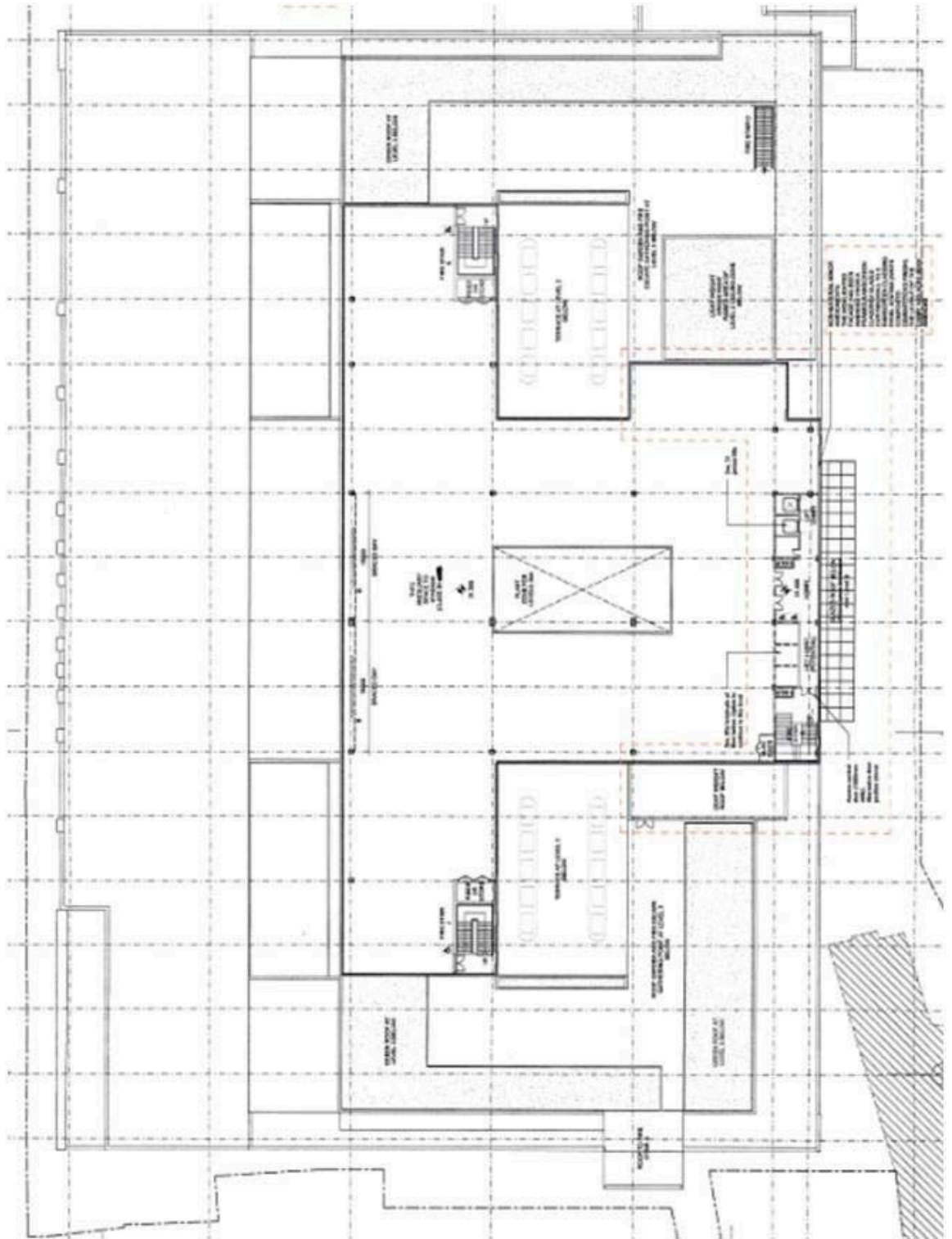
<b>TABLE OF CONTENTS</b>	
1.0	SITE PLAN
2.0	IMAGES
3.0	SITE AND SURROUNDINGS
4.0	PROPOSAL DESCRIPTION
5.0	PLANNING HISTORY
6.0	RELEVANT PLANNING POLICY
7.0	CONSULTATION
8.0	ANALYSIS / ASSESSMENT OF APPLICATION
9.0	SUMMARY AND CONCLUSION
10.0	RECOMMENDATION
11.0	APPENDICES: Appendix 1: Consultation Responses

1.0 SITE PLAN



2.0 IMAGES

Fourth Floor plan



### **3.0 SITE AND SURROUNDINGS**

3.1 The application site is 1.66ha in area and is located on the south side of Northumberland Park. Tottenham High Road is to the west and Worcester Avenue is to the east. The site is owned by Tottenham Hotspur Football club (THFC) and is located just north of the stadium.

3.2 Currently under construction is a large 5-storey building occupying the majority of the site. Under the existing permission, the use of each floor is as follows:

Ground	Parking and servicing
First	Foodstore (A1)
Second	Showroom/brand centre (D2/Sui generis)
Third	Education (D1)
Fourth	Stadium related use (D2)

3.3 Surrounding development is characterised by a diverse range 2- and 3-storey Victorian and Edwardian buildings plus a number of more recently constructed brick buildings. These are predominantly residential to the north and east of the site. On Tottenham High Road development is of mixed use often with commercial on the ground floor and residential above. To the south is land that has been extensively cleared but was once occupied by an industrial and business estate. To the south-east is Northumberland Park Community School.

3.4 Under the Haringey Local Plan 2013, the site is a designated Local Employment Area and the part of the High Road to the west of the site is a designated Local Shopping Centre. Parts of the western edge of the site are covered by the North Tottenham/Tottenham High Road Conservation Area. The terrace of buildings at 790-812 (e) High Road includes four Grade II\* listed buildings, five Grade II listed buildings, one locally listed building and two buildings that make a positive contribution to the Conservation Area.

### **4.0 PROPOSAL DESCRIPTION**

4.1 The application proposes to vary condition 42 of the existing planning permission for the building (ref: HGY/2011/2350), to facilitate a change of use of the fourth floor from 'stadium related uses' to Use Class B1(a) Offices (3,055sqm total). Condition 42 lists the approved plans to which the planning permission must adhere to and by varying the list of drawings to include a plan showing B1(a) offices on the fourth floor, the change of use can be facilitated. No physical alterations are proposed.

4.2 This process of seeking minor material amendments is possible by powers under s.73 of the Town and Country Planning Act

### **5.0 PLANNING HISTORY**

5.1 Permission was granted in 2011 for a comprehensive regeneration scheme centred on the development of a new stadium for the THFC. This is known as the



Northumberland Development Project (NDP). The NDP site is 11.5 ha in area and is roughly bounded by High Road, Northumberland Park, Worcester Avenue and Park Lane. This included the provision of a 4-storey building with food store at northern end of the site (known as the 'Northern Development').

5.2 In 2012, a stand-alone permission was granted for a similar but larger Northern Development building. This permission is separate to the wider NDP permission but is tied into the same s106 agreement. This permission has been implemented by the current construction on-site. There have been a number of subsequent minor applications.

5.3 The application details for this site are provided below:

- HGY/2010/1000, 1001, 1002, 1003:

Demolition and comprehensive redevelopment of a stadium (Class D2) with hotel (Class C1), retail (Class A1 and/or A2 and/or A3 and/or A4 and/or A5), museum (Class D1) offices (Class B1) and housing (Class C3); together with associated facilities including the construction of new and altered roads, footways, public and private open spaces; landscaping and related works. Details of "appearance" and "scale" are reserved in relation to the proposed residential and hotel buildings. - GRANTED

- HGY/2011/2350 - Proposed demolition of buildings and development of a foodstore (Use Class A1) together with educational uses (Use Class D1); stadium-related uses (Use Class D2); showroom/brand centre (sui generis); and associated facilities including car parking, the construction of new and altered vehicle and pedestrian accesses, private open spaces, landscaping and related works. - GRANTED
- HGY/2012/0515 - Section 96A Non-material amendments to Condition 18 (Construction Hours) attached to planning permission reference HGY/2011/2350 to extend hours of demolition and construction to be carried out except between the hours of 0700 to 1900 hours (Monday to Saturday) and 0800 to 1600 hours on Sunday.
- HGY/2012/0983 - Non-material amendment following a grant of planning permissions HGY/2011/2350 for minor changes to the substation in north west corner of the site to include minor alterations to the siting and size of the proposed substation -
- HGY/2012/1210 - Non - material amendments following a grant of planning permission HGY/2011/2350 to Green Wall (small section) adjacent to sub-station reduced in height by 1750mm to accommodate store signage, Green Wall (main section) moved in an eastern direction by 500mm to provide building tolerance, 27 Sheffield bike stands added against west facing elevation, Intermediate landing on Fire Stair D added and stair position amended, Additional Fire Exit door added to north elevation superstore café, Sheffield bike stands added outside café area for store usage, Elevational Position and treatment to travelator area amended and closed off, Roller shutters added to car park entrance, Taxi office removed and replaced by car pick-up point, Store sub-station relocated from car park into service yard (double doors removed from east elevation) and 3 additional parking bays added, Service yard entrance gates amended and access gate added, Service

yard plant equipment and sub-station relocated, Total number of parking bays amended, Roller shutters added to the North & West facing car park entrances for security purposes, Height Restriction Bar added to the North & West facing car park entrances for security purposes. Fire Exit doors from SW corner adjacent to stair D adjusted, Revelatory position adjusted, Glazed Bay windows along north face elevation adjusted to avoid column clashes and reflect original 2010 application rhythm, Service yard plant equipment adjusted – GRANTED

- HGY/2013/1060 - Display of 1 x internally illuminated fascia sign and 6 x non-illuminated fascia signs at new Sainsbury's store (approved under application reference HGY/2011/2350) – GRANTED
- HGY/2012/1682 - Non - material amendment following a grant of planning permission HGY/2011/2350 for the introduction of a modest atrium space, remove windows to the south facade at podium, minor adjustment to the line of the building at upper levels – GRANTED
- HGY/2013/1861 - Non-material amendment following a grant of planning permission HGY/2011/2350 to add a new condition listing plans approved by planning permission HGY/2011/2350 to facilitate the use of s.73 of the TCPA 1990 for the change of use of the second floor from D2 to D1 and to allow for any future s.73 applications as may be required
- HGY/2013/2037 - Non-material amendment following a grant of planning permission HGY/2011/2350 in order to vary wording of Condition 3 pertaining to the rear boundary works to the northern terrace

## 6.0 RELEVANT PLANNING POLICY

### National Planning Policy Framework

#### London Plan 2011

Policy 4.2 Offices

Policy 4.3 Mixed Use Development and Offices

Policy 4.4 Managing Industrial Land and Premises

Policy 4.7 Retail and Town Centre Development

Policy 4.12 Improving Opportunities for All

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

#### Haringey Local Plan 2013-2026

SP1 Managing Growth  
 SP7 Transport  
 SP8 Employment  
 SP9 Improving skills and training to support access to jobs and community cohesion and inclusion  
 SP10 Town Centres  
 SP11 Design  
 SP12 Conservation

Saved Unitary Development Plan 2006 Policies

UD3 General Principles  
 EMP5 Promoting Employment Uses  
 TCR2 Out of Town Centre Development  
 M10 Parking for Development

**7.0 CONSULTATION**

<b>Internal</b>	<b>External</b>
Ward Councillors Transportation Tottenham Team Education	191 Local Residents Greater London Authority Transport for London Tottenham CAAC Tottenham Civic Society

**8.0 RESPONSES**

8.1 There were no response from local residents or councillors.

**8.2 Greater London Authority (GLA)**

8.2.1 The proposal does not raise any new strategic planning issues.

8.2.2 The original application represented EIA development and the environmental information available to date has been taken into consideration in formulating these comments.

8.2.3 The Council may proceed to determine the application without further reference to the GLA.

**8.3 LBH Transportation**

8.3.1 The proposed site is located in an area with a high public transport accessibility level (PTAL5) and is part of the strategic road network (SRN). There are ten bus routes serving this area: routes 149, 279, 259, 341, 476, 123, 243, 318, W3 and 349 with bus stops on the High Road and on Northumberland Park. There are two national rail stations within reasonable walking distance of the site. White Hart Lane station is approximately 450m to the west and provides access to services on the Seven Sisters branch of the Lea Valley Line. Northumberland Park station is approximately 600m to the east and provides access to services on the Tottenham Hale branch of the Lea Valley line. The nearest underground station is Tottenham Hale on the Victoria Line, approximately 2.2 km from the stadium.

Seven Sisters is 2.3km to the south, of the stadium.

8.3.2 The applicant is proposing to change some 3,055m<sup>2</sup> of B1 space on the fourth floor which was previously proposed to be use as a stadium related B1 use to general B1 use. We have assessed the car trips likely to be generated by the proposed facility using similar sites from the TRAVL trip prediction database Brent Town Hall HA9 and Chiswick Park W4) the results of the analysis suggest that, this development proposal would generate some 22 in/out trips during the critical am peak period; the applicant has proposed providing seven off street disabled car parking spaces for the use of the B1 units. The disabled car parking provision is in line with Saved UDP policy M10, which requires the applicant to provide 2 disabled car parking spaces per 1000 m<sup>2</sup>.

8.3.3 The parking standard requires the applicant to provide three additional off street car parking spaces to service this development proposal. However considering that the proposed office is located in an area with high public transport accessibility (PTAL 5); and reduced parking would promote travel by sustainable modes of transport which is in line with Haringey's Local Plan Policies, SP1 Managing Growth, SP4 Working towards a Low carbon Haringey, and SP7 Transport. The applicant does not need to provide any additional off street car parking spaces. It is also to be noted that an all day CPZ is planned for this area which will restrict parking demand during the day and visitors parking will be available on the streets surrounding the site in the form of pay and display parking bays.

8.3.4 Consequently the Transportation and highways authority would not object to this application subject to the following s.106 obligations and conditions:

1) A work place travel plan must be secured by the S.106 agreement. As part of the travel plans, the following measures must be included in order maximise the use of public transport:

A) The developer must appointment a travel plan co-ordinator for the school aspect of the development and must work 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 time-tables to all new employees, travel pack to be approved by the Council's transportation planning team.

C) Shower, lockers storage and changing facilities to be included as part of development proposal.

D) The developer is required to pay a sum of £3,000 (three thousand pounds) per travel plan for annual monitoring for a period of 5 years.

Reasons: To promote travel by sustainable modes of transport to and from the site.

2) The applicant is required to provide details on the cycle parking provision proposed, including details on how the cycle parking will be secured and how secure access will be given to employees and visitors

Reason: To ensure that cycles can be parked securely and promote travel by sustainable modes of transport to and from the site.

- 3) The applicant is required to submit a service and deliver plan (DSP)

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

Informative

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

## **8.4 Transport for London (TfL)**

- 8.4.1 The site will be accessed by vehicles, pedestrians and cyclists through the existing proposed access points, which is acceptable to TfL.
- 8.4.2 As the site has good access to public transport, TfL welcomes the car free nature of this development, which is in accordance with London Plan policy 6.13.
- 8.4.3 No details were provided regarding the provision of cycle parking spaces. Cycle parking provision must be in accordance with London Plan policy 6.9. The cycle parking for the wider Northumberland Development Project may need to be re-configured as deemed appropriate to account for the proposed change of use.
- 8.4.4 Considering the scale of the wider Northumberland Development Project, TfL does not require any trip generation analysis to be undertaken, as it is assumed the net trips generated can be accommodated on the public transport services, in accordance with London Plan policy 6.3.
- 8.4.5 TfL is satisfied that given the car free nature of the change of use, the impacts on the TRLN and SRN are acceptable, which is in accordance with the London Plan policy 6.3.
- 8.4.6 TfL considers that the impact of the proposed use, over and above that already permitted is unlikely to have an adverse impact on the public transport or highway networks. That being said, in order to ensure that the proposed development complies with the transport policies in the London Plan, the following matter should be addressed:
- Provision and/or allocation of sufficient cycle parking
- 8.4.7 As stated above, this item should be secured via the appropriate planning conditions and obligations.

## **9.0 ANALYSIS / ASSESSMENT OF APPLICATION**

### **9.1 Principle of Development**

- 9.1.1 The fourth floor was originally intended to be used exclusively by THFC as ancillary stadium-related space, including use as office space. The proposed change of use of the fourth floor to B1(a) is sought to allow for more flexibility in

respect of its occupation.

9.1.2 The site is located in a Local Employment Area as designated under Policy SP8 'Employment' of the Haringey Local Plan 2013. These areas are identified as important sites to provide employment. However, compared to other designated employment sites (such as Strategic Industrial Locations) a more flexible approach can be taken on what uses are permissible. Mixed use developments and activities which fall outside of the 'B' Use Class (Business/Industrial) can be appropriate.

9.1.3 Under the original application, the proposed mix of foodstore (A1), education (D1), stadium-related uses, showroom/brand centre was considered acceptable in this context. The proposed change of use will widen the range of potential occupiers and bring the scheme closer to the type of employment activities generally envisioned by this policy.

## **9.2 Design and appearance**

9.2.1 London Plan Policies 7.4 'Local Character' and 7.6 'Architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Haringey Local Plan Policy SP11 and Saved UDP Policy UD3 'General Principles' continue this approach.

9.2.2 The proposal will involve no change to the external appearance of the building so there will be no change to the impact of the building on local character having regard to the above policies.

## **9.3 Impact on Amenity**

9.3.1 London Plan Policy 7.6 'Architecture' and Saved UDP Policy UD3 requires development proposals to have no significant adverse impacts on the amenity of surrounding development.

9.3.2 The proposal will involve no change to the size of the building or position of windows so there will be no implication for loss of light, outlook or privacy. The proposed office use is unlikely to result in noise nuisance relative to the permitted use. There would be no harm to amenity in compliance with the above policies.

## **9.4 Traffic and Parking**

9.4.1 National planning policy seeks to reduce greenhouse gas emissions and congestion. This advice is also reflected in the London Plan Policies Policy 6.3 'Assessing effects of development on transport capacity', 6.11 'Smoothing Traffic Flow and Tackling Congestion' and 6.12 'Road Network Capacity', 6.13 'Parking' and broadly in Haringey Local Plan Policy SP7 and Saved UDP Policy UD3 'General Principles'.

9.4.2 Both Transport for London and the Council's Transportation Team have assessed the proposal and do not object.

9.4.3 The proposed site is located in an area with a high public transport accessibility level (PTAL5) and is part of the strategic road network. The site is served by ten bus routes and White Hart Lane Station is approximately 450m to the west and Northumberland Park Station is approximately 600m to the east. Seven Sisters

and Tottenham Hale Underground stations are both just over 2km away. Access to the site will be via existing pedestrian and vehicle routes.

- 9.4.4 Based on analysis of comparable sites, it is estimated that the development would generate approximately 22 in/out trips during the AM peak period. The development provides seven disabled parking spaces, exceeding the three (1 per 1000 m<sup>2</sup>) required by the parking standards in Saved UDP Policy M10. Policy M10 would also require the provision of 3 additional of-street parking spaces however due to the site being in area of high public transport accessibility and that a reduced level of parking would encourage sustainable modes of transport, it is not considered necessary for these parking spaces to be provided. It should also be noted that an all day Controlled Parking Zone (CPZ) is planned for this area.

9.4.5 TfL and the Council's Transportation Team therefore raise no objection to the scheme subject to a supplemental s106 agreement securing a workplace travel plan and £3,000 per travel plan for annual monitoring for up to 5 years; and subject to conditions securing details of cycle parking provision and a delivery and service plan.

9.4.6 The proposed development is therefore considered to cause no harm to the highway and transport network in compliance with the above policies.

## **9.5 Energy and Sustainability**

9.5.1 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. Policy 5.2 sets out the Mayor's 'lean, clean, green' energy hierarchy which prioritises energy use reduction, clean production and renewable production respectively.

9.5.2 A detailed energy strategy was submitted and approved in relation to the original scheme. The strategy for the upper floors was tailored to accommodating a mix uses. The proposed change of use from stadium related uses to office is not likely to have a significant impact on the energy savings predicted in the approved Energy Strategy.

## **9.6 Environmental Impact Assessment**

9.6.1 The development consented under the original permission is "schedule 2 development" within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, being an urban development project where the area of development exceeds 0.5 hectares. The applicant submitted an Environmental Statement (ES) dated May 2010 (with December 2011 Addendum) with the earlier application and the Local Planning Authority assessed the potential environmental impact of the development and was satisfied that the impacts of the development were not significant or adequately mitigated.

9.6.2 The proposed change of use of part of the building from stadium-related use (D2) to education (D1) is not considered to result in a significantly different environmental impact to that identified in the above ES. Consequently, it is considered that no further environmental impact assessment is required for this application.

## **9.7 S106 Planning Obligations and Community Infrastructure Levy (CIL)**

9.7.1 Section 106 of the Town and Country Planning Act 1990 allows the Local Planning Authority (LPA) to seek financial contributions to mitigate the impacts of a development.

9.7.2 There is an existing s106 agreement attached to the existing permission and to accommodate the change of use, a variation will be required to secure the following:

A work place travel plan including the following measures in order maximise the use of public transport:



- a) The developer must appointment a travel plan co-ordinator for the school aspect of the development and must work 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 time-tables to all new employees, travel pack to be approved by the Council's transportation planning team.
- c) Shower, lockers storage and changing facilities to be included as part of development proposal.
- d) Payment of £3,000 (three thousand pounds) per travel plan for annual monitoring for a period of 5 years.

9.7.3 The development does not result in any increase in floor area and therefore CIL is not liable.

## **10.0 SUMMARY AND CONCLUSION**

- 10.1 Under planning permission ref: HGY/2011/2350, permission was granted for a 5-storey building with food store (Use Class A1), education uses (Use Class D1), stadium-related uses (Use Class D2) and showroom/brand centre (sui generis) on the southern side of Northumberland Park. The building is enabling development for the wider Northumberland Development Project (NDP) which seeks to deliver regeneration through redevelopment of the White Hart Lane Stadium and surrounds.
- 10.2 The application seeks a minor material amendment to the above permission under s.73 of the Town and Country Planning Act 1990 (as amended) to facilitate the change of use of the fourth floor from stadium-related use (D2) to office B1(a).
- 10.3 Under Policy SP8 of the Haringey Local Plan 2013, the site is in a Local Employment Area and the proposed B1(a) use would be in accordance with employment activities sought in these areas.
- 10.4 Due to the site's high public transport accessibility, a forthcoming CPZ and the provision of seven disabled parking spaces, the proposed change of use will not cause harm to the highways and transport network.
- 10.5 Accordingly, it is recommend that the amendment is approved and Condition 42 be amended to reflect the revised plans, subject to the agreement of a a supplemental s106 securing further travel plans and contributions towards their monitoring.

## **11.0 RECOMMENDATION**

### **GRANT AMENDMENT**

Subject to the following conditions and supplemental s106 Agreement

## **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 Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

## **DRAWINGS**

**2. The development hereby permitted shall be carried out in accordance with the following approved plans: 11580/001 P1, 11580/002 P1, 11580/005 P1, 11580/100 P1, 11580/101 P1, 11580/102 P1, 11580/103 P1, 11580/104 P3, 11580/005 P1 and BHC-XX-9091**

Reason: For the avoidance of doubt and in interests of proper planning.

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

Reason: To preserve the setting and appearance of the listed buildings, and to ensure a high quality development to preserve and enhance the character and appearance of the North Tottenham Conservation Area in accordance with Haringey Local Plan Policies SP11 'Design' and SP12 'Conservation' and Saved Unitary Development Plan (UDP) 2006 Policy CSV5 and UD3 of the London Borough of Haringey Unitary Development Plan 2006.

## **LANDSCAPE MANAGMENT**

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

Reason: To ensure a comprehensive and sustainable development, to ensure good design, to ensure that the landscaping is secured in accordance with the Environmental Impact Assessment, in accordance with Haringey Local Plan Policies SP11 'Design' and SP13 'Open Space and Biodiversity' Saved Unitary Development Plan (UDP) 2006 Policy UD3

## **PARKING**

**5. Unless otherwise agreed in writing by the Local Planning Authority, the car parking provision within the development shall not exceed 401 spaces for the food store and**

**26 spaces (outside the site), including 7 disabled parking spaces, for the upper floor uses.**

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

#### **CYCLE PARKING**

**6. Prior to the occupation of the development hereby permitted, a detailed cycle parking scheme shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with the details so approved.**

Reason: In order to ensure that well designed safe and appropriate levels of cycle parking in the scheme are provided in accordance with Haringey Local Plan Policy SP7 'Transport' and Saved Haringey Unitary Development Plan (UDP) 2006 Policy UD3.

#### **STAFF PARKING**

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

Reason: In order to ensure the appropriate levels of car parking in the scheme are not exceeded in accordance with Haringey Local Plan Policy SP7 'Transport' and Saved Haringey Unitary Development Plan (UDP) 2006 UD3 'General Principles'.

#### **HOURS OF CONSTRUCTION**

**8. The construction works of the development hereby granted shall not be carried out before 0700 or after 1900 hours Monday to Friday or before 0700 or after 1900 hours on Saturday or before 0800 hours or after 1600 hours on Sundays and not at all on Bank Holidays.**

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

#### **LORRIES**

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

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

## **LOADING/UNLOADING**

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

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

## **NOISE**

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

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

## **USE OF ROOF**

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

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

## **FLOOD RISK**

**13. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA). Ref: BDRP0001, Version 6, Final, May 2010 and the following mitigation measures detailed within the FRA:**

- i. Reducing the surface water runoff from the site by at least 50% for all storm events up to and including the 1 in 100 year critical storm, taking into account the effects of climate change. The peak discharge must not exceed 150/l/s/ha.**
- ii. Provision of storage on site to attenuate all flood events up to and including the 1 in 100 year event, taking into account the effects of climate change.**

**iii. Identification and provision of safe route(s) into and out of the site to an appropriate safe-haven.**

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

**UNIDENTIFIED CONTAMINATION**

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

Reason: To ensure protection of controlled waters.

**DELIVERY**

**15. Deliveries to the supermarket shall only take place between the hours of 5.00am and 11.00pm on any day. In addition to implementing the noise mitigation measures described in the approved Environmental Statement, Servicing Route A via the junction of Tottenham High Road (A1010) and Northumberland Park (as identified in Figure 4.1, Volume 8 of the approved Transport Assessment) shall be utilised unless otherwise agreed in writing by the Local Planning Authority.**

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

**DELIVERY AND SERVICING**

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

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

**PARKING STEWARDS**

**17. The developer provides a delivery and servicing plan for the fourth floor office hereby approved. The servicing and delivery plan should include:**

**a) Programme deliveries outside the AM and PM peak periods in order to reduce congestion on the highway network.**

**b) Details of refuse collection to be provided as part of the service and deliver plan.**

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

## **COLLABORATION**

**18. Unless agreed in writing with the Local planning Authority, The applicant/ developer shall provide parking stewards inside the food store car park for the duration of the operation of the foodstore. Such wardens shall manage the use of the car park to maximise efficiency**

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

## **NO CHANGE OF USE**

**19. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 or any Order revoking or re-enacting that Order, no conversion of the B1(a) use hereby approved to Residential C3 shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.**

Reason: To ensure that no inappropriate residential development takes place in the interests of land use planning and residential amenity consistent with Policy 3.5 of the London Plan 2011, Haringey Local Plan Policies SP1 'Managing Growth' SP2 'Housing' and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

## **12.0 APPENDICES**

### **12.1 Appendix 1 – Consultation Responses**

No.	Stakeholder	Question/Comment	Response
	INTERNAL	<p>The proposed site is located in an area with a high public transport accessibility level (PTAL5) and is part of the strategic road network (SRN). There are ten bus routes serving this area: routes 149, 279, 259, 341, 476, 123, 243, 318, W3 and 349 with bus stops on the High Road and on Northumberland Park. There are two national rail stations within reasonable walking distance of the site. White Hart Lane station is approximately 450m to the west and provides access to services on the Seven Sisters branch of the Lea Valley Line. Northumberland Park station is approximately 600m to the east and provides access to services on the Tottenham Hale branch of the Lea Valley line. The nearest underground station is Tottenham Hale on the Victoria Line, approximately 2.2 km from the stadium. Seven Sisters is 2.3km to the south, of the stadium.</p> <p>The applicant is proposing to change some 3,055 sqm of B1 space on the fourth floor which was previously proposed to be use as stadium related B1 use to general B1 use. We have assessed the car trips likely to be generated by the proposed facility using similar site from the TRAVL trip prediction database Brent Town Hall HA9 and Chiswick Park W4) the results of the analysis suggest that, this development proposal would generate some 22 in/out trips during the critical am peak period; the applicant has proposed providing 7 off street disabled car parking spaces for the use of the B1 units. The Disabled car parking provision is in line with Saved UDP policy M10, which requires the applicant to provide 2 disable car parking spaces per 1000Sqm.</p> <p>The parking standard requires the applicant to provide 3 additional off street car parking spaces to service this</p>	<p>Noted. Conditions and s106 provision</p>

No.	Stakeholder	Question/Comment	Response
		<p>development proposal. However considering that the proposed office is located in an area with high public transport accessibility (PTAL 5); and reduced parking would promote travel by sustainable modes of transport which is in line with Haringey's Local Plan Policies, SP1 Managing Growth, SP4 Working towards a Low carbon Haringey, and SP7 Transport. The applicant does not need to provide any additional off street car parking spaces. It is also to be noted that an all day CPZ is planned for this area which will restrict parking demand during the day and visitors parking will be available on the streets surrounding the site in the form of pay and display parking bays.</p> <p>Consequently the Transportation and highways authority would not object to this application subject to the following s.106 obligations and conditions:</p> <ol style="list-style-type: none"> <li>1) A work place travel plan must be secured by the S.106 agreement. As part of the travel plans, the following measures must be included in order maximise the use of public transport: <ul style="list-style-type: none"> <li>A) The developer must appointment a travel plan co-ordinator for the school aspect of the development and must work in collaboration with the Facility Management Team to monitor the travel plan initiatives annually.</li> <li>B) Provision of welcome induction packs containing public transport and cycling/walking information like available bus/rail/tube services, map and time-tables to all new employees, travel pack to be approved by the Council's transportation planning team.</li> <li>C) Shower, lockers storage and changing facilities to be</li> </ul> </li> </ol>	



No.	Stakeholder	Question/Comment	Response
		<p>included as part of development proposal.</p> <p>D) The developer is required to pay a sum of, £3,000 (three thousand pounds) per travel plan for annual monitoring for a period of 5 years.</p> <p>Reasons: To promote travel by sustainable modes of transport to and from the site.</p> <p>2) The applicant is required to provide details on the cycle parking provision proposed, including details on how the cycle parking will be secured and how secure access will be given to employees and visitors</p> <p>Reason: To ensure that cycles can be parked securely and promote travel by sustainable modes of transport to and from the site.</p> <p>The applicant is required to submit a service and deliver plan (DSP)</p> <p>Reason: To reduce congestion and mitigate any obstruction to the flow of traffic.</p> <p>Informative The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.</p>	
	<b>EXTERNAL</b>		
	<b>Greater London</b>	The proposal does not raise any new strategic planning issues.	

No.	Stakeholder	Question/Comment	Response
	Authority (GLA)	<p>The original application represented EIA development and the environmental information available to date has been taken into consideration in formulating these comments.</p> <p>The Council may proceed to determine the application without further reference to the GLA.</p>	
	Transport for London (TfL)	<p>The site will be accessed by vehicles, pedestrians and cyclists through the existing proposed access points, which is acceptable to TfL.</p> <p>As the site has good access to public transport, TfL welcomes the car free nature of this development, which is in accordance with London Plan policy 6.13.</p> <p>No details were provided regarding the provision of cycle parking spaces. Cycle parking provision must be in accordance with London Plan policy 6.9. The cycle parking for the wider Northumberland Development Project may need to be re-configured as deemed appropriate to account for the proposed change of use.</p> <p>Considering the scale of the wider Northumberland Development Project, TfL does not require any trip generation analysis to be undertaken, as it is assumed the net trips generated can be accommodated on the public transport services, in accordance with London Plan policy 6.3.</p> <p>TfL is satisfied that given the car free nature of the change if use, the impacts on the TRLN and SRN are acceptable, which is in accordance with the London Plan policy 6.3.</p>	Noted. Recommendations followed.

No.	Stakeholder	Question/Comment	Response
		<p>TfL considers that the impact of the proposed use, over and above that already permitted is unlikely to have an adverse impact on the public transport or highway networks. That being said, in order to ensure that the proposed development complies with the transport policies in the London Plan, the following matter should be addressed:</p> <ul style="list-style-type: none"> <li>- Community Infrastructure Levy</li> <li>- Provision and/or allocation of sufficient cycle parking</li> </ul> <p>As stated above, this item should be secured via the appropriate planning conditions and obligations.</p>	<p>CIL is not liable as development is for change of use only.</p>
	<b>RESIDENTS</b>	n/a	

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Planning Committee 9<sup>th</sup> December 2013

Item No.

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2013/1976	<b>Ward:</b> Northumberland Park
<b>Address:</b> Land Off Northumberland Park N17 0AL	
<b>Proposal:</b> Variation of condition 42 (pending approval of s.96A application HGY/2013/1861) attached to planning permission HGY/2011/2350, for variation of second floor plan to allow for proposed change of use from stadium-related uses (Use class D2); showroom/brand centre (sui generis), to Class D1 to form a new university technical college and associated minor alterations	
<b>Existing Use:</b> D2/Sui Generis (club use/brand centre)	
<b>Proposed Use:</b> Education (D1)	
<b>Applicant:</b> TH Property Limited / Stardare Limited	
<b>Ownership:</b> Private	

**DOCUMENTS****Title**

Planning Statement

Transport Assessment - September 2013

**PLANS**

Plan Number	Rev.	Plan Title
11580 002	P1	OS Map
11580 NMA 001	P1	Site location plan
11580 NMA 102	P2	Approved second floor plan
411 TOT 6000		Control Option – Level 01
411 TOT 6020		Control Option – Level 02
411 TOT 6020		Control Option – Level 03
11580 002	P1	Existing OS Map Planning Application Boundary
BHC-XX-9091	00	Indicative Blue Badge Vehicle Pupil/Staff Cycle parking plan

**Case Officer Contact:**

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E: [jeffrey.holt@haringey.gov.uk](mailto:jeffrey.holt@haringey.gov.uk)**PLANNING DESIGNATIONS:**

- Local Employment Area

**RECOMMENDATION**

**GRANT AMENDMENT** subject to conditions and the completion of a supplemental s106 legal agreement

## SUMMARY OF REPORT

Under planning permission ref: HGY/2011/2350, permission was granted for a 5-storey building with food store (Use Class A1), educational uses (Use Class D1), stadium-related uses (Use Class D2) and showroom/brand centre (sui generis) on the southern side of Northumberland Park. The building is enabling development for the wider Northumberland Development Project (NDP) which seeks to deliver regeneration through redevelopment of the White Hart Lane Stadium and surrounds.

The application seeks a minor material amendment to the above permission under s.73 of the Town and Country Planning Act 1990 (as amended) to facilitate the change of use of the second floor from stadium-related uses (Use class D2); showroom/brand centre (sui generis), to Class D1 to form a new university technical college and associated minor alterations.

The site is located in a Local Employment Area as such a flexible approach can be taken on what uses are permissible. The proposed change of use will entail the loss of the showroom/brand centre. However, the loss of this element in favour of an education facility is considered acceptable as it would be supported by policies seeking greater provision of such uses.

Due to the site's high public transport accessibility, a forthcoming CPZ and the provision of 4 disabled parking spaces and additional cycle spaces, the proposed change of use will not cause harm to the highways and transport network.

Accordingly, it is recommended that the amendment is approved and Condition 42 be amended to reflect the revised plans, subject to the agreement of a supplemental s106 securing further travel plans and contributions towards their monitoring.

<b>TABLE OF CONTENTS</b>	
1.0	SITE PLAN
2.0	IMAGES
3.0	SITE AND SURROUNDINGS
4.0	PROPOSAL DESCRIPTION
5.0	PLANNING HISTORY
6.0	RELEVANT PLANNING POLICY
7.0	CONSULTATION
8.0	ANALYSIS / ASSESSMENT OF APPLICATION
9.0	SUMMARY AND CONCLUSION
10.0	RECOMMENDATION
11.0	APPENDICES: Appendix 1: Consultation Responses

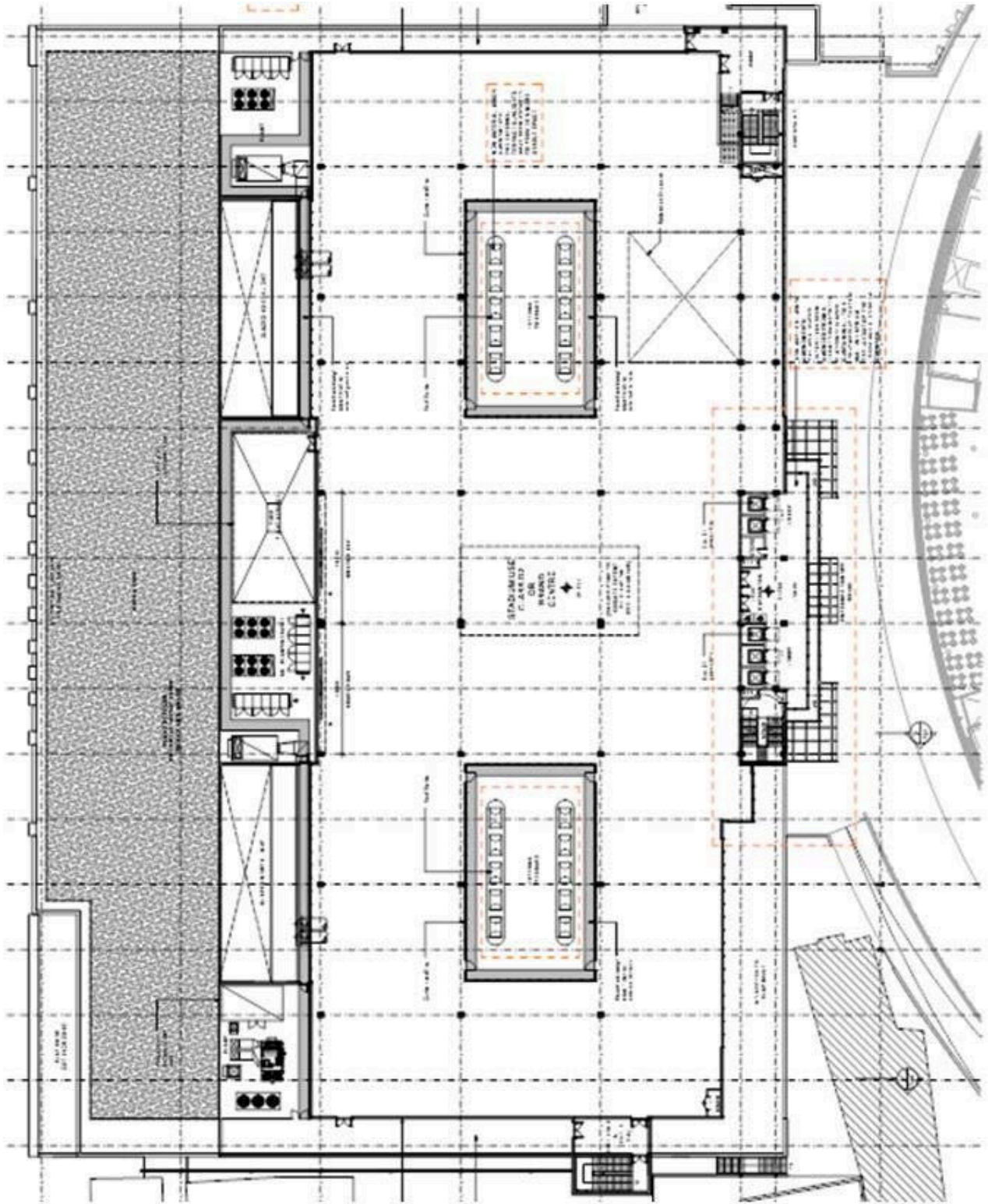
1.0 SITE PLAN





2.0 IMAGES

Second floor plan



### 3.0 SITE AND SURROUNDINGS

3.1 The application site is 1.66ha in area and is located on the south side of Northumberland Park. Tottenham High Road is to the west and Worcester Avenue is to the east. The site is owned by Tottenham Hotspur Football club (THFC) and is located just north of the stadium.

3.2 Currently under construction is a large 5-storey building occupying the majority of the site. Under the existing permission, the use of each floor is as follows:

Ground	Parking and servicing
First	Foodstore (A1)
Second	Showroom/brand centre (D2/Sui generis)
Third	Education (D1)
Fourth	Stadium related use (D2)

3.3 Surrounding development is characterised by a diverse range of 2- and 3-storey Victorian and Edwardian buildings plus a number of more recently constructed brick buildings. These are predominantly residential to the north and east of the site. On Tottenham High Road development is of mixed use often with commercial on the ground floor and residential above. To the south is land that has been extensively cleared but was once occupied by an industrial and business estate. To the south-east is Northumberland Park Community School.

3.4 Under the Haringey Local Plan 2013, the site is a designated Local Employment Area and the part of the High Road to the west of the site is a designated Local Shopping Centre.

3.5 Parts of the western edge of the site are covered by the North Tottenham/Tottenham High Road Conservation Area. The terrace of buildings at 790-812 (e) High Road includes four Grade II\* listed buildings, five Grade II listed buildings, one locally listed building and two buildings that make a positive contribution to the Conservation Area.

### 4.0 PROPOSAL DESCRIPTION

4.1 The application proposes to vary condition 42 of the existing planning permission for the building (ref: HGY/2011/2350), to facilitate a change of use of the second floor from Use Class D2/Sui Generis (Club use/brand centre) to D1 (education) to accommodate the Tottenham University Technical College (UTC). The UTC will occupy both the second (5,666 sqm) and third floor (3,238sqm) providing a 8,904 sqm facility. The third floor already benefits from D1 (education) consent but the green roof at this floor will be converted into an amenity space for students.

4.2 Condition 42 lists the approved plans to which the planning permission must adhere to and the change of use is sought by varying the list of drawings to include plans showing the UTC.

- 4.3 This process of seeking minor material amendments is possible by powers under s.73 of the Town and Country Planning Act.

## 5.0 PLANNING HISTORY

5.1 Permission was granted in 2011 for a comprehensive regeneration scheme centred on the development of a new stadium for the THFC. This is known as the Northumberland Development Project (NDP). The NDP site is 11.5 ha in area and is roughly bounded by High Road, Northumberland Park, Worcester Avenue and Park Lane. This included the provision of a 4-storey building with food store at northern end of the site (known as the 'Northern Development').

5.2 In 2012, a stand-alone permission was granted for a similar but larger Northern Development building. This permission is separate to the wider NDP permission but is tied into the same s106 agreement. This permission has been implemented by the current construction on-site. There have been a number of subsequent minor applications.

5.3 The application details for this site are provided below:

- HGY/2010/1000, 1001, 1002, 1003:

Demolition and comprehensive redevelopment of a stadium (Class D2) with hotel (Class C1), retail (Class A1 and/or A2 and/or A3 and/or A4 and/or A5), museum (Class D1) offices (Class B1) and housing (Class C3); together with associated facilities including the construction of new and altered roads, footways, public and private open spaces; landscaping and related works. Details of "appearance" and "scale" are reserved in relation to the proposed residential and hotel buildings. - GRANTED

- HGY/2011/2350 - Proposed demolition of buildings and development of a foodstore (Use Class A1) together with educational uses (Use Class D1); stadium-related uses (Use Class D2); showroom/brand centre (sui generis); and associated facilities including car parking, the construction of new and altered vehicle and pedestrian accesses, private open spaces, landscaping and related works. - GRANTED
- HGY/2012/0515 - Section 96A Non-material amendments to Condition 18 (Construction Hours) attached to planning permission reference HGY/2011/2350 to extend hours of demolition and construction to be carried out except between the hours of 0700 to 1900 hours (Monday to Saturday) and 0800 to 1600 hours on Sunday.
- HGY/2012/0983 - Non-material amendment following a grant of planning permissions HGY/2011/2350 for minor changes to the substation in north west corner of the site to include minor alterations to the siting and size of the proposed substation -
- HGY/2012/1210 - Non - material amendments following a grant of planning permission HGY/2011/2350 to Green Wall (small section) adjacent to substation reduced in height by 1750mm to accommodate store signage, Green Wall (main section) moved in an eastern direction by 500mm to provide

building tolerance, 27 Sheffield bike stands added against west facing elevation, Intermediate landing on Fire Stair D added and stair position amended, Additional Fire Exit door added to north elevation superstore café, Sheffield bike stands added outside café area for store usage, Elevational Position and treatment to travelator area amended and closed off, Roller shutters added to car park entrance, Taxi office removed and replaced by car pick-up point, Store sub-station relocated from car park into service yard (double doors removed from east elevation) and 3 additional parking bays added, Service yard entrance gates amended and access gate added, Service yard plant equipment and sub-station relocated, Total number of parking bays amended, Roller shutters added to the North & West facing car park entrances for security purposes, Height Restriction Bar added to the North & West facing car park entrances for security purposes. Fire Exit doors from SW corner adjacent to stair D adjusted, Revelatory position adjusted, Glazed Bay windows along north face elevation adjusted to avoid column clashes and reflect original 2010 application rhythm, Service yard plant equipment adjusted – GRANTED

- HGY/2013/1060 - Display of 1 x internally illuminated fascia sign and 6 x non-illuminated fascia signs at new Sainsbury's store (approved under application reference HGY/2011/2350) – GRANTED
- HGY/2012/1682 - Non - material amendment following a grant of planning permission HGY/2011/2350 for the introduction of a modest atrium space, remove windows to the south facade at podium, minor adjustment to the line of the building at upper levels – GRANTED
- HGY/2013/1861 - Non-material amendment following a grant of planning permission HGY/2011/2350 to add a new condition listing plans approved by planning permission HGY/2011/2350 to facilitate the use of s.73 of the TCPA 1990 for the change of use of the second floor from D2 to D1 and to allow for any future s.73 applications as may be required
- HGY/2013/2037 - Non-material amendment following a grant of planning permission HGY/2011/2350 in order to vary wording of Condition 3 pertaining to the rear boundary works to the northern terrace

## 6.0 RELEVANT PLANNING POLICY

### National Planning Policy Framework

### London Plan 2011

Policy 3.18 Education facilities

Policy 4.12 Improving Opportunities for All

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Haringey Local Plan 2013-2026

- SP1 Managing Growth
- SP7 Transport
- SP8 Employment
- SP9 Improving skills and training to support access to jobs and community cohesion and inclusion
- SP10 Town Centres
- SP11 Design
- SP12 Conservation
- SP16 Community Facilities

Saved Unitary Development Plan 2006 Policies

- UD3 General Principles
- TCR2 Out of Town Centre Development
- M10 Parking for Development

**7.0 CONSULTATION**

<b>Internal</b>	<b>External</b>
Ward Councillors Transportation Education Tottenham Team	<u>Residents:</u> 1-41 (c) Worcester Avenue, N17 790-814 (e) High Road, N17 incl. flats within 1-57 (o), 50, 52 (Northumberland Park, N17 incl. flats within  Tottenham CAAC Tottenham Civic Society Transport for London

**8.0 RESPONSES**

**8.1 Greater London Authority (GLA)**

- 8.1.1 The proposal does not raise any new strategic planning issues.
- 8.1.2 The original application represented EIA development and the environmental information available to date has been taken into consideration in formulating these comments.
- 8.1.3 The Council may proceed to determine the application without further reference to the GLA.

**8.2 LBH Transportation**

- 8.2.1 The proposed site has a high public transport accessibility level (PTAL5) and is part of the strategic road network (SRN). There are ten bus routes serving this

area: routes 149, 279, 259, 341, 476, 123, 243, 318, W3 and 349 with bus stops on the High Road and on Northumberland Park. There are two national rail stations within reasonable walking distance of the site. White Hart Lane station is approximately 450m to the west and provides access to services on the Seven Sisters branch of the Lea Valley Line. Northumberland Park station is approximately 600m to the east and provides access to services on the Tottenham Hale branch of the Lea Valley line. The nearest underground station is Tottenham Hale on the Victoria Line, approximately 2.2 km from the stadium. Seven Sisters is 2.3km to the south, of the stadium.

- 8.2.2 The applicant is proposing to change the use of the second floor from stadium related use to (D2) to a university technical college (D1); the proposed facility will incorporate some 5,666 m<sup>2</sup> floor area which was to be used for stadium related activity. This is in addition to the previously approved 3,238 m<sup>2</sup> approved for D1 use; this is a total of 8,904 m<sup>2</sup> in total for use as a UTC. The applicant's transport planning consultant has forecasted that the proposed UTC will have some 924 students and 120 staff. As UTC's are specialist educational facilities and are limited in number, there are no comparable sites in the TRAVL trip prediction database. As such the applicant's transport planning consultant has forecasted that the proposed trip rates based on first principle, using surveys from the 2011 census data. The results of the analysis suggest that a development of this nature will generate the majority of trips by sustainable mode of transport with some 97% of trips by sustainable modes of transport. A larger proportion of students will travel by bus or will walk to the proposed facility with both modes each accounting for 36% of modal split (72% of overall travel). The TA has proposed that some 16% will travel by rail, 7% will cycle and 3% will be dropped off by car.
- 8.2.3 We have some concerns with regards to the proposed modal split for walking, which predicts that some 36% of overall travel to the proposed UTC will walk only. We have considered that as the proposed facilities will be specialist in nature, it will have a larger catchment area and as such the number of walking trips should be lower, and the percentage of trips by bus trips higher. We have however considered that as there is spare capacity on the bus network that any percentage change from walking trips to bus trips would not have any impact on the transportation and highways network. The applicant has proposed providing four disabled car parking spaces, we would have expected a development of this type to have provided at least eight disabled car parking spaces for the UTC aspect of the development. However as there are no specific parking standards regarding the provision of disabled car parking spaces for UTC; this does not form sufficient grounds to object to this application.
- 8.2.4 The applicant has not proposed providing any parking for general needs i.e. visitors and staff, we consider this acceptable as the site is located in an area with a high public transport accessibility level (PTAL 5), and is proposed to be covered by an all day CPZ. This will encourage staff and students to use sustainable modes of transport which is in line with the Council's local plan policies SP1, SP4 and SP7. In addition the applicant has proposed providing 120 cycle parking stands. The cycle parking provision is in line with Haringey's cycle parking standards; however the applicant has not clearly identified how the cycle parking will be accessed and how access will be securely controlled.

Consequently the transportation and highways authority would not object to this application subject to the following conditions:

1) A school travel plan must be secured by a S.106 agreement. As part of the travel plans, 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 for the school aspect of the development and must work 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 students, travel pack to be approved by the Council's transportation planning team.

c) The developer is required to pay a sum of, £3,000 (three thousand pounds) per travel plan for annual monitoring for a period of 5 years.

2) The applicant is required to provide details on the cycle parking provision proposed, including details on how the cycle parking will be secured and how secure access will be given to student and teachers.

Reason: To ensure that cycles can be parked securely and promote travel by sustainable modes of transport to and from the site.

3) The applicant is also required to submit a servicing and delivery plan (DSP)

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

Informative

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

### 8.3 Transport for London

8.3.1 The site will be accessed by vehicles, pedestrians and cyclists through the existing proposed access points, which is acceptable to TfL.

8.3.2 As the site has good access to public transport, TfL welcomes the car free nature of this development, including four on-site spaces for blue badge holders. This proposal is therefore in accordance with London Plan policy 6.13. In addition, TfL recommends those accessible spaces are equipped with active electric vehicle charging points, which should be secured through a planning condition. In addition, provision for vehicle drop-offs, including minibuses, should be adequately catered for.

8.3.3 TfL welcomes the applicant's commitment to provide 105 cycle spaces, as this level of provision meets the standards set out in London Plan policy 6.9 and draft Revised Early Minor Alterations to the London Plan (August 2013). Details should be provided within the application drawings as to the location of the proposed cycle stands to enable TfL to assess their suitability, as stands should be located in accessible, convenient, secure and sheltered areas of the site.

- 8.3.4 TfL supports the method used to calculate the trip rate and modal split for the proposed change of use.
- 8.3.5 TfL is satisfied that given the car free nature of the change if use, the impacts on the TRLN and SRN are acceptable, which is in accordance with the London Plan policy 6.3.
- 8.3.6 TfL is satisfied that given the number of proposed trips in comparison to that predicted with the permitted use of this building, the impact on the capacity of the Underground and Bus network is acceptable, which is in accordance with the London Plan policy 6.3.
- 8.3.7 TfL requests that a school travel plan is submitted to, and approved by the Council, in consultation with TfL, in accordance with London Plan policy 6.3.
- 8.3.8 TfL considers that the impact of the proposed use, over and above that already permitted is unlikely to have an adverse impact on the public transport or highway networks. That being said, in order to ensure that the proposed development complies with the transport policies in the London Plan, the following matter should be addressed:

- Submission of a School Travel Plan to be secured

As stated above, this item should be secured via the appropriate planning conditions and obligations.

## **8.4 Cllr John Bevan**

### **8.4.1 Objection**

- Increased congestion from 924 students plus 100+ staff
- Additional transport provision is required, including contributions through a s106 agreement
- The proposed car parking, disabled parking and cycle parking provision is inadequate
- Local jobs should be sought through this application
- The UTC should be required to work closely with the nearby 6<sup>th</sup> Form Centre through a planning condition
- It is assumed that a college of this size is a practical proposition and meets all relevant standards under building control, health and safety

### **8.4.2 One response from a local resident**

- Principle of a UTC is acceptable
- There have been 'sham' institutions located on this site previously and in the local area which served a visa circumvention route rather than as a true academic institution



- The credibility of the higher education body should be verified

8.4.3 How many local jobs will be generated for both teaching and non-teaching staff

**8.4.4 One objection from Haringey Sixth Form Centre**

- Is a UTC the best use of floor space above a carpark and supermarket and beneath office space
- The design should afford high standards of child protection, pupil and staff amenity
- There is a risk of over provision in the area. Northumberland Park School and Haringey Sixth Form Centre are available. If the UTC is not able to fill its places it will harm pupil experience
- The Sixth Form Centre would welcome the opportunity to work in collaboration with the UTC

**9.0 ANALYSIS / ASSESSMENT OF APPLICATION**

**9.1 Principle of Development**

- 9.1.1 The approved scheme incorporates an education use on its third floor and the current application seeks the change the use of the second floor from showroom/brand centre (D2/Sui Generis) to education (D1). This is to provide a University Technical College (UTC) over both of these floors (8,904 sqm in total).
- 9.1.2 The provision of education facilities, particularly in areas of high unemployment (such as Northumberland Park), is sought under Policy SP9 of the Haringey Local Plan 'Improving skills and training to support access to jobs and community cohesion and inclusion'. This aim is also sought more generally by SP16 'Community Facilities'.
- 9.1.3 The application is also supported by London Plan Policy 3.18 'Education Facilities'. The policy also seeks sharing of facilities between schools and college and the Haringey Sixth Form centre has expressed a desire to work with the new UTC. This is supported by Cllr Bevan. A condition will be applied requiring that such an arrangement is investigated so that facilities can be used effectively and the risk of overprovision is lessened.
- 9.1.4 The site is located in a Local Employment Area as designated under Policy SP8 'Employment' of the Haringey Local Plan 2013. These areas are identified as important sites to provide employment. However, compared to other designated employment sites (such as Strategic Industrial Locations) a more flexible approach can be taken on what uses are permissible. The proposed change of use will entail the loss of the showroom/brand centre. However, the loss of this element in favour of an education facility is considered acceptable. Given the proposed change of use of the fourth floor offices (B1(a)), the overall impact in terms of employment uses is considered neutral/positive.
- 9.1.5 The proposed development is therefore supported by planning policies seeking provision of education facilities and those seeking provision of employment uses on employment land.

## **9.2 Design and appearance**

- 9.2.1 London Plan Policies 7.4 'Local Character' and 7.6 'Architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Haringey Local Plan Policy SP11 and Saved UDP Policy UD3 'General Principles' continue this approach.
- 9.2.2 The proposal will involve no change to the external appearance of the building so there will be no change to the impact of the building on local character having regard to the above policies.

## **9.3 Impact on Amenity**

- 9.3.1 London Plan Policy 7.6 'Architecture' and Saved UDP Policy UD3 requires development proposals to have no significant adverse impacts on the amenity of surrounding development.
- 9.3.2 The approved scheme included a green roof at third floor level and it is proposed that it be converted into an outside amenity space for students. There would be two spaces, one on each of the east and west sides. To minimise overlooking from these roof terraces to the nearest residential properties, a condition will be applied requiring the submission of detailed scheme for screening around the edge of the roof terraces. There would be no harm to amenity in compliance with the above policies.

## **9.4 Traffic and Parking**

- 9.4.1 National planning policy seeks to reduce greenhouse gas emissions and congestion. This advice is also reflected in the London Plan Policies Policy 6.3 'Assessing effects of development on transport capacity', 6.11 'Smoothing Traffic Flow and Tackling Congestion' and 6.12 'Road Network Capacity', 6.13 'Parking' and broadly in Haringey Local Plan Policy SP7 and Saved UDP Policy UD3 'General Principles'.
- 9.4.2 Both Transport for London and the Council's Transportation Team have assessed the proposal and do not object.
- 9.4.3 The proposed site is located in an area with a high public transport accessibility level (PTAL5) and is part of the strategic road network. The site is served by ten bus routes and White Hart Lane Station is approximately 450m to the west and Northumberland Park Station is approximately 600m to the east. Seven Sisters and Tottenham Hale Underground stations are both just over 2km away.
- 9.4.4 The proposed change of use of will result in a UTC with 8,904 m<sup>2</sup> total floorspace. The applicant's transport planning consultant has forecasted that the proposed UTC will have some 924 students and 120 staff. As UTC's are specialist educational facilities and are limited in number, there are no sites which can be used to compare with the application site. As such the applicant's transport planning consultant has forecasted that the proposed trip rates based on a first principles analysis of 2011 census data. The results of the analysis suggest that for a development of this nature, 97% of trips will be by sustainable modes of transport (36% walk, 36% bus, 16% rail, 7% cycle, 3% dropped off by car).

- 9.4.5 The Transportation Team has expressed doubt that the proportion of users that will walk will be as high as 36% as the UTC is a specialist facility with a wide catchment area. However, it is considered that there is spare capacity on the bus network that can absorb any percentage change from walking trips to bus trips.
- 9.4.6 The applicant has proposed providing four disabled car parking spaces. The Transportation team would prefer eight disabled spaces to be provided but as there are no specific parking standards for UTCs, no objection is raised.
- 9.4.7 No general needs parking (i.e. visitors and staff) has been provided however due to the site being in area of high public transport accessibility and that a reduced level of parking would encourage sustainable modes of transport, it is not considered necessary for these parking spaces to be provided. It should also be noted that an all day Controlled Parking Zone (CPZ) is planned for this area.
- 9.4.8 In addition the applicant has proposed providing 120 cycles parking stands. The cycle parking provision is in line with Haringey cycle parking standards. However, the applicant has not clearly identified how the cycle parking will be accessed and how access will be securely controlled. A condition will be applied requiring submission and approval of further details.
- 9.4.9 TfL and the Council's Transportation Team therefore raise no objection to the scheme subject to a supplemental s106 agreement securing a school travel plan, and £3,000 per travel plan for annual monitoring for up to 5 years; and subject to conditions securing details of cycle parking provision and a delivery and service plan.
- 9.4.10 The proposed development is therefore considered to cause no harm to the highway and transport network in compliance with the above policies.

## **9.5 Energy and Sustainability**

- 9.5.1 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. Policy 5.2 sets out the Mayor's 'lean, clean, green' energy hierarchy which prioritises energy use reduction, clean production and renewable production respectively.
- 9.5.2 A detailed energy strategy was submitted and approved in relation to the original scheme. The strategy for the upper floors was tailored to accommodating a mix uses. The proposed change of use from stadium related uses to education is not likely to have a significant impact on the energy savings predicted in the approved Energy Strategy.

## **9.6 Environmental Impact Assessment**

- 9.6.1 The development consented under the original permission is "schedule 2 development" within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, being an urban development project where the area of development exceeds 0.5 hectares. The applicant submitted an Environmental Statement (ES) dated May 2010 (with December 2011 Addendum) with the earlier application and the Local Planning Authority assessed the potential environmental impact of the development and was satisfied that the impacts of the development were not

significant or adequately mitigated.

9.7 The proposed change of use of part of the building from club use/brand centre (D2/Sui Generis) to education (D1) is not considered to result in a significantly different environmental impact to that identified in the above ES. Consequently, it is considered that no further environmental impact assessment is required for this application.

**9.8 S106 Planning Obligations and Community Infrastructure Levy (CIL)**

9.8.1 Section 106 of the Town and Country Planning Act 1990 allows the Local Planning Authority (LPA) to seek financial contributions to mitigate the impacts of a development.

9.8.2 There is an existing s106 agreement attached to the existing permission and to accommodate the change of use, a supplemental agreement will be required to secure the following:

9.8.3 A school travel plan with the following measures included in order to maximise the use of public transport:

a) The developer must appoint a travel plan co-ordinator for the school aspect of the development and must work 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 students, travel pack to be approved by the Council's transportation planning team.

c) Payment of, £3,000 (three thousand pounds) per travel plan for annual monitoring for a period of 5 years.

## 10.0 SUMMARY AND CONCLUSION

- 10.1 Under planning permission ref: HGY/2011/2350, permission was granted for a 5-storey building with food store (Use Class A1), education uses (Use Class D1), stadium-related uses (Use Class D2) and showroom/brand centre (sui generis) on the southern side of Northumberland Park. The building is enabling development for the wider Northumberland Development Project (NDP) which seeks to deliver regeneration through redevelopment of the White Hart Lane Stadium and surrounds.
- 10.2 The application seeks a minor material amendment to the above permission under s.73 of the Town and Country Planning Act 1990 (as amended) to facilitate the change of use of the second floor from showroom/brand centre (D2/sui generis) to University Technical College (D1)
- 10.3 The provision of a UTC would support Borough aims to encourage growth of education and training facilities, particularly in areas of high unemployment. On balance the loss of the showroom/brand centre is acceptable.
- 10.4 Due to the site's high public transport accessibility, a forthcoming CPZ and the provision of 4 disabled parking spaces, the proposed change of use will not cause harm to the highways and transport network.
- 10.5 Accordingly, it is recommend that the amendment is approved and Condition 42 be amended to reflect the revised plans, subject to the agreement of a supplemental s106 securing further travel plans and contributions towards their monitoring.

## 11.0 RECOMMENDATION

### GRANT AMENDMENT

Subject to the following conditions and a supplemental s106 Agreement

### 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 Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

### DRAWINGS

**2. The development hereby permitted shall be carried out in accordance with the following approved plans: 11580/001 P1, 11580/002 P1, 11580/005 P1, 11580/100 P1, 11580/101 P1, 11580/102 P2, 11580/103 P1, 11580/104 P3, 11580/005 P1, 411 TOT 6000, 411 TOT 6020, 411 TOT 6020 and BHC-XX-9091**

Reason: For the avoidance of doubt and in interests of proper planning.

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

Reason: To preserve the setting and appearance of the listed buildings, and to ensure a high quality development to preserve and enhance the character and appearance of the North Tottenham Conservation Area in accordance with Haringey Local Plan Policies SP11 'Design' and SP12 'Conservation' and Saved Unitary Development Plan (UDP) 2006 Policy CSV5 and UD3 of the London Borough of Haringey Unitary Development Plan 2006.

#### **LANDSCAPE MANAGMENT**

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

Reason: To ensure a comprehensive and sustainable development, to ensure good design, to ensure that the landscaping is secured in accordance with the Environmental Impact Assessment, in accordance with Haringey Local Plan Policies SP11 'Design' and SP13 'Open Space and Biodiversity' Saved Unitary Development Plan (UDP) 2006 Policy UD3

#### **PARKING**

**5. Unless otherwise agreed in writing by the Local Planning Authority, the car parking provision within the development shall not exceed 401 spaces for the food store and 26 spaces (outside the site), including 7 disabled parking spaces, for the upper floor uses.**

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

#### **CYCLE PARKING**

**6. Prior to the occupation of the development hereby permitted, a detailed cycle parking scheme shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with the details so approved.**

Reason: In order to ensure that well designed safe and appropriate levels of cycle parking in the scheme are provided in accordance with Haringey Local Plan Policy SP7 'Transport' and Saved Haringey Unitary Development Plan (UDP) 2006 Policy UD3.

## **STAFF PARKING**

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

Reason: In order to ensure the appropriate levels of car parking in the scheme are not exceeded in accordance with Haringey Local Plan Policy SP7 'Transport' and Saved Haringey Unitary Development Plan (UDP) 2006 UD3 'General Principles'.

## **HOURS OF CONSTRUCTION**

**8. The construction works of the development hereby granted shall not be carried out before 0700 or after 1900 hours Monday to Friday or before 0700 or after 1900 hours on Saturday or before 0800 hours or after 1600 hours on Sundays and not at all on Bank Holidays.**

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

## **LORRIES**

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

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

## **LOADING/UNLOADING**

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

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

## **NOISE**

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



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

#### **USE OF ROOF**

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

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

#### **FLOOD RISK**

**13. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA). Ref: BDRP0001, Version 6, Final, May 2010 and the following mitigation measures detailed within the FRA:**

- i. Reducing the surface water runoff from the site by at least 50% for all storm events up to and including the 1 in 100 year critical storm, taking into account the effects of climate change. The peak discharge must not exceed 150/l/s/ha.**
- ii. Provision of storage on site to attenuate all flood events up to and including the 1 in 100 year event, taking into account the effects of climate change.**
- iii. Identification and provision of safe route(s) into and out of the site to an appropriate safe-haven.**

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

#### **UNIDENTIFIED CONTAMINATION**

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

Reason: To ensure protection of controlled waters.

#### **DELIVERY**

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

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

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

#### **DELIVERY AND SERVICING**

**16. The developer provides a delivery and servicing plan for the fourth floor office hereby approved. The servicing and delivery plan should include:**

- a) Programme deliveries outside the AM and PM peak periods in order to reduce congestion on the highway network.**
- b) Details of refuse collection to be provided as part of the service and deliver plan.**

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

#### **PARKING STEWARDS**

**17. Unless agreed in writing with the Local planning Authority, The applicant/ developer shall provide parking stewards inside the food store car park for the duration of the operation of the foodstore. Such wardens shall manage the use of the car park to maximise efficiency.**

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

#### **COLLABORATION**

**18. The applicant shall liaise with the Haringey Sixth Form Centre to investigate opportunities for collaboration to ensure best use of facilities. Evidence of such liaison shall be submitted in the form of a written statement setting out what steps have been taken and the results of any discussion. Such a statement shall be submitted within 3 months of occupation.**

Reason: In order to ensure best use of facilities between local education institutions in accordance with London Plan Policy 3.18 'Education Facilities'.

#### **SCREENING**

**19. Prior to the occupation of the development hereby permitted, a detailed scheme for the screening of the roof terraces shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the details so approved.**

Reason: In order to minimise overlooking to nearby residential properties in accordance with London Plan Policy 7.6 'Architecture' and Saved UDP Policy UD3 'General Principles'.

**12.0 APPENDICES**

**12.1 Appendix 1 – Consultation Responses**

No.	Stakeholder	Question/Comment	Response
	INTERNAL		
	Cllr John Bevan	<p><b>Objection</b></p> <ul style="list-style-type: none"> <li>• Increased congestion from 924 students plus 100+ staff</li> <li>• Additional transport provision is required, including contributions through a s106 agreement</li> <li>• The proposed car parking, disabled parking and cycle parking provision is inadequate</li> <li>• Local jobs should be sought through this application</li> <li>• The UTC should be required to work closely with the nearby 6<sup>th</sup> Form Centre through a planning condition</li> <li>• It is assumed that a college of this size is a practical proposition and meets all relevant standards under building control, health and safety</li> </ul>	<p>There is sufficient local capacity to accommodate the trips generated</p> <p>Travel plan and travel plan monitoring funds are secured by s106</p> <p>Parking and disabled parking provision considered acceptable. Cycle provision secured by condition</p> <p>Provision of locals jobs have been sought as part of this development and the wider NDP scheme</p> <p>A condition has been applied</p> <p>The UTC has been designed with input from a educational institution</p>
	<b>Transportation</b>	<p>The proposed site as a high public transport accessibility level (PTAL5) and is part of the strategic road network (SRN). There are ten bus routes serving this area: routes 149, 279, 259, 341, 476, 123, 243, 318, W3 and 349 with bus stops on the High Road and on Northumberland Park. There are two national rail stations within reasonable walking distance of the site. White</p>	<p>Noted. Recommendations followed.</p>

No.	Stakeholder	Question/Comment	Response
		<p>Hart Lane station is approximately 450m to the west and provides access to services on the Seven Sisters branch of the Lea Valley Line. Northumberland Park station is approximately 600m to the east and provides access to services on the Tottenham Hale branch of the Lea Valley line. The nearest underground station is Tottenham Hale on the Victoria Line, approximately 2.2 km from the stadium. Seven Sisters is 2.3km to the south, of the stadium.</p> <p>The applicant is proposing to change the use of the second floor from stadium related use to (D2) to a university technical college (D1); the proposed facility will incorporate some 5,666 sqm floor area which was to be used for stadium related activity. This is in addition to the previously approved 3,238 sqm approved for D1 use; this is a total of 8,904 sqm in total for use as a UTC. The applicant's transport planning consultant has forecasted that the proposed UTC will have some 924 students and 120 staff. As UTC's are specialist educational facilities and are limited in number, there are no comparable sites in the TRAVL trip prediction database. As such the applicant's transport planning consultant has forecasted that the proposed trip rates based on first principle, using surveys from the 2011 census data. The results of the analysis suggest that a development of this nature will generate the majority of trips by sustainable mode of transport with some 97% of trips by sustainable modes of transport. A larger proportion of students will travel by bus or will walk to proposed facility with both modes each accounting for 36% of modal split (72% of overall travel). The TA has proposed that some 16% will travel by rail, 7% will cycle and 3% will be dropped off by car.</p> <p>We have some concerns with regards to the proposed modal</p>	

No.	Stakeholder	Question/Comment	Response
		<p>split for walking, which predicts that some 36% of overall travel to the proposed UTC will walk only. We have considered that as the proposed facilities will be specialist in nature, it will have a larger catchment area and as such the number of walking trips should be lower, and the percentage of trips by bus trips higher. We have however considered that as there is spare capacity on the buses network that any percentage change from walking trips to bus trips would not have any impact on the transportation and highways network. The applicant has proposed providing 4 disable car parking spaces, we would have expected a development of this type to have provide at least 8 disable car parking spaces for the UTC aspect of the development. However as there are no specific parking standards regarding the provision on disable car parking spaces for UTC; this does not form sufficient grounds to object to this application.</p> <p>The applicant has not proposed providing any parking for general needs i.e. visitors and staff, we consider this acceptable as the site is located in an area with a high public transport accessibility level (PTAL 5), and is proposed to be covered by an all day CPZ. This will encourage staff and students to use sustainable modes of transport which is in line with the Council's local plan policies SP1, SP4 and SP7. In addition the applicant has proposed providing 120 cycles parking stands. The cycle parking provision is in line with Haringey cycle parking standard; however the applicant has not clearly identified how the cycle parking will be accesses and how access will be securely controlled.</p> <p>Consequently the transportation and highways authority would not object to this application subject to the following conditions:</p>	

No.	Stakeholder	Question/Comment	Response
		<p>1) A school travel plan must be secured by a S.106 agreement. As part of the travel plans, the following measures must be included in order to maximise the use of public transport:</p> <p>a) The developer must appoint a travel plan co-ordinator for the school aspect of the development and must work in collaboration with the facility management team to monitor the travel plan initiatives annually.</p> <p>b) Provision of welcome induction packs containing public transport and cycling/walking information like available bus/rail/tube services, map and time-tables to all new students, travel pack to be approved by the Council's transportation planning team.</p> <p>C) The developer is required to pay a sum of, £3,000 (three thousand pounds) per travel plan for annual monitoring for a period of 5 years.</p> <p>2) The applicant is required to provide details on the cycle parking provision proposed, including details on how the cycle parking will be secured and how secure access will be given to student and teachers.</p> <p>Reason: To ensure that cycles can be parked securely and promote travel by sustainable modes of transport to and from the site.</p> <p>3) The applicant is also required to submit a service and deliver plan (DSP) Reason: To reduce congestion and mitigate any obstruction to the flow of traffic.</p> <p>Informative</p>	

No.	Stakeholder	Question/Comment	Response
		<p>The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.</p>	
	<b>EXTERNAL</b>		
	Greater London Authority (GLA)	<p>The proposal does not raise any new strategic planning issues.</p> <p>The original application represented EIA development and the environmental information available to date has been taken into consideration in formulating these comments.</p> <p>The Council may proceed to determine the application without further reference to the GLA.</p>	Noted.
	Transport for London (TfL)	<p>The site will be accessed by vehicles, pedestrians and cyclists through the existing proposed access points, which is acceptable to TfL.</p> <p>As the site has good access to public transport, TfL welcomes the car free nature of this development, including four on-site spaces for blue badge holders. This proposal is therefore in accordance with London Plan policy 6.13. In addition, TfL recommends those accessible spaces are equipped with active electric vehicle charging points, which should be secured through a planning condition. In addition, provision for vehicle drop-offs, including minibuses, should be adequately catered for.</p> <p>TfL welcomes the applicant's commitment to provide 105</p>	Noted. Recommendations followed.



No.	Stakeholder	Question/Comment	Response
		<p>cycle spaces, as this level of provision meets the standards set out in London Plan policy 6.9 and draft Revised Early Minor Alterations to the London Plan (August 2013). Details should be provided within the application drawings as to the location of the proposed cycle stands to enable TfL to assess their suitability, as stands should be located in accessible, convenient, secure and sheltered areas of the site.</p> <p>TfL supports the method used to calculate the trip rate and modal split for the proposed change of use.</p> <p>TfL is satisfied that given the car free nature of the change if use, the impacts on the TRLN and SRN are acceptable, which is in accordance with the London Plan policy 6.3.</p> <p>TfL is satisfied that given the number of proposed trips in comparison to that predicted with the permitted use of this building, the impact on the capacity of the Underground and Bus network is acceptable, which is in accordance with the London Plan policy 6.3.</p> <p>TfL requests that a school travel plan is submitted to and approved by the Council in consultation with TfL, in accordance with London Plan policy 6.3.</p> <p>TfL considers that the impact of the proposed use, over and above that already permitted is unlikely to have an adverse impact on the public transport or highway networks. That being said, in order to ensure that the proposed development complies with the transport policies in the London Plan, the following matter should be</p>	

No.	Stakeholder	Question/Comment	Response
		<p>addressed:</p> <p>Submission of a School Travel Plan to be secured</p> <p>As stated above, this item should be secured via the appropriate planning conditions and obligations</p>	
	Haringey Sixth Form Centre	<ul style="list-style-type: none"> <li>• Is a UTC the best use of floor space above a carpark and supermarket and beneath office space</li> <li>• The design should afford high standards of child protection , pupil and staff amenity</li> <li>• There is a risk of over provision in the area. Northumberland Park School and Haringey Sixth Form Centre are available. If the UTC is not able to fill its places it will harm pupil experience</li> <li>• The Sixth Form Centre would welcome the opportunity to work in collaboration with the UTC</li> </ul>	<p>There is a demand for a UTC is in located.</p> <p>The UTC has been designed with input from an interested education institution</p> <p>Provision of additional educational facilities is supported by planning policy</p> <p>A condition has been applied requiring the UTC to investigate opportunities for collaboration.</p>
	<b>RESIDENTS</b> <b>One response</b>	<ul style="list-style-type: none"> <li>• Principle of a UTC is acceptable</li> <li>• There have been 'sham' institutions located on this site previously and in the local area which served a visa circumvention route rather than as a true academic institution</li> <li>• The credibility of the higher education body should</li> </ul>	<p><b>Noted.</b></p> <p>The UTC is sponsored by Middlesex University</p>

No.	Stakeholder	Question/Comment	Response
		<p>be verified</p> <ul style="list-style-type: none"> <li>• How many local jobs will be generated for both teaching and non-teaching staff</li> </ul>	

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Planning Committee 9<sup>th</sup> December 2013

Item No.

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2013/1984	<b>Ward:</b> Crouch End
<b>Address:</b> 165 Tottenham Lane N8 9BY	
<b>Proposal:</b> Redevelopment of the site to provide a 4 screen cinema (1,956sqm) (Class D2 use) with ancillary cafe / bar (Class A3/A4 uses), roof top plant, associated infrastructure and other works including proposed hours of opening: 08:00 to 00:30 hours Sunday to Wednesday and Public Holidays and 08:00 to 01:30 hours Thursdays to Saturdays.	
<b>Existing Use:</b> Warehouse/Offices	<b>Proposed Use:</b> Cinema
<b>Applicant:</b> Ms Lyn Goleby Picturehouse Cinemas Ltd	
<b>Ownership:</b> Private	
<b>Date received:</b> 27/09/2013	<b>Last amended date:</b> 13/11/2013
<b>Drawing number of plans:</b> DE01, 02, 03, 04, 05, 06, 07, EX01, 02, 03, 04, 05, 06, 07 Rev A, 10, 11, 12, 13, P02, 03, 04, 05, 06, 07, 08, 10, 11, 12 & 13.	
<b>Case Officer Contact:</b> Aaron Lau	
<b>PLANNING DESIGNATIONS:</b>	
Crouch End Conservation Area	
<b>RECOMMENDATION</b>	
GRANT PERMISSION subject to conditions and the signing of a Section106 legal agreement	
<b>SUMMARY OF REPORT:</b>	
<p>The proposed redevelopment of the site at No. 165 Tottenham Lane is acceptable as the strategic, community and cultural regeneration benefits it would bring at this end of Crouch End town centre would significantly outweigh potential parking impacts caused by the proposal. A Section 106 agreement and conditions would ensure the implementation of a travel plan which sets out mitigation measures to reduce customer parking, and ensures a periodic review of parking conditions. The provision of cycle storage within the site would also help promote sustainable modes of travel over the private motor vehicle. The design and form of the proposal is considered compatible within its local and wider conservation area setting, and has been inclusively designed for disabled users. The applicant has demonstrated that the proposal would not give rise to any significant degree of noise, vibration, disturbance or the loss of daylight/sunlight and outlook impacts upon adjoining residential properties, and would attain a minimum 'Very Good' BREEAM rating to help reduce carbon emissions.</p>	

1.0 SITE PLAN



2.0 DRAWINGS & IMAGES



Existing front facade 1



Existing front facade 2

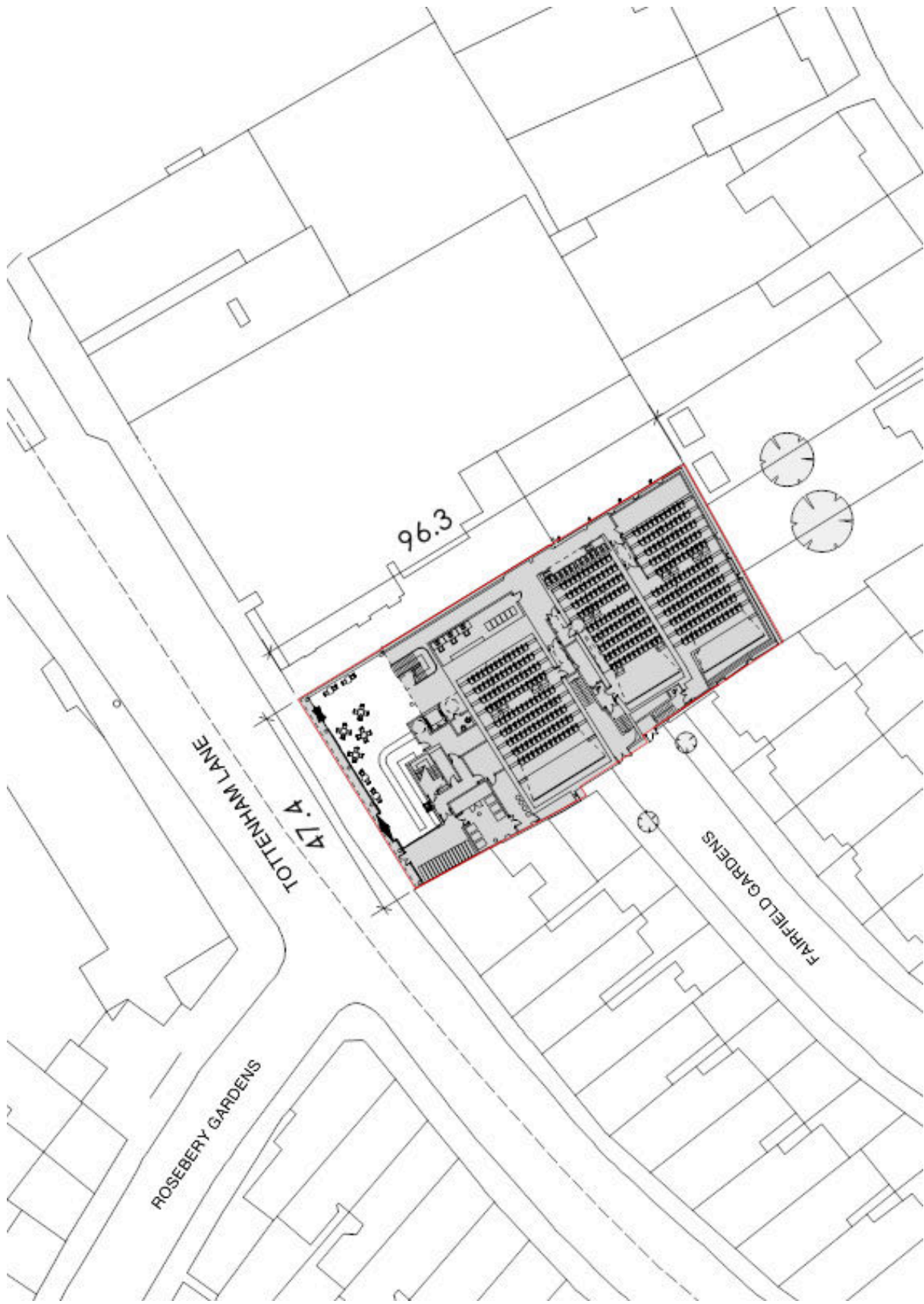




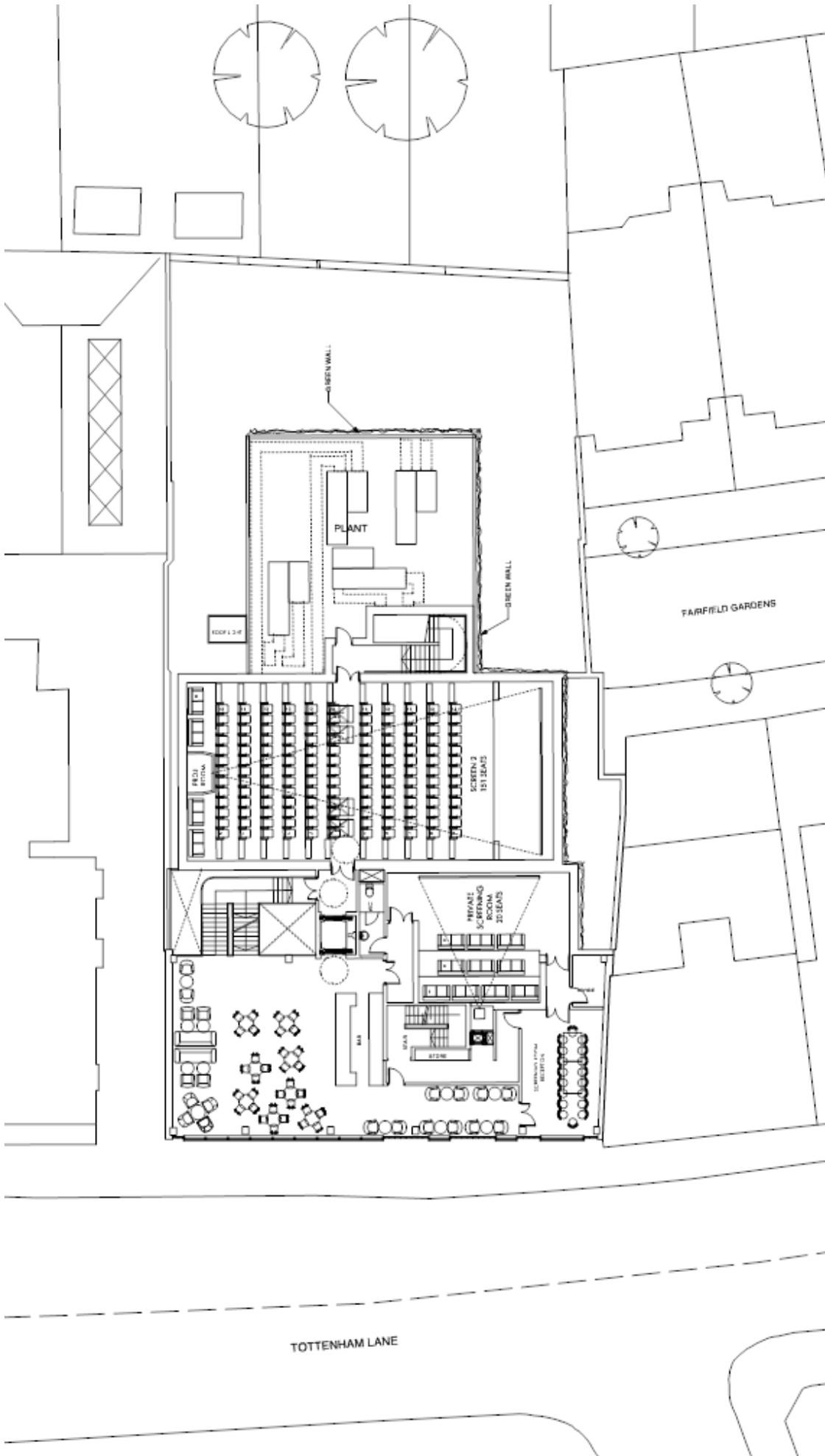
Existing rear (Fairview Gardens)



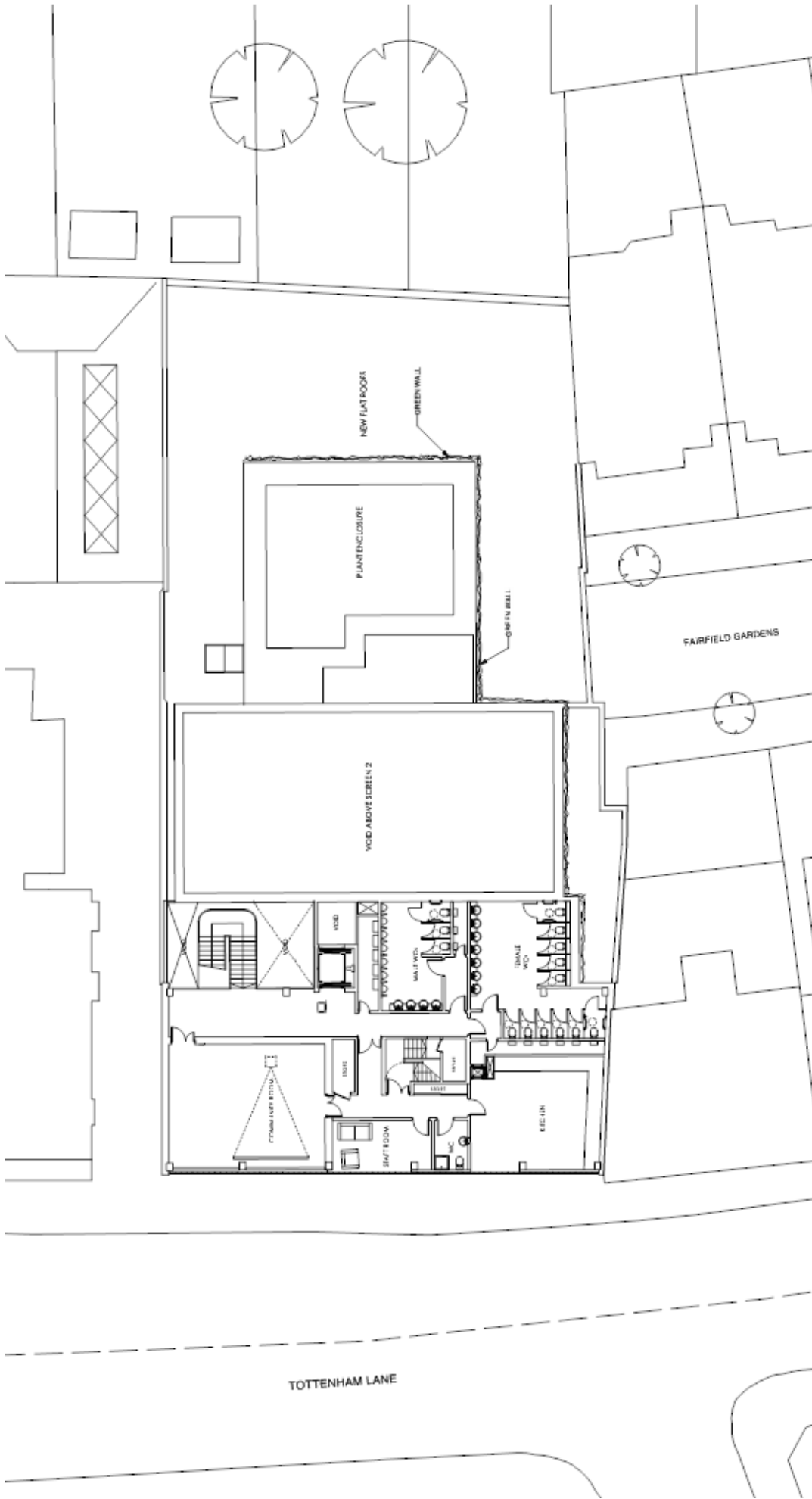
Existing warehouse roofs



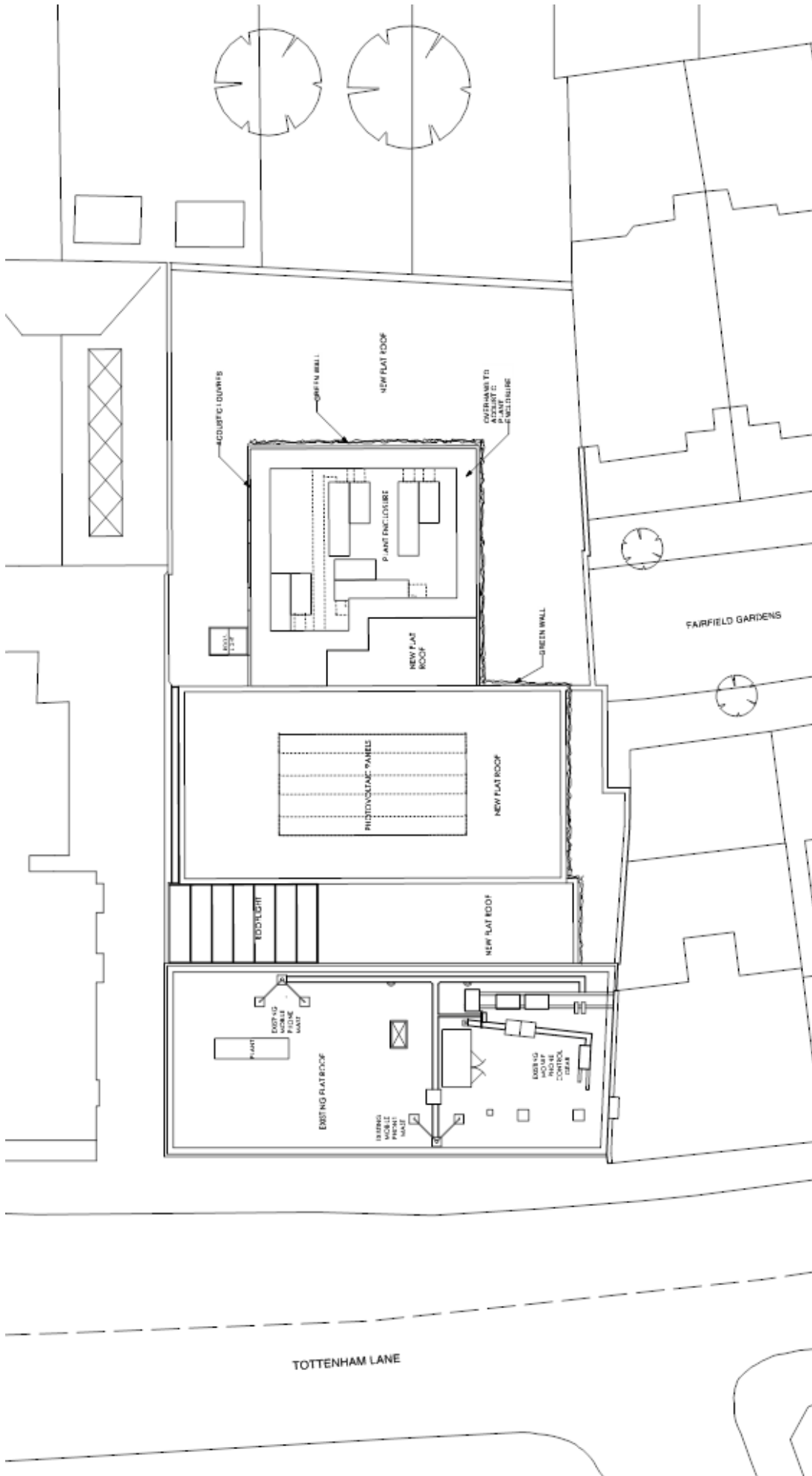
Proposed ground floor plan



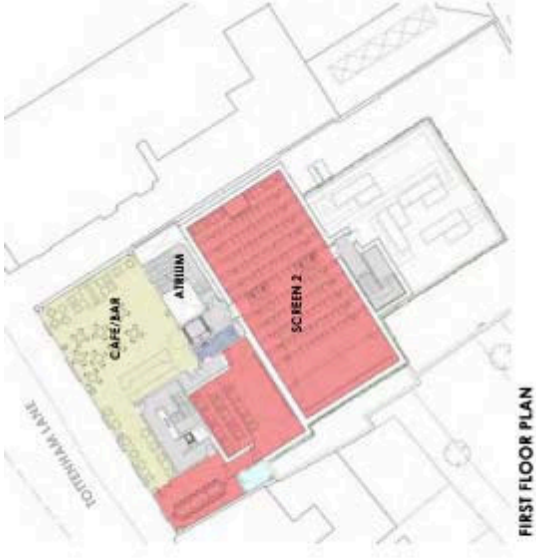
Proposed first floor plan



Proposed second floor plan



Proposed roof plan



FIRST FLOOR PLAN

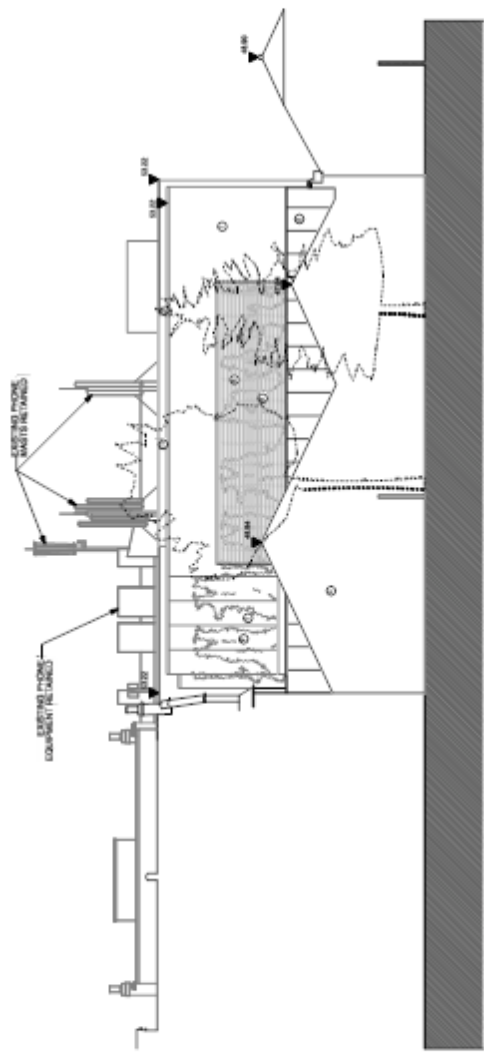
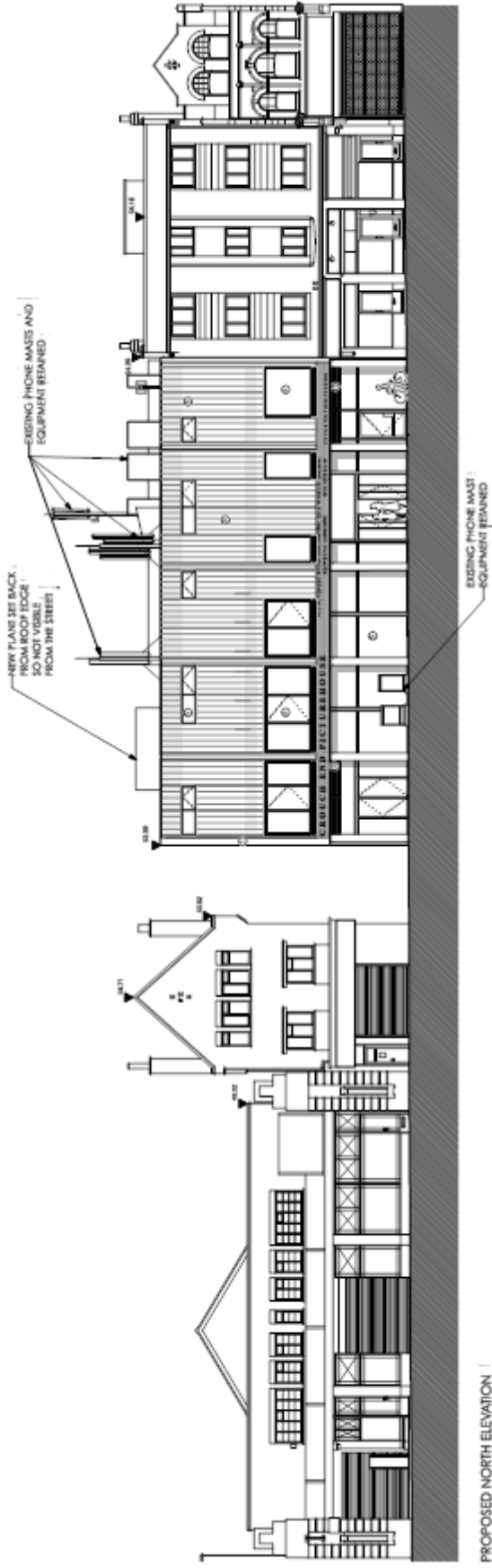


SECOND FLOOR PLAN



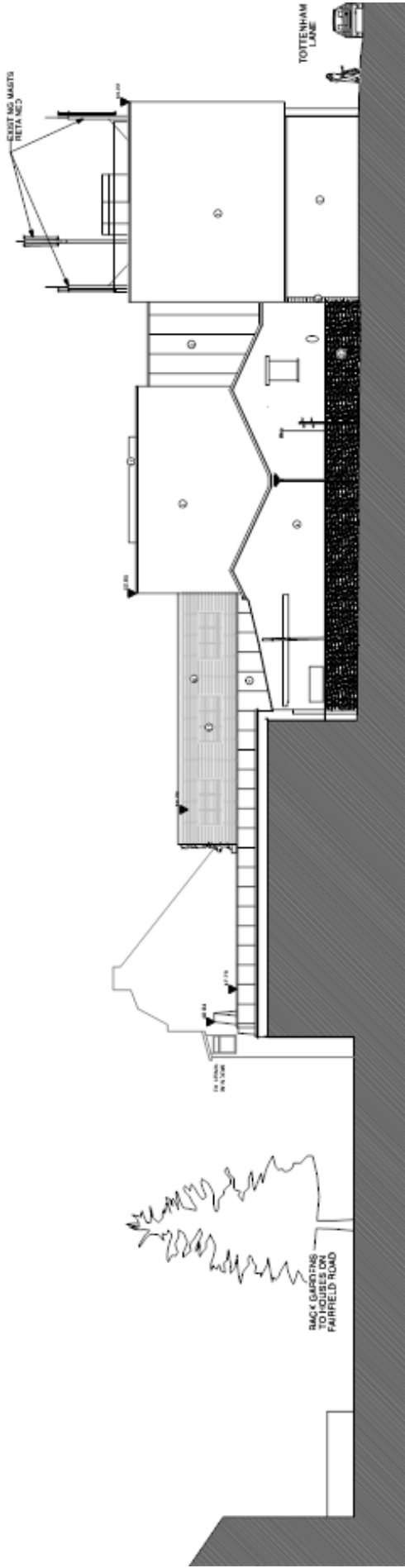
GROUND FLOOR PLAN

General layout

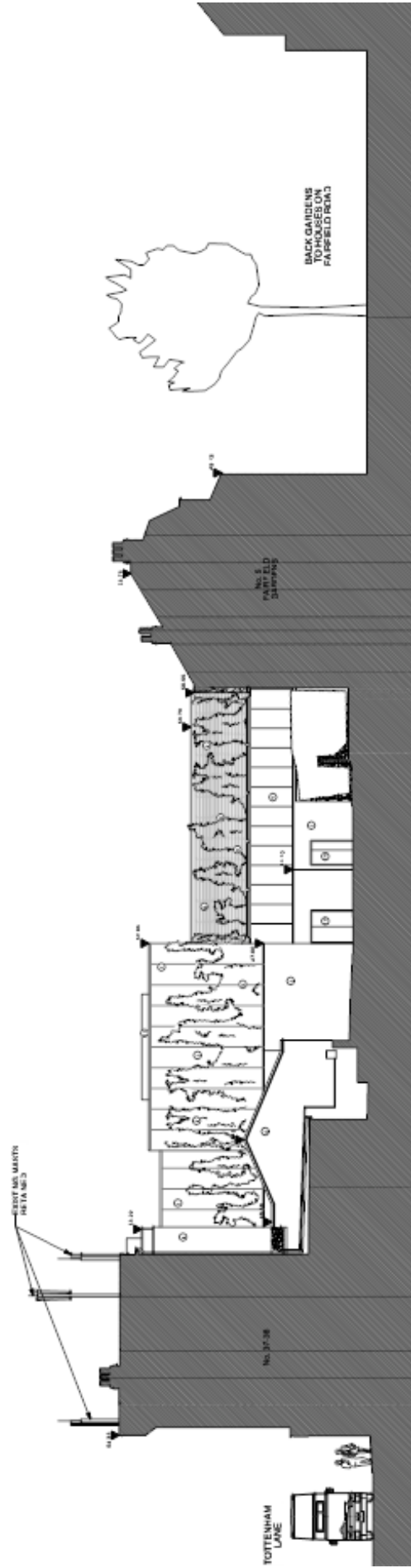


Proposed north and south elevations





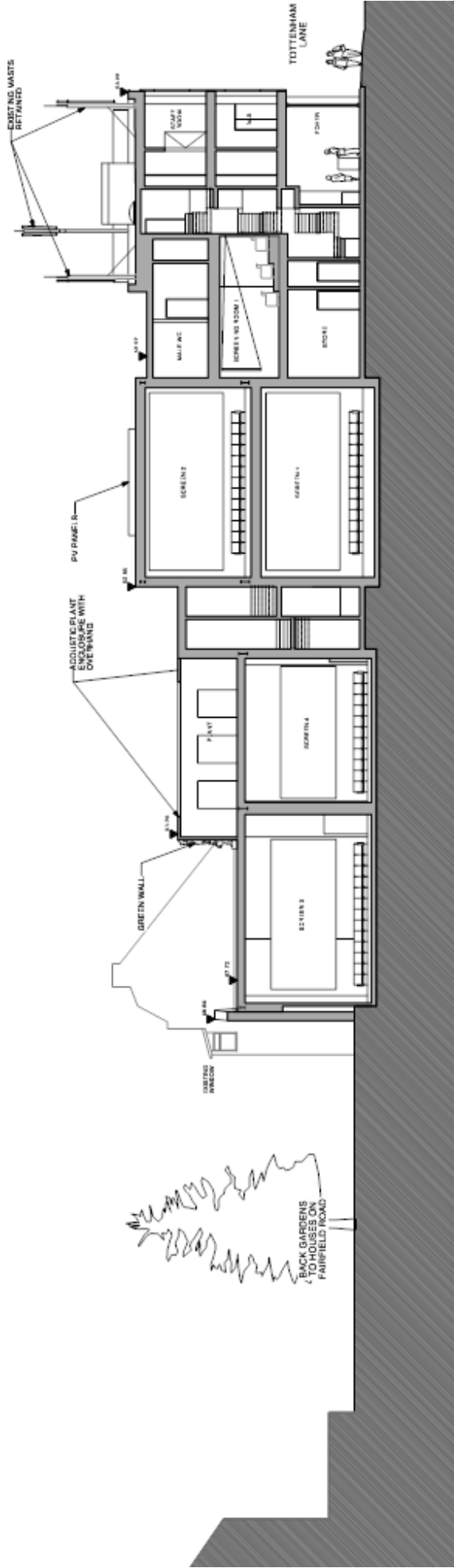
PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION

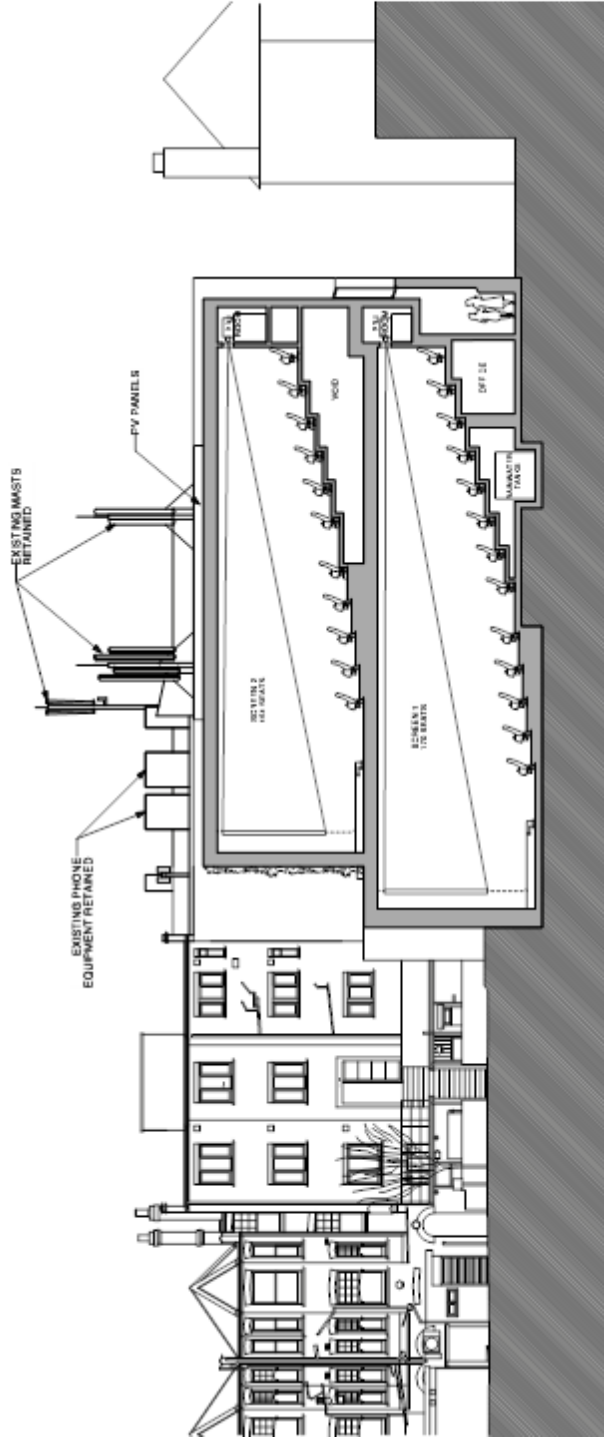
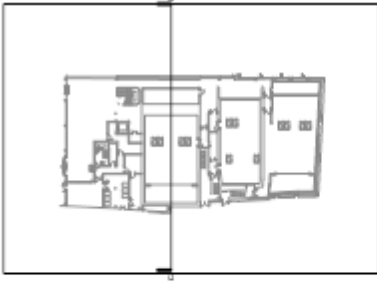
Proposed east and west elevations





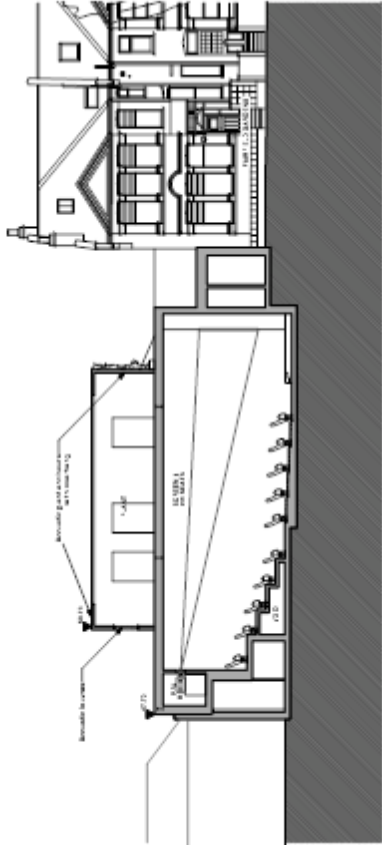
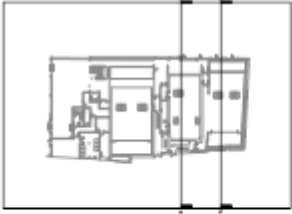
Section B

Proposed Section B-B

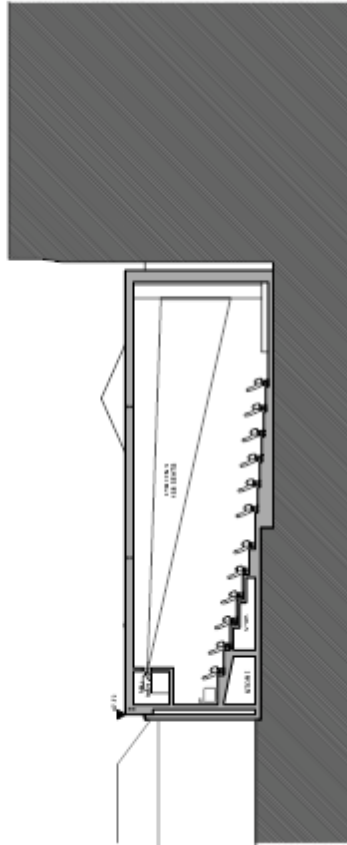


Proposed Section C-C

Section C



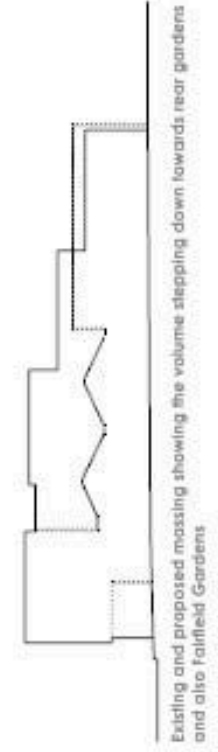
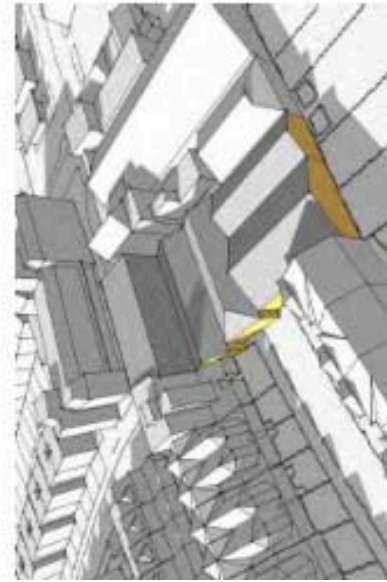
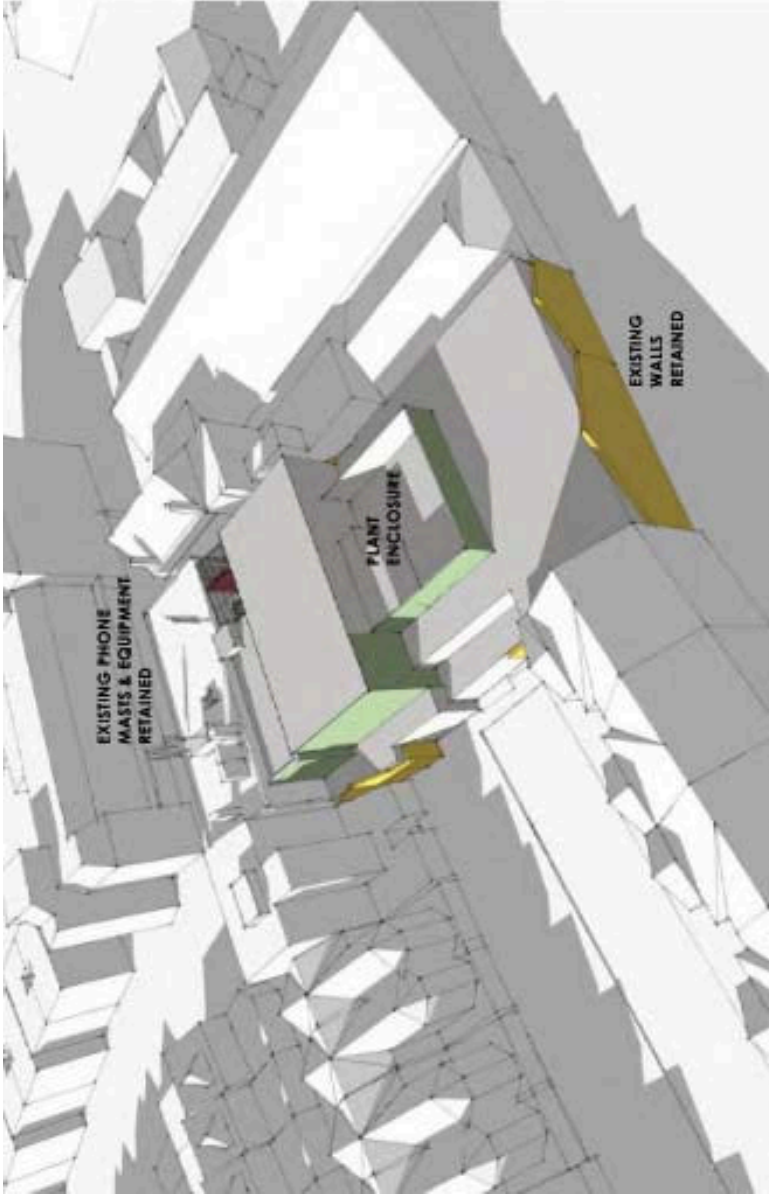
Proposed Section E-E



Proposed Section D-D

DS ADMIN

Sections D & E



Proposed massing



Proposed facade



Proposed Fairfield Gardens view



### **3.0 SITE AND SURROUNDINGS**

- 3.1 The application site is rectangular in shape and is located on the south side of Tottenham Lane and at the eastern end of Fairview Gardens. The site also abuts the eastern property boundary of No. 5 Fairview Gardens, the rear gardens of Nos. 10 to 14 Fairfield Road and the western property boundary of the adjacent garage/carwash on Tottenham Lane. North London YMCA (formerly YMCA Hornsey), a part three-storey, part four-storey brick building lies opposite the site and on the northern side of Tottenham Lane.
- 3.2 Tottenham Lane consists of predominantly three-storey terraced buildings comprising ground floor commercial/offices with residential/ancillary use to the ground floor above. In contrast, the streets off Tottenham Lane, namely Elmfield Avenue, Rosebury Gardens, Elder Avenue and Ferme Park Road are residential in character.
- 3.3 The site comprises a three-storey office building with undercroft parking via an existing crossover fronting onto Tottenham Lane, with a single-storey warehouse building at the rear.
- 3.4 The land has no specific land allocations or policy constraints. However, it does lie on the edge of Crouch End district centre which is situated to the west and Crouch End Conservation Area to the south.
- 3.5 A Picturehouse cinema previously existed at the site in 1911, but the cinema ceased operating following the outbreak of World War II. The site has since been used as offices and a warehouse.

### **4.0 PROPOSAL**

- 4.1 The proposal is for redevelopment of the site to provide a 4 screen cinema (1,956 sq.m.) (Class D2 use) with ancillary cafe / bar (Class A3/A4 uses), roof top plant, associated infrastructure and other works.
- 4.2 The 4 screen cinema will provide a total of 590 seats comprising: Screen 1 - 170 seats; Screen 2 - 151 seats; Screen 3 - 158 seats; and Screen 4 - 111 seats. A private 20 seat screen is also provided.
- 4.3 The existing floor space yields a gross internal area of 1,620 sq.m. The proposal will increase the current floor space by 336 sq.m. giving a new total gross internal floorarea of 1,956 sq.m.
- 4.4 An external plant room to house the air source heat pumps, mechanical plant and solar pv panels will be installed on the roof.
- 4.5 The existing telecommunication roof antennas will be retained.
- 4.6 The fire exits on Fairfield Gardens are to be used for emergency use only and not for customers to exit the building. They will be clearly signed and alarmed.

- 4.7 The existing building structure will be retained. The front facade will be constructed out of a translucent Kalwall material and the extensions to the rear will be built out of bricks with a wired mesh to achieve a green wall.
- 4.8 No off-street parking is proposed.
- 4.9 30 covered cycle spaces located within the front of the building are proposed. The applicant is currently preparing a marketing plan to promote the uptake of cycling to all their cinemas in London. This includes advertising in brochures, the website and through social media as well as on-site.
- 4.10 The existing employment associated with the current office/warehouse use is 20 full-time and 3 part-time employees
- 4.11 The new cinema development will create approximately 20 full-time and 60 part-time jobs.
- 4.12 The proposed hours of opening are 08:00 to 00:30 hours daily Monday to Friday, 08:00 to 01:30 Saturdays and closed on Sundays and Public Holidays.
- 4.13 Two screenings will be shown in the evenings: the first screening to be at approximately 6pm and the second screening to be at approximately 9pm. The 9pm screenings will end at approximately 11 to 11.30pm, but the 3 hr films will end between midnight and 1.30am. These screening hours are typical of other existing Picturehouse Cinemas in Clapham and Brixton.
- 4.14 Picturehouse will provide food and drinks in the cafe/bar, and the screens will be licensed to enable patrons to take drinks into the screenings which is standard practice of existing independant/arthouse establishments. It is the applicant's business practice that its bars/cafes do not offer special mutiple deals to discourage increased alcohol consumption. According to the applicant, Picturehouse cinemas rarely have instances of intoxicated customers.
- 4.15 The cinema will be available to hire to the local community in the mornings and early afternoons. The community room will also be available to hire.

## 5.0 PLANNING HISTORY

### 5.1 Planning Application History

HGY/2009/0755 - Installation of antennae and equipment cabinets on rooftop of building. – refused 09/07/2009

HGY/1991/1056 – Formation of a vehicular crossover to a classified road - approved 11/11/1991

### 5.2 Planning Enforcement History

None

## 6. RELEVANT PLANNING POLICY

### 6.1 National Planning Policy Framework, March 2012

- Chapter 1 Building a strong, competitive economy;
- Chapter 2 Ensuring the vitality of town centres;
- Chapter 4 Promoting sustainable transport;
- Chapter 7 Requiring good design;
- Chapter 8 Promoting healthy communities; and
- Chapter 10 Meeting the challenge of climate change, flooding and coastal change

### 6.2 London Plan, July 2011

- Policy 2.15 Town centres;
- Policy 3.16 Protection and enhancement of social infrastructure;
- Policy 4.1 Developing London's economy;
- Policy 4.2 Offices;
- Policy 4.4 Managing industrial land and premises;
- Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision;
- Policy 4.7 Retail and town centre development;
- Policy 4.8 Supporting a successful and diverse retail sector;
- Policy 5.1 Climate change mitigation;
- Policy 5.2 Minimising carbon dioxide emissions;
- Policy 5.3 Sustainable design and construction;
- Policy 5.7 Renewable energy;
- Policy 5.8 Innovative energy technologies;
- Policy 5.9 Overheating and cooling;
- Policy 5.10 Urban greening;
- Policy 5.12 Flood risk management;
- Policy 5.13 Sustainable drainage;
- Policy 5.14 Water quality and wastewater infrastructure;
- Policy 5.15 Water use and supplies;
- Policy 5.16 Waste self-sufficiency;
- Policy 5.17 Waste capacity;
- Policy 6.3 Assessing effects of development on transport capacity;
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure;
- Policy 6.9 Cycling;
- Policy 6.10 Walking;
- Policy 6.11 Smoothing traffic flow and tackling congestion;
- Policy 6.12 Road network capacity;
- Policy 6.13 Parking;
- Policy 7.1 Building London's neighbourhoods and communities;
- Policy 7.2 An inclusive environment;
- Policy 7.3 Designing out crime;
- Policy 7.4 Local character;
- Policy 7.5 Public realm;
- Policy 7.6 Architecture;
- Policy 7.14 Improving air quality; and
- Policy 7.15 Reducing noise and enhancing soundscapes

6.3 Local Plan, March 2013

- Policy SP0 Presumption in favour of sustainable development;
- Policy SP1 Managing growth;
- Policy SP4 Working towards a low carbon Haringey;
- Policy SP5 Water Management and Flooding;
- Policy SP6 Waste and recycling;
- Policy SP7 Transport;
- Policy SP8 Employment;
- Policy SP11 Design; and
- Policy SP14 Health and well-being

6.4 Unitary Development Plan (post Local Plan Adoption, March 2013)

- Policy UD1 Planning statements;
- Policy UD3 General principles;
- Policy UD7 Waste storage;
- Policy EMP4 Non employment generating uses;
- Policy ENV6 Noise pollution;
- Policy EN7 Air, water and light pollution;
- Policy TCR2 Out of town centre development; and
- Policy M10 Parking for development

6.5 Supplementary Planning Guidance / Documents

- SPG1a Design Guidance (adopted 2006);
- SPG4 Access for all – mobility standards (draft 2006);
- SPG5 Safety by design (draft 2006);
- SPG7a Pedestrian & vehicular movement (draft 2006);
- SPG10a The Negotiation, Management and Monitoring of Planning Obligations (adopted 2003);
- SPD Sustainable Design & Construction; and

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

6.6 Other

London Borough of Haringey – Community Infrastructure Study;

7.0 **CONSULTATION**

Internal	External
Ward Councillors  Conservation & Design Team Building Control Transportation Waste Management Environmental Health	<u>Local Residents</u> 1,933 adjoining properties  <u>Stakeholders</u> Hornsey CAAC Crouch End Residents Association Thames Water Transport for London (TfL)

	Health and Safety Executive (HSE) London Fire Brigade Crime Prevention Officer
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## 8.0 RESPONSES

### 8.1 Haringey Transportation:

No objection subject to Section 106 Agreement and conditions:

*“As this type of cinema is of a specialist nature, there are no sites from the TRAVL trip prediction database which can satisfactorily represent the trip generation characteristics of the proposed development; we have therefore agreed that the trip generation will have to be forecasted from first principles based on similar Picturehouse Cinemas. The applicant has selected the following Cinemas (Greenwich Picturehouse and Hackney Picturehouse) to forecast the trip generation and modal characteristics of the site; based on these sites it has been estimated that this development proposal will generate some, 14% of all car trips to and from the cinema as car drivers and 15% as car passengers, a total mode share by car of 29%. It is to be noted that the percentage of trips by car passenger is expected to increase post late evening screenings as less public transport capacity is available and more people use taxis or share cars on their way home. Based on the worst case scenario, where the cinema is assumed to be fully occupied with all 590 seats full and an overlap of 25% of cinema visitors from the earlier screening staying on in the area after a screening, the proposed development would generate some 738 person trips within the local area during the peak operation on a Friday, Saturday or special screening. Based on the 14% driver mode share; we would expect this development to require 103 car parking spaces within the local area. When considering the parking demand generated by this proposal; we also have to take into consideration the cumulative impact based on the parking demand generated by other recently approved development, such as the recently approved cinema at 159a Tottenham Lane. The approved development will require some 24 car parking spaces in the local area; hence the total demand required by both cinemas will be some 127 car parking spaces during the critical peak operation periods.*

*The developer is not proposing to provide off street car parking spaces, and has completed a parking survey in line with the Lambeth Methodology to identify the level of parking available within the local area. The Council also requested an independent parking survey inline with the Lambeth Methodology, however with more stringent parameters, where 6 metres per care is used rather than 5 metres, we have also reduced the theoretical threshold at which a street experiences high parking pressure from 90% to 85%.*

*Changing these parameters ensures that the independent survey completed has not over estimated the theoretical capacity of on street parking spaces available within the local area, it also caps the theoretical capacity to between 81 and 89% of the actual capacity; hence 100 % theoretical capacity will only result in 81-89% of the actual on street capacity. The result of the parking survey concluded that within 200 metres of the site the theoretical on street parking capacity is some 374 car parking spaces and the actual recorded capacity at 7pm during the peak parking demand is some 421 car parking spaces. Therefore, assessing this*

*application based on theoretical capacity and not actual capacity will always result in having surplus car parking spaces available within the area surrounding the site.*

*Based on the theoretical capacity there will not be sufficient space to accommodate 127 additional street car parking spaces within the 200 metres radius of the site, as there are only some 83 parking spaces available; it is to be noted that 61 of these parking spaces will be in residents/ pay and display parking spaces, and 22 car parking spaces on single yellow lines. However, the results of the parking survey concluded that there is sufficient capacity to accommodate the 127 parking spaces within 400 metres of the site; the area enclosed by the 400 metres walking distance has an on-street theoretical capacity of 1022 parking spaces and the current demand is 886 vehicles on a Saturday during the peak operational period. If the cumulative parking demand was to be accommodated within this area, the total parking demand would be 1013 vehicles; this is 99% of the theoretical capacity; and 88% of the actual capacity. Although the theoretical parking pressure threshold has been set at 85% parking space utilisation, it would be very difficult to sustain an objection to this scheme based on the parking demand generated by this proposal on its own, as the independent parking survey has demonstrated that based on the cumulative worst case scenario of: the existing parking demand of 886 car parking and future cumulative parking demand, (127 car parking spaces from both cinema proposals) would only use 88% of the actual recorded parking capacity within the 400 metres catchment area of the site. It is to be noted that this level of parking congestion is also only likely to be generated approximately seven times a year due to special premieres and screening.*

*The above assessment is based on the worst case scenario 100% occupancy levels. The information submitted by the applicant suggests that, the maximum occupancy recorded over a 207 screen period was 90%, and the maximum occupancy achieved over the period of a year was 96%. Based on the surveys completed the applicant transport consultant Motion concluded that on average the cinema will be 57% occupied on a Friday and Saturday at 6:00pm and during the late evening screening and will generate some 336 visitors, as there will be an overlap between screenings this will result in 392 persons trip within the local area, this will result in generating a peak parking demand of 59 vehicles on its own and a cumulative parking demand of 71 cars parked on-street from both cinema proposals, from the parking analysis conducted there is sufficient capacity on street to deal with this level of parking.*

*It is to be noted that the roads closest to the site, within 200 metres walking distance (Rosebery Gardens, Elmfield Avenue, Elder Avenue, and Ferme Park Road) of the site will encounter high parking levels or saturation levels. We will therefore have to investigate measures to mitigate the impacts of the proposed development within the area surrounding the site.*

*Consequently based on our review of the information submitted by the applicant including the independent parking survey, the transportation and highways authority would not object to this application subject to the following Section106 obligations and conditions:*

*1) The applicant provides a full travel plan no later than three months after the development has been occupied, the travel plan must include the following*

*measures in order to mitigate the impacts of the development, as per the transport statement:*

- a) Provide public transport information and travel advice on the cinema's website*
- b) Advise via Cinema website that no car parking will be available within the local area*
- c) Membership packs will include public transport information*
- d) Measures to promote the use of on-site cycle parking*
- e) Provide a free phone on site to local taxi service*
- f) Measures to encourage customers that travel by car, to car share hence reducing the number of car that arrives within the local area.*
- g) The developer is required to pay a sum of £3,000 (three thousand pounds) for travel plan monitoring this must be secured by S.106 agreement.*

*Reason: To promote travel by sustainable modes of transport to and from the site*

*2)The applicant will be required to contribute by way of a S.106 agreement £30,000 (Thirty thousand pounds) towards; parking and traffic management measures to reduce the impact of the proposed development in the area surrounding the site, these measures will include reviewing the existing parking controls within the area surrounding the site.*

*Reason: To mitigate the impacts of the proposed development on the transportation and highways network and its impact on residential amenity in the area surrounding the site.*

*3) The applicant is required to provide the Local Planning Authority with a parking review plan which includes parking surveys within 600 of metres of the site. Parking surveys should be submitted 3 months prior to the occupation of the development, and every 6 months thereafter for a period of 1 year .*

#### *Pre-commencement Conditions*

*1) The applicant/ Developer are required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the local authority's approval 3 months (three months) prior to construction work commencing on site. The Plans should provide details on how construction work (inc. demolition) would be undertaken in a manner that disruption to traffic and pedestrians on the Tottenham Lane and the road surrounding the site 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, and arrival and departure from the local school, the plans must also include measures to safeguard and maintain the operation of the local highway network.*

*Reason: To reduce congestion and mitigate any obstruction to the flow of traffic.*

*2) The applicant is also required to submit a service and deliver plan (DSP)*

*Reason: To reduce congestion and mitigate any obstruction to the flow of traffic.*

*3) The necessary works to remove the existing crossover and reconstruct the footways will be carried out by the Council at the applicant's expense once all the*

*necessary internal site works have been completed. The applicant should telephone 020-8489 1316 to obtain a cost estimate and to arrange for the works to be carried out before works commences on site.*

*Informative*

*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)".*

8.2 Haringey Environmental Health:

No objection subject to a control of construction dust condition.

8.3 Haringey Building Control:

No comments.

8.4 Haringey Waste Management:

No objection.

*"Commercial Business must ensure all waste produced on site are disposed of responsibly under their duty of care within Environmental Protection Act 1990. It is for the business to arrange a properly documented process for waste collection from a licensed contractor of their choice. Documentation must be kept by the business and be produced on request of an authorised Council Official under section 34 of the Act. Failure to do so may result in a fixed penalty fine or prosecution through the criminal Court system.*

*Waste must be properly contained to avoid spillage, side waste and wind blown litter. Waste collection arrangements must be frequent enough to avoid spillage and waste accumulations around the bin area and surrounding land both private and public".*

8.5 Haringey Conservation Officer:

No objection:

*"The proposed use of the site for cinema would accord with its historical use and as such there would be no objections to the use of the site from a conservation point of view.*

*The scheme proposes considerable additions to the rear. Whilst the bulk and mass of the proposed extensions are not ideal, these would replace the existing smaller single storey elements that make no contribution to the conservation area. The proposed extensions are considered to be good quality contemporary additions and would only be visible from limited parts of the conservation area. They would not be, therefore, considered detrimental and would enhance the character and appearance of the conservation area and would be acceptable.*

*The front facade of the building, however, fails to relate to the established streetscape and rhythm and appears horizontal and bland. Whilst there are no*



*objections to the use of modern materials such as the translucent Kalwall material, the facade ought to be broken into bays (perhaps four in numbers) to follow the existing traditional retail frontages and facades. Continuation of the fenestration lines would further help to integrate the facade with the existing streetscene”.*

The applicant has revised the front facade to reflect the comments received from the conservation officer. The facade proposed has now been broken up to be in keeping with the verticality of the terrace.

8.6 Thames Water:

No objection.

8.7 Transport for London

No objection subject to construction management plan and delivery and service plan conditions:

*“TfL is concerned with any application which could have an impact on the transport networks. This site is some distance from the Archway Road (A1) which is part of the Transport for London Road network (TLRN) and Green Lanes, which is part of the Strategic Road Network (SRN). It is opposite a TfL bus stand for route 91.*

*Having reviewed the application, TfL have no problems in principle with the application but have a number of comments, namely:-*

- 1. TfL would have expected that the assessment would have used the higher car mode share from the Greenwich cinema as a worst case. However this would not amend our view of the application.*
- 2. The level of cycle parking is in line with the London Plan and therefore acceptable.*
- 3. TfL would have expected framework construction management plan (CMP) and a delivery and servicing plan (DSP) to have been included with the TA. However, TfL is content for these to be subject to planning conditions.*
- 4. The closure of a redundant crossover and the reinstatement of pavement will need to be delivered through a s278 with the Borough.*

*If the CMP and DSP are included as planning conditions, TfL would have no objection to this application”.*

8.8 Crime Prevention Officer

No objection:

*“I recommend that should permission be given, that the standards of the Secured by Design scheme are used - I can give more information as required.*

*I recommend that additional security measures are used for the fire exits into Fairfield Gardens, so that they are not abused. The minimum should be that these doors are alarmed and linked to the CCTV and reception area”.*

8.9 London Fire Brigade

No objection

8.10 Design Panel

8.10.1 The proposal was presented to Haringey's Design Panel on 13<sup>th</sup> June 2013. The panel made the following observations:

1. *Principles of reusing the building are excellent.*
2. *Would hope to see it developed as quickly as possible to create more interest in the area.*
3. *If it were possible to use the front elevation as a 'canvas' for graphics, like the name of the cinema, announcing forthcoming films by using the facade in a more dramatic way, it would enliven the road onto which it faces.*
4. *Existing columns should be kept, in terms of scale and materials.*
5. *The depth of field created by the use of the Kalwall material is sufficient to break up the front elevation and activity that is going on behind the facade will create sufficient interest. The parapet wall does not need to be broken up.*

8.11 Development Management Forum

8.11.1 The application was presented at Development Management Forum on 5 November 2013.

8.11.2 The main concerns raised by residents were noise and disturbance, parking and loss of residential amenity.

8.11.3 Minutes of the meeting is attached under Appendix 1.

8.12 Local Representations

8.12.1 16 representations who neither support or object to the proposal have been received from the following properties: 30a, 35 and 39 Weston Park, 21, 26 and 35 Elmfield Avenue, 1 and 32 Fairfield Gardens, 23 Elder Avenue, 2a, 4, 10 and 12 Fairfield Road, 43 Rosebery Gardens and 8 Hermiston Avenue.

8.12.2 36 letters of support have been received from the following properties: 121A Tottenham Lane, 8-10 and 12 Park Road, 3, 28 and 34 Fairfield Road, 27, 31, 43 and 51 Rosebery Gardens, 5 Clement Court, 101 and 104b Hillfield Avenue, 89 and 236 Ferme Park Road, 7 Felix Avenue, 11b, 48 and 48a Topsfield Parade, 56 Hermiston Avenue, 6 Elmfield Avenue, 50 Uplands Road, 98b Nelson Road, 64 Crouch Hill, 16 Weston Park, 81 Middle Lane, 2b Landrock Road, 15b Elder Avenue, 146 Inderwick Road, 22 Rokesly Avenue and 3 unknown addresses.

8.12.3 51 letters of objection have been received including Lynne Featherstone MP and from the following properties: 34, 40b and 46b Rosebery Gardens, 6, 14 and 17 Fairfield Road, 1, 3, 3a, 4a, 4b, 5, 5a, 14a, 32, 36a and 37-38 Fairfield Gardens, 10,

23, 35 and 36 Elmfield Avenue, 9 Chimes Terrace, 8 and 40 Hermiston Avenue, 142 Crouch Hill, 85 Middle Lane, 16, 32 and 51 Rokesly Avenue, 19c, 23a and 45 Elder Avenue, 37, 37a and 38 Broadway Parade, 165b Ferme Park Road, Redston Road, 33 Linzee Road and 4 unknown addresses. The objectors have raised the following points:

- Principle of development;
- Parking and traffic;
- Noise, vibration and disturbance including from the roof plant and during construction;
- Misuse of emergency fire exit on Fairfield Gardens;
- Removal of asbestos roof;
- Loss of daylight/sunlight and outlook;
- Impact of property structure;
- Anti-social behaviour;
- Design and appearance;
- Refuse provision;
- Basement impact;
- Fire risk
- Unsustainable local jobs

### *Officer comments*

- i. Fire risk and impact is regulated by Building and Fire Regulations.
- ii. The impact upon the physical damage and stability of adjacent buildings is a civil issue between neighbouring landowners.
- iii. The safe removal of the asbestos roof will be overseen by Environmental Health. An informative has been attached to the decision.
- iv. The 3 ground floor cinema screens will be sunken 700mm into the ground to reduce the overall height. However a basement impact assessment is not required under the Council's 'Basement Development Guidance Note', as it will be below the existing building footprint (not boundary to boundary), and not project beyond the main rear wall.
- v. Local employment will be secured under the S106.
- vi. All the other issues raised by local residents including principle of development, parking including refuse, loss of amenity and design are material planning considerations and are considered in the following report.

8.12.4 A summary of the consultation responses is attached under Appendix 2.

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

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

- principle of development;
- design and impact on the streetscene;
- impact on residential amenity;
- transport and parking;
- accessibility; and
- sustainability

9.2 Principle of development

- 9.2.1 Local Plan Policy SP0 supports the broad vision of the NPPF, and states that the Council will take a positive approach to reflect the presumption in favour of sustainable development. Permission will be granted by the Council unless any benefits are significantly outweighed by demonstrable harm caused by the proposal.

*Redevelopment of site*

- 9.2. The applicant 'Picturehouse Cinemas Ltd', was founded in 1989 and now operates from 21 cinemas across in the country. The ethos of the cinema is to provide a service to the community by establishing strong links between local communities, local authorities, arts organisations and filmmakers. A Picturehouse cinema did previously occupy the site in 1911, but ceased following the outbreak of World War II, the proposal would therefore re-provide a former use at the site.
- 9.2.3 An audit conducted by Nathaniel Lichfield & Partners, as part of Haringey's Retail and Town Centre Study 2013, stated, *"The presence of evening economy was rated 'neither good nor poor' in both the primary and secondary areas with a reasonable number of restaurants and public houses spread throughout the centre"*.
- 9.2.4 It should be noted that the Council granted planning permission (ref. HGY/2013/0608) in May 2013, for a 2 screen cinema (Art house) adjacent to the site at No. 159a Tottenham Lane (The Music Palace, former Salvation Army "Citadel"). The Art House is expected to open soon.
- 9.2.5 This eastern end of Tottenham Lane and Crouch End District Centre is considered to suffer from poor public realm and unattractive buildings by reason of the forecourt parking and adjacent carwash/garages. As such, it is judged that the redevelopment of the site at No. 165 Tottenham Lane has the potential to regenerate this section of Tottenham Lane to improve the streetscape and further strengthen the retail functioning and viability and vitality of Crouch End District Centre and the area in general.
- 9.2.6 The applicant's commitment to engage with the local residents and to provide community facilities such as offering events, clubs and activities to specific groups including disabled people, liaising with schools, colleges and universities for national educational schemes, and a room being available for hire for children's parties and informal screenings, would accord with the community aims and objectives set out in London Plan Policies 3.16
- 9.2.7 London Plan Policy 4.6 and Local Plan Policy SP15 promote the diverse range of cultural industries and activities. The proposal is for an independent cinema which is considered to provide a local cultural destination within Crouch End District Centre in meeting the above policy framework.

*Edge of town centre development*

- 9.2.8 The site lies on the retail boundary of Crouch End District Centre. The NPPF sets out the default threshold (2,500 sqm) requirements for an impact assessment when

assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan. A retail impact assessment is not required for this edge-of-town centre proposal as the gross floor area of the proposed development (1,956 sqm) would be below the minimum 2,500sqm threshold.

- 9.2.9 Saved UDP Policy TCR2 necessitates a sequential approach for out of town centre development in line with Government guidance. Para. 24 of the NPPF states that local planning authorities, *'should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered'*. The applicant had previously sought potential alternative town centre sites for their new cinema namely, Hornsey Town Hall. This site was discounted as the redevelopment of Hornsey Town Hall would only have the potential to provide two and not four screens as required by the applicant. The development site at 165 Tottenham Lane was therefore chosen for its capacity to provide four independent screens and a small private screen. The Council is therefore satisfied that a sequential test has been undertaken by the applicant before opting for the edge-of-town centre site.
- 9.2.10 Moreover, it should be noted that para. 15.27 of The Haringey's Retail and Town Centre Study 2013 recommends the, *'current defined Town Centre Boundary and Secondary Shopping Frontages should be expanded to include: The identified potential development site on Tottenham Lane (163A-165) which includes Roseberry House'*. Whilst no weight can be apportioned to this recommendation, it does indicate the potential for the existing town centre boundary to be expanded at some point in the future.

*Existing office use and employment*

- 9.2.11 Part B, c) of London Plan Policy 4.2, supports changes of surplus office space to other uses to meet existing and future demands. Part i) of London Plan Policy 4.4 identifies, *'the potential for surplus industrial land to help meet strategic and local requirements for a mix of other uses such ....to provide social infrastructure and to contribute to town centre renewal'*. It should be noted that the preamble to the policy states that, *'In locations on the edges of town centres, surplus industrial land could be released to support wider town centre objectives subject to other policies in the Plan'*.
- 9.2.12 The existing site contains a mixture of offices and a warehouse with employment use. Local Plan Policy SP8 states that, *"The Council will secure a strong economy in Haringey and protect the borough's hierarchy of employment land, Strategic Industrial Locations, Locally Significant Industrial Sites and Local Employment Areas"*. According to the Local Plan Proposals Map, the land has been identified to not fall within any of the boroughs designated SIL, LSIS or LEA.
- 9.2.13 With regard to the existing B1 employment use, the existing office accommodation has been occupied by The Kut Partnership since 1963. The engineering company employs some 23 members of staff and are currently in advanced negotiations with the landlord of 161 Tottenham Lane (formerly Hornsey Gazette building), with a view to relocate within the premises shortly. As such the proposal would not result in the loss of existing employment at the site.

9.2.14 Saved UDP Policy EMP4 cites, *'planning permission will be granted to redevelop or change the use of land and buildings in an employment generating use provided: b) there is well documented evidence of an unsuccessful marketing/advertisement campaign, including price sought over a period of normally 18 months in areas outside the DEAs'*. Marketing evidence has been provided to demonstrate the site has failed to attract any prospective tenants since November 2006 in fulfilling the requirements of this policy. Part c) of this policy also goes on to say that consent will be given if the change of use, *'retain or increase the number of jobs permanently provided on the site'*. The number of jobs created by the proposal will create approximately 20 full-time and 60 part-time jobs which is more than the current use. The alternative cinema use would therefore be in accordance to London Plan Policies 4.2 and 4.4, Local Plan Policy SP8 and saved UDP Policy EMP4.

### 9.3 Design

9.3.1 London Plan Policies 7.4, 7.5 and 7.6, Local Plan Policy SP11 and saved UDP Policy UD3 promote high quality and attractive places, buildings and landscaping within their context, where the borough's heritage assets such as conservation areas are protected under London Plan Policy SP12. This stance aligns to the NPPF and alongside with London Plan Policy 7.8, which identifies heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

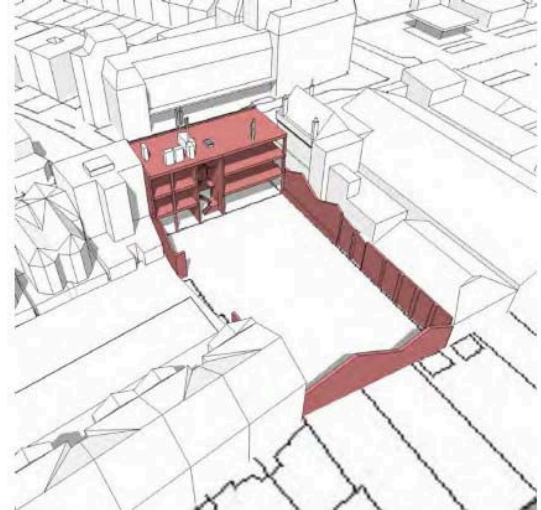
9.3.2 The application site lies on the edge of the Crouch End Conservation Area to the south. The property, known as Rosebery House, consists of a 3 storey office to the front of the site and a single-storey warehouse to the rear. To the south west of the site is Broadway Parade, Tottenham Lane a row of 2.5 to 3 storey buildings with commercial on the ground floor and residential above.

9.3.3 The site shares its property boundary with the end of Fairfield Gardens, a cul-de-sac street consisting of residential properties and the rear elevation of Broadway Parade. A cinema was built on the site in 1910 and existed until the Second World War. The rear buildings are visible from the conservation area, but they are deemed of poor quality and make no contribution to its appearance.

9.3.4 The existing warehouse structures at the rear of the site will be demolished and be replaced by new and larger additions. Whilst the bulk and mass of the proposed extensions are not ideal as they will increase the size the building at the rear, the Council accept that these would replace the existing smaller single-storey elements that make no contribution to the conservation area.

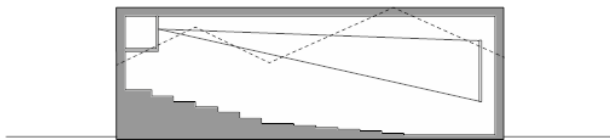


Retained Structure Shown in Red

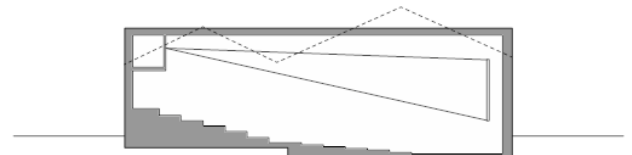


Retained Structure Shown in Red

- 9.3.5 The existing telecommunication roof antennas to the front of the site and are visible within Tottenham Lane will be retained.
- 9.3.6 The existing brick boundary wall at the rear and on Fairfield Gardens will be retained. The new rear extension will be constructed out of contrasting blue/grey bricks to reflect its former use, and will be set away from the boundary to reduce its bulk. The vertical elevations including the roof plant enclosure will incorporate a galvanised wired trellis to facilitate the growth of climbing plants.
- 9.3.7 The Council consider the proposed extensions to be good quality, contemporary additions, which would have limited public vantage points from the conservation area. The use of a green trellis wall would further 'soften' the appearance of the back additions when viewed from Fairfield Gardens and the rear gardens of Fairfield Road. As such, the proposed development at the rear is therefore to enhance the character and appearance of the adjacent conservation area and thus be acceptable in conservation terms.
- 9.3.8 The main existing building structure to the front of the site will be retained where the new rear additions will be stepped down towards Fairfield Gardens and Fairfield Road. As such, the proposal will maintain the existing height of the building on Tottenham Lane. The overall height and massing of the proposal has been effectively reduced by sinking the development 700mm below ground level following concerns raised during initial public consultation.

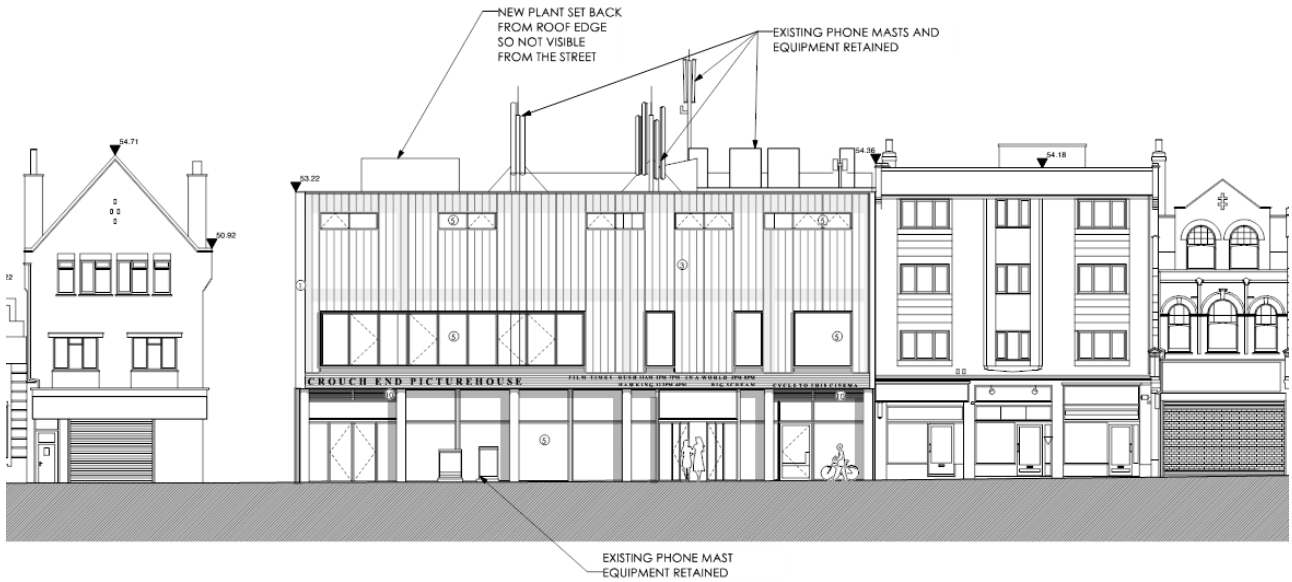


Section showing height of scheme presented at the Public Consultation

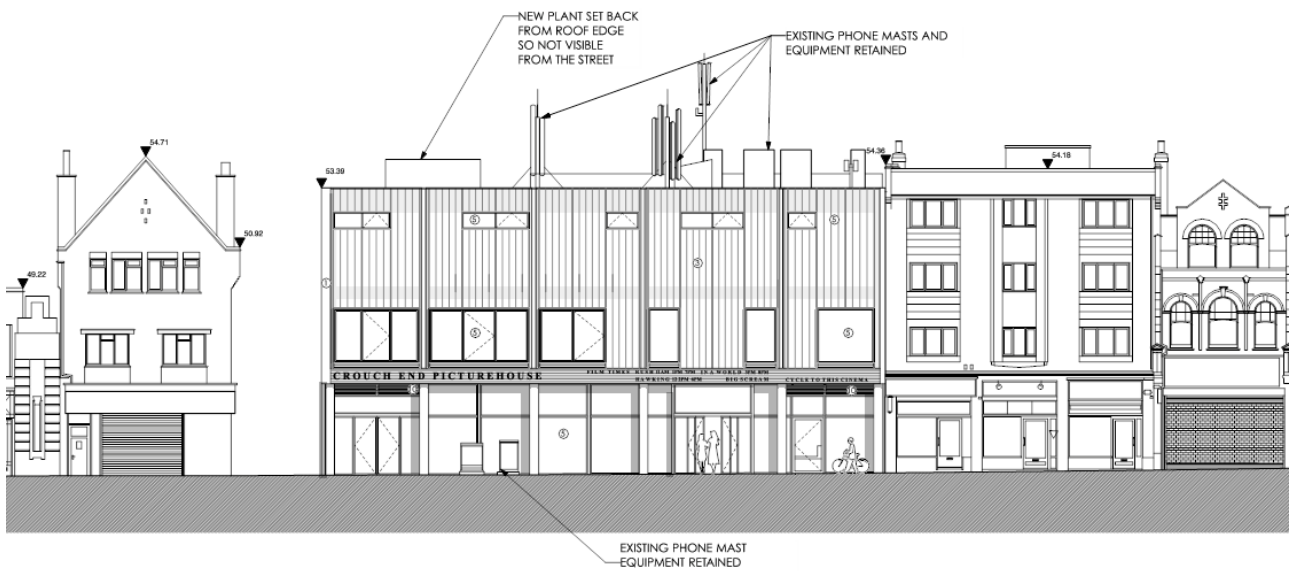


Section showing new scheme excavated below ground level

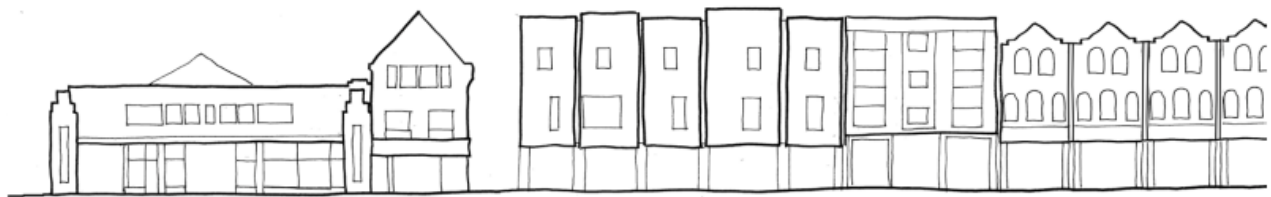
- 9.3.9 The applicant has amended the design of the front facade to express the prevailing vertical rhythm of the traditional retail terrace and street frontage following comments made by the conservation officer. The verticality helps break the strong horizontal upper floor component, and articulates the window fenestrations to improve the front appearance of the building. It should be further noted that a similar scheme was presented to Design Panel.



Original front elevation



Revised front elevation



Design Panel scheme

9.3.10 The use of a translucent Kalwall material to the first and second floors of the principal front elevation affords natural daylight into the building during the day, and transmits artificial light from the building at night to create an illuminated and shadow effect, and further adding to the visual interest of the building and contributing to the streetscene within Tottenham Lane. The proposal is considered to comply with the design aims and objectives of the NPPF and to London Plan Policies 7.4, 7.5, 7.6 and 7.8, Local Plan Policies SP11 and SP12 and saved UDP Policy UD3.



9.4 Impact on residential amenity*Daylight/sunlight*

- 9.4.1 Saved UDP Policy UD3 states that development proposals are required to demonstrate that there is no significant adverse impact on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy, or overlooking. Similarly London Plan Policy 7.6 requires buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy. Part c) of saved UDP Policy TCR2 also says out-of-town developments should demonstrate the '*amenity and environment of occupiers of adjacent and nearby properties are not adversely affected*'.
- 9.4.2 The residential properties that would be most affected by the proposal are Nos. 35 and 36 Tottenham Lane, the flatted development at Nos. 37-38 Tottenham Lane and 4 and 5 Fairfield Gardens. Officers have reviewed the daylight and sunlight report ref. 35513/IM/nms submitted by the applicant which demonstrates that the new development, in particular the rear additions will fall within the Building Research Establishment (BRE) target criteria and BS8206-2: 2008. In applying the vertical sky component test, the proposal will not incur any significant daylight impact upon the 55 windows tested of the affected properties.

Property Ref	Vertical Sky Component Test		
	No. of Windows Tested	No. of Windows Passed VSC Test	No. of Windows Failed VSC Test
35-36 Tottenham Lane	18	18	0
37-38 Tottenham Lane	14	14	0
4 Fairfield Gardens	12	12	0
3 Fairfield Gardens	11	11	0
<b>Total</b>	<b>55</b>	<b>55</b>	<b>0</b>

- 9.4.3 Similarly, the new development will pass the sunlight impact assessment when using the annual probably sunlight hours test:

Property Ref	No. of Windows Tested	No. of Windows Passed APSH Test	No. of Windows Failed APSH Test
35-36 Tottenham Lane	18	18	0
37-38 Tottenham Lane	14	14	0
<b>Total</b>	<b>32</b>	<b>32</b>	<b>0</b>

- 9.4.4 Overshadowing tests also show that at least 50% of the rear gardens and amenity space of 35 to 38 Tottenham Lane and 4 to 5 Fairfield Gardens receives at least two hours of direct sunlight on 21 March, or the reduction in area receiving sun on that date. Any new development that exceed the BRE 20% benchmark is likely to cause significant overshadowing to adjacent properties. In this case, the proposal

is less than the permitted 20% in accordance with BRE guidelines. The proposal would therefore not create any significant degree of overshadow impact to 35 to 38 Tottenham Lane and 4 to 5 Fairfield Gardens, and is therefore acceptable.

*Noise and disturbance*

- 9.4.5 In terms of the noise and disturbance, saved UDP Policies UD3 and ENV6 require development proposals to demonstrate that there is no significant adverse impact on residential amenity including noise, pollution and of fumes and smell nuisance. In addition saved UDP Policy ENV7 necessitates developments to include mitigating measures against the emissions of pollutants and separate polluting activities from sensitive areas including homes. These policies align with London Plan Policies 7.14 and 7.15 and the NPPF which protects residential properties from the transmission of airborne pollutants arising from new developments.
- 9.4.6 The proposal includes enclosed roof top plant and mechanical plant associated with the new cinema use. The main noise consideration is the impact on adjoining residential properties from the new plant and sound generated within the cinema.
- 9.4.7 The edge-of-town site lies on a busy thoroughfare with high vehicle and pedestrian movements during the day and night. Measurements of the existing ambient background levels were taken by the applicant to the front (Tottenham Lane) and rear (Fairfield Gardens) of the site. These measurements were taken 1.5m above ground level.

Position	Time	Late night background noise levels La90 for design
1 – Fairfield Gardens	Up to midnight	41
1 – Fairfield Gardens	Midnight to 2am	40
2 – YMCA Tottenham Lane	Up to midnight	50
2 – YMCA Tottenham Lane	Midnight to 2am	46

- 9.4.8 Taking 40 dB(A) and 46 dB(A) as the existing baseline levels, the predicted noise levels of the plant noise will not exceed 26-30 dB(A) in Fairfield Gardens and 36dB(A) on Tottenham Lane, and will therefore be compliant with the acceptable noise threshold of 10dB(A) below background at 2am. In terms of the potential for sound transmission from the cinema sound systems, the construction of the development means that the predicted level of LAeq sound transmission to adjacent properties is 5 dB(A) which is below the 17dB(A) level considered ‘clearly acceptable’. It should be noted that the absolute minimum LAeq rating for sound transmission to be considered ‘just acceptable’ is 31 dB(A). Officers have assessed the applicant’s noise impact assessment (ref. ARC6536/12266), and there is nothing within the report that would counter the findings.
- 9.4.9 Residents have expressed noise and disturbance concerns in particular over the potential of visitors leaving the premises via the proposed fire exit doors on Fairfield Gardens. The application makes it explicitly clear that these doors are to be used for emergencies only and not to be used as a general exit. These doors will be clearly marked for emergencies and be alarmed to avoid misuse. An additional set of doors between the screens and Fairfield Gardens also acts as a further deterrent.

9.4.10 Anti-social behaviour has also been raised by local residents. There is no substantive evidence to demonstrate the proposal is likely to lead to anti-social and rowdy behaviour at the site. The ancillary bar/cafe will be subject to strict licence controls, and its alcohol licence may be revoked by the Council in the event of any future alcohol-related incidents. As a summary, the proposed development would not give rise to any significant degree of residential amenity loss in terms of daylight/sunlight, overshadowing and noise and disturbance, and therefore be compliant to the NPPF, saved UDP Policies UD3, ENV6 and ENV7 and London Plan Policies 7.6, 7.14 and 7.15.

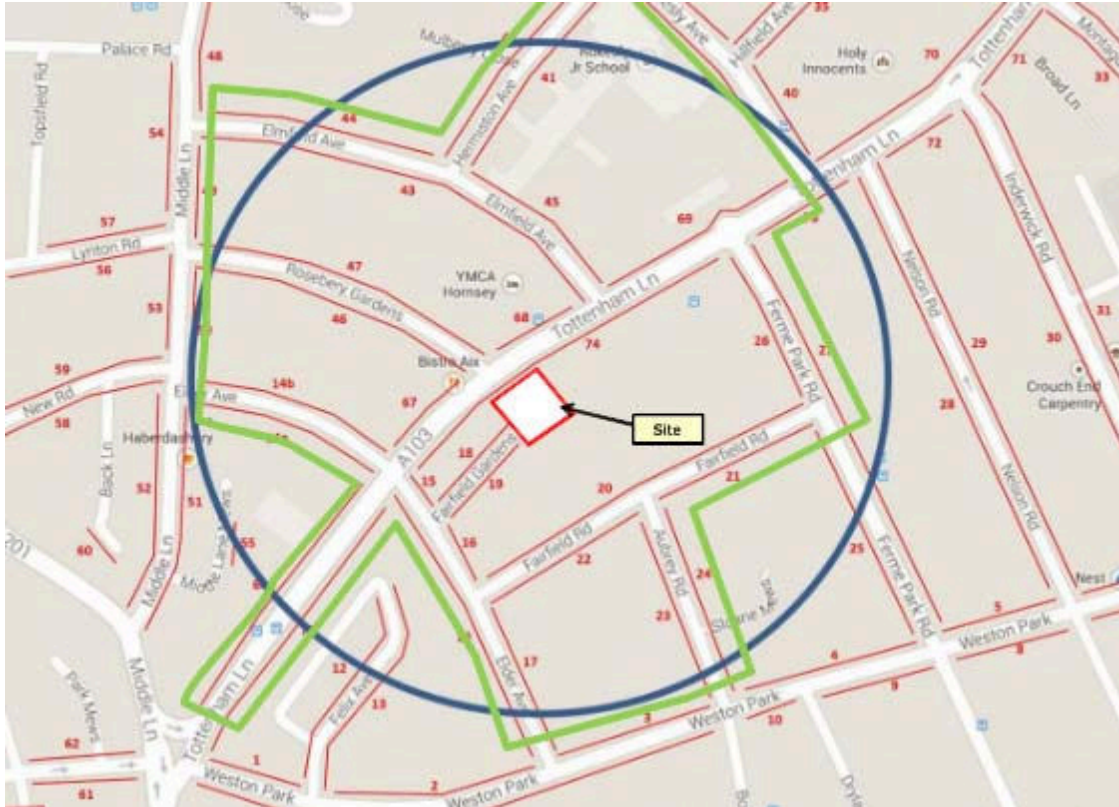
## 9.5 Transport and parking

9.5.1 The site has a medium public transport accessibility level (PTAL), and is contained wholly within Crouch End restricted conversion area. The site and surrounding streets have also been identified by the Council to suffer from high parking pressure.

9.5.2 The applicant in agreement with the Council has based its predicted trip generations on other existing Picturehouse locations in Greenwich and Hackney as no sites within the TRAVL trip prediction database can represent the true characteristics of a cinema of this type and nature. Using this baseline, it is expected that 29% of patrons will arrive by car (14% as driver and 15% as passenger). This figure is likely to rise for late night screenings owing to the lack of public transport and people using taxis and car sharing.

9.5.3 Based on the worst case scenario, assuming all 590 available seats are taken (excluding the private 20 seat screen), and there is an overlap of 25% of visitors from earlier screenings, this would generate some 738 person trips during its peak. Using the 14% driver mode share and taking into account the recent consented but not implemented Arthouse cinema at No. 159a Tottenham Lane, the total demand for parking of the 2 cinemas will be 127 vehicles (103 spaces for 165 Tottenham Lane and 24 spaces for 159a Tottenham Lane).

9.5.4 The application makes no provision for off-street parking. However, the applicant, in agreement with the Council, has conducted a parking stress survey in accordance with the Lambeth Methodology and using under a stringent parameter (6 metres instead of 5 metres for parking spaces). The parameter ensures the survey is not over-estimated, yet caps the predicted capacity to between 81 and 89%. Based on the theoretical capacity, there is insufficient capacity to accommodate the 127 cars within 200 metres radius of the site. Nonetheless, there is sufficient parking capacity within 400 metres of the site.



200m radius and extent of assessment

- 9.5.5 It should be noted that in reality, the worst case scenario is likely to occur 6 or 7 times a year for special premieres and blockbuster screenings. It would be unreasonable for the Council to oppose the application on these grounds alone given the findings of the parking stress survey. Moreover, the applicant has stated that on average, the cinema will be 57% occupied on a Friday and Saturday at 6 pm and the late evening screening, and this number of parking demand (71 cars) can be absorbed within the adjacent roads.
- 9.5.6 The Council recognises the streets closest to the site: Rosebery Gardens, Elmfield Avenue, Elder Avenue, and Ferme Park Road, will experience high parking levels. In order to mitigate and monitor these impacts, the Council has sought to a travel plan and a financial contribution towards parking and traffic management measures, which would be secured through a S106 obligation and a parking review plan by condition.
- 9.5.7 The applicant recognises the parking constraints of the area and will therefore encourage visitors to use sustainable modes of travel. The different measures that will be employed will include: providing travel information, promoting on-site cycle parking, advising of no on-site parking, and encouraging drivers to car share on the cinema's website and within the membership packs; and to provide a free phone taxi service within the cinema foyer.
- 9.5.8 One of the comments received from a local resident suggested the use of Rokesly School playground in the vicinity for customer parking during the evenings. However, the playground has no obvious vehicular access, and in any case such a proposition would lead to other significant concerns such as site management, maintenance and security.

9.5.9 Local Plan Policy SP7 alongside London Plan Policy 6.9 promotes healthy places by encouraging sustainable modes of travel over the private motor vehicles. Part d) of saved UDP Policy TCR2 requires out-of-centre development to be, '*readily accessible by a choice of means of transport, including by bike and foot*'. To compensate for the lack of off-street parking, 30 covered cycle spaces are afforded to the front of the building via a separate entrance to the main cinema. The quantum of cycle parking is deemed acceptable and in line for London Plan cycle parking standards for visitors, and will be periodically reviewed under the travel plan. In this regard, the proposal is compliant with London Plan Policy 6.9, Local Plan Policy SP7 and saved UDP Policy TCR2.

9.5.10 The designated area for waste storage will be situated at the front of the building, therefore servicing will be taken from the front of the site and on Tottenham Lane. The internal waste arrangements mean that refuse bins will not be stored on the highway or interfere with the safe and free flow of pedestrians using this part of Tottenham Lane in line with London Plan Policy 6.10.

## 9.6 Accessibility

9.6.1 The NPPF and London Plan Policy 7.2 and Local Plan Policy SP11 require all development proposals to provide satisfactory access for disabled people. All development proposals should be built in accordance with Part M of Building Regulations to ensure any new development is suitable for disabled users.

9.6.2 The applicant has shown its commitment towards creating an inclusive environment within its design and access statement. Each screen will be able to accommodate four wheelchair users. The private screen has the capacity to accommodate disabled users. A lift for access to all the floors is proposed, and unisex accessible floor toilets have been included on the ground and first floors, where a level entry and wide entrance (min. 1800mm) facilitates ease of entry for disabled users and those with mobility difficulties' in accordance to the NPPF and to London Plan Policies 3.8 and 7.2 and Local Plan Policy SP11.

## 9.7 Sustainability

9.7.1 The NPPF and London Plan Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10 and 5.11, as well as Policy SP4 of Haringey's Core Strategy set out the sustainable objectives in order to tackle climate change. Information is sought regarding how far commercial development proposals meet the BREEAM 'Very Good' criteria, and where sustainability measures such as the use of rainwater harvesting, renewable energy, energy efficiency, etc are included as part of the proposals.

9.7.2 The make up of the BREEAM overall rating to which a development is assessed against consists of nine separate components (plus innovation): management, health & wellbeing, energy, transport, water, waste, pollution, land use & ecology and materials.

9.7.3 A pre-assessment report has been carried which indicates the proposal will achieve a score of 58.67% and thus will meet the minimum. BREEAM 'Very Good' requirement.

9.7.4 The applicant has also submitted an energy statement (ref. 130941 Rev. P3) to justify and explore different green options for the new building. Combined heat and power plant (CHP) was considered not suitable at this site as it is likely to be used in the evenings based on occupancy which means the CHP unit cannot run continuously or efficiently. The unit also introduces sensitive noise and vibration impacts. Instead, energy efficient lighting, mechanical ventilation, air source heat pumps and photovoltaic panels are proposed resulting in a 17.1% carbon emission reduction. Although this does not meet the London Plan target, this is considered acceptable given the nature of development (occupancy) and the physical constraints of the site.

## 10. Legal Agreement – Heads of Terms

The following Section 106 Heads of Terms have been agreed by the applicant.

10.1 **Travel Plan** - The applicant shall commit to a travel plan within 3 months of the permission and include the following:

- a) Provide public transport information and travel advice on the cinemas website
- b) Advise via Cinema website that no car parking will be available within the local area
- c) Membership packs will include public transport information
- d) Measures to promote the use of on-site cycle parking
- e) Provide a free phone on site to local taxi service
- f) Measures to encourage customs that travel by car, to car share hence reducing the number of car that arrives within the local area.
- g) The developer is required to pay a sum of **£3,000** (three thousand pounds) for travel plan monitoring.

10.2 **Highway Improvement Works** – The applicant shall make a financial contribution of **£30,000** (Thirty thousand pounds) towards; parking and traffic management measures to reduce the impact of the proposed development in the area surrounding the site, these measures will include reviewing the existing parking controls within the area surrounding the site.

10.3 **Construction training / local labour initiatives** – The applicant shall commit to participate in the Council’s Construction training and or local labour initiatives.

10.4 **Section 106 Monitoring:** The applicant shall make a financial contribution (to be confirmed) to be used by the Council to monitor the compliance with the S106 Agreement (equates to 5% of the total contributions).

## 11.0 CIL Applicable

11.1 The Mayoral CIL has been in effect since 1st April 2012 in accordance with Regulation 25 (a) of the Community Infrastructure Regulations 2010 (as amended). The collection of Mayoral CIL will help contribute towards the funding of Cross Rail. According to the Mayoral CIL charging schedule, the proposal would be liable to Mayor CIL at a rate of £35 per square metre.

11.2 Based on the proposed additional floorspace, the proposal is likely to attract a total Mayoral CIL of £11,760 (£35 x 336sqm).

## **12.0 HUMAN RIGHTS**

12.1 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.

## **13.0 EQUALITIES**

13.1 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.

## **14.0 CONCLUSION**

14.1 The proposed redevelopment of the site at No. 165 Tottenham Lane is acceptable as the strategic, community and cultural regeneration benefits it would bring at this end of Crouch End town centre would significantly outweigh potential parking impacts caused by the proposal. A Section 106 agreement and conditions would ensure the implementation of a travel plan which sets out mitigation measures to reduce customer parking, and ensures a periodic review of parking conditions. The provision of cycle storage within the site would also help promote sustainable modes of travel over the private motor vehicle. The design and form of the proposal is considered compatible within its local and wider conservation area setting, and has been inclusively designed for disabled users. The applicant has demonstrated that the proposal would not give rise to any significant degree of noise, vibration, disturbance or the loss of daylight/sunlight and outlook impacts upon adjoining residential properties, and would attain a minimum 'Very Good' BREEAM rating to help reduce carbon emissions.

## **15.0 RECOMMENDATIONS**

GRANT PERMISSION subject to conditions and the signing of a section S106 Agreement which provide for the agreed heads of terms set out in section 10 above,

Applicant's drawing No.(s) DE01, 02, 03, 04, 05, 06, 07, EX01, 02, 03, 04, 05, 06, 07 Rev A, 10, 11, 12, 13, P02, 03, 04, 05, 06, 07, 08, 10, 11, 12 & 13.

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 Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

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

Reason: In order to avoid doubt and in the interests of good planning.

3. No development shall commence until a detailed report, including Risk Assessment, detailing management of demolition and construction dust has been submitted to, and approved in writing by the Local Planning Authority. 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 Local Planning Authority prior to any works being carried out on the site.

Reason: To ensure that the construction does not prejudice the ability of neighbouring occupiers' reasonable enjoyment of their properties.

4. The development hereby permitted shall not be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating 'Very Good' has been achieved for this development

Reason: To ensure that the development achieves a high level of sustainability

5. No development shall commence until a construction management plan (CMP) and construction logistics plan (CLP) have been submitted to and approved in writing by the Local Planning Authority. The Plans should provide details on how construction work (inc. demolitions) would be undertaken in a manner that disruption to traffic and pedestrians on Tottenham Lane and Fairfield Gardens would be minimised. It is also requested that construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods.

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

6. No development shall commence until a delivery and servicing plan (DSP) has been submitted to and approved in writing by the Local Planning Authority.

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

7. The necessary works to remove the existing crossover and reconstruct the footways will be carried out by the Council at the applicant's expense once all the necessary internal site works have been completed. The applicant should telephone 020-8489 1316 to obtain a cost estimate and to arrange for the works to be carried out before works commences on site.



Reason: In the interest of highway safety and to protect the visual amenity of the locality.

8. The applicant is required to provide the Local Planning Authority a parking review plan which includes parking surveys within 600 of metres of the site. Parking surveys should be submitted 3 months prior to the occupation of the development, and every 6 months thereafter for a period of 1 year.

Reason: To monitor the impact of the proposed development on the transportation and highways network and its impact on residential amenity in the area surrounding the site.

9. The use hereby permitted shall not be operated before 08:00 hours or after 00:30 hours Sunday to Wednesdays and Public Holidays, and before 08:00 hours or after 01:30 hours Thursday to Saturdays.

Reason: To facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

10. At no time shall any amplified speech or music generated from the site be audible within the adjoining residential premises.

Reason: To prevent loss of amenity to neighbouring residential premises due to noise generated from the premises

11. Any noise generated by virtue of this development shall not cause an increase in the pre-existing background noise level or more than 5db (A). In this context, the background level is construed as measuring the level of noise which is exceeded for 90% of the time.

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

12. The construction works of the development hereby granted shall not be carried out before 0800 hours or after 1800 hours Monday to Friday or before 0800 hours or after 1300 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.

13. The combined capacity of the cinema facility hereby approved shall be restricted to a maximum of 610 seats at any time. No variation to the above numbers shall be permitted without the prior written approval of the Local Planning Authority.

Reasons: To prevent loss of amenity to nearby residential properties, and minimise impact on the surrounding road and parking network

Informatives:

*a) Thames Water*

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground,

water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water - 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.

### *b) Environmental Health*

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.

### *c) Community Infrastructure Levy*

The applicant is advised that the proposal will be liable for the Mayor of London's CIL. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge will be £11,760 (£35 x 336sqm). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

### *d) Working with the applicant*

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our development plan comprising the London Plan 2011, the Haringey Local Plan 2013 and the saved policies of the Haringey Unitary Development Plan 2006 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant during the consideration of the application.

## Appendix 1 - Development Management Forum Minutes

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		<b>Action</b>
1.	Emma Williamson welcomed everyone to the meeting, introduced officers, members and the applicant's representatives. She explained the purpose of the meeting that it was not a decision making meeting, the house keeping rules, she explained the agenda and that the meeting will be minuted and attached to the officers report for the Planning Committee.	
2.	<p><b>Proposal</b></p> <p>Redevelopment of the site at No. 165 Tottenham Lane to provide a screen cinema, ancillary cafe/bar, roof top plant and associated infrastructure and other works.</p> <p><b>Presentation by Architect – Holly Smallman, Mark Panther from Picture House</b></p> <p>Welcome Councillors and local residents, we like people coming around as it shows interests. We have been working on this site since 2006; this has been going on for a long time. We nearly had a contract signed a couple of years ago but for some reason we were not able to sign, we worked on our planning application over the summer. I distributed 1,000 leaflets door to door. We also had 2 consultation evenings in this school where we had a good turn out of people coming to hear and see the boards. The reason we choose Crouch End because it is such a great customer potential here and we think I we can provide you the local residents with a really good cinema which is different to the opposite to the multiplex around this area. We are different we will show main stream films and also show art house independent films, live digital films from or recorded ones from the National Theatre. We started in 1989; we have 21 cinemas across the country, 5 in London and the rest across the country. We think we can provide something different here, we want people to walk here from where they live, and we want to serve the 10 minute community.</p> <p>It is not about drawing people in from outer areas. Every cinema is different, some are Grade 2 Listed Building and some contemporary, there is no theme to them, some are called Picture House and some not. We tailor our operations to the local community, the manager will listen and give you what you want, if you want left field films or a broader mix then you can have that. We do special screenings, toddler time, silver screening for the retired with free cups of coffee, autism friendly and light levels change. We do a lot for schools, show educational films programming to fit with the development of youth.</p> <p>Distributed 1,000 leaflets, the scheme will have 29 cinemas and in a town centre location. As a member you can choose to go pay as you go and have great discounts off your bar and have a number of free tickets each year. We open from 8am – for schools to come in and watch programmes, you might want a coffee and use the Wii-Fii, and you may want to use it as a place to hang</p>	

out. That is what we are about a place to be. There is a ground floor cafe and foyer ticket sale and onto 1<sup>st</sup> floor bar. We can do live performances, we can do exhibitions and music exhibitions, film shows Quiz night, educational matters, private screenings, and galas. In terms of the hours we would like to start at 8am and open till half past midnight from Sunday to Wednesday, Thursday and Saturday to give you the customer choice to watch as many films as you want to watch till 1.30am. That is the last screen, most films will finish by 11.30pm, there are an increasing number of films that is three hours long and we need to be able to show them as people work and need to be able to have access to the films they want to watch. It is infrequent and it does allow you choice. Performances are staggered not all four screens are used at once, so you won't get everyone going and going at the same time. We really are about the community, we want to extend the choice to you for leisure destination.

In conjunction with other leisure facilities coming up we want to work together to create a cultural hub, we want to be a significant cultural offer on the high street for you, employment we think 20 full time management roll of which two or three may not be from the area and 50 apart time jobs ad we hope that will be welcomed. We want to be a partner with you in the local community, here for charities; here for hire and we are a good neighbour otherwise we would not have 21 other cinemas. We will partner the art house and work together to programme films as it is not worth fighting each other. We will do things differently and so will they but we will do it in unison. Design & Construction – Mark Panther gave information relating to the history of the site and using slide presentation of the proposed scheme explained the design and construction of the scheme.

**Question from Floor**

Q1: Have you had a look at parking in the street this evening, there is no parking spaces and you are proposing that people leave the cinema at 1.30, you have pointed out that this is a residential area and the noise will be very disturbing for people who live in this area,

Ans: In relation to parking, we have commissioned a parking survey company on Friday and Saturday night they walked around the streets as talked about on the earlier plans and they have counted the total amount of available spaces for parking and have counted the number of cars parked in those spaces on an hourly basis from 7pm to 11pm on Friday and Saturday night yes we have a clear understanding of the number of parking in the area and what it uses.

Q2: What you are saying is that there is more parking on a Saturday night which says to me there is going to be more noise for the residents

Ans: The nature of people who go to the picture house are not rowdy, the reality is that people come an hour or so earlier before their film and have a glass of wine or a coffee and watch a film and the nature of our customer base is that they quietly go home and not the kind of customers that would hang around and make noise, we are not a pub or vertical drinking place, it is a

cinema, there are very few occasions where people will come out of the establishment inebriated very rare , there are 4 screens, one 160 seats, one 170, one 150 and 110 it would be one of those screens that would still be in use till 1.30 and I estimate it being once or twice a month, it is about how many times the films come our way, most of our cinemas stop films around 11.30 and people quietly dissipate home. The 12.30 is to allow you to watch a film after work, we have staff that we want to get home early too. We do not encourage that kind of behaviour.

Q3: The comparable of 14% is based on Hackney cinema and TFL was defending the idea that it should be compared with Dulwich cinema which is more like Crouch End which has only buses, train station is quite far, no tube. It's 26% in Dulwich which when the cinema is full will have about 200 cars and it will be near the other cinema so you are talking 800 seats capacity if you have 25% that is 100 cars, why have you not looked at the area on Saturday afternoons or Sunday afternoon, this area is very busy on those afternoons.

Ans: On the modal split the percentage of cars we looked at got data from two picture house cinemas Hackney and Greenwich and Hackney the car use was about 8% and Greenwich was 22% and TFL did suggest to look at a more robust 22%. Greenwich has a river on one side and it is restricted how people can come to the site and there is also a large park backing onto the centre there, it is not densely populated residential as Crouch End is. Greenwich also has a couple of large car parks in the town centre there which makes it more attractive to drive there than here perhaps. One thing with transport is that whatever the mode of transport is will be governed by the number of parking available. The 14% is the recent data we had and that seems to be accepted by the Council with the conversation we had so far.

Statement: Lots of families have cars in the area, you are talking of Highgate, Hampstead, and Turnpike Lane further north and lots of people have cars.

Ans: We do focus on a much closer area, we do not envisage people coming from Highgate and Archway, there are 40,000 people living within a 10minute walking distance of this area and 90% of those peoples 41% are likely to be our customers. The MD set this company up for local community and not asking people to come from far, if another site came along in another area, then we would do the same as well because we think there is enough demand here.

Q4: Resident of Fairfield Gardens and have issues with parking, current the is nowhere to park are you suggesting that I join the search for parking like those 59 others trying to do the same within the parameter of the cinema, we will all be looking for the same spaces, people who drive will try to get as close to the cinema as possible as I said currently I live in that road there are no available spaces so you might have done your research but I live here and I know what that looks like.

Q5: I want to say I am very excited about the idea of picture house coming to Crouch End and I have come along to support the application. I think we should be discouraging people from using cars rather than worrying about

where they will allow them to park. Too many people use their cars in my view and we should be discouraging them, I remember the same arguments being put forward when Waitrose application came in, everyone said it would destroy Crouch End by coming in cars. Nobody goes to Waitrose in cars because they can't and I think the same will happen with the cinema. I go to the Phoenix a lot and I go by public transport, it is similar a residential area, shows similar kind of films and I wouldn't dream of using a car to get there. I wish I didn't have to get a bus up there but able to walk and see a film locally. Also the noise issue, if the cinema doesn't take over this site, will it be another bar? Bars as it use to be before Art House took over. Look at the Earl Haig, I fully support what they have done to it but it is quite noisy there now. If you live in Fairfield gardens then you probably already have a lot of noise from that place. It worries me that something has to happen to it as it is an eyesore now and we need to develop it and do it sympathetically. It is an Iconic building and it is the only building of that era in Crouch end. It has been designed sympathetically and we do need to support it.

Q6: The only warning bell for me is that all the deliveries will be in Tottenham Lane, having seen what happens in Tesco's on the High Street. I want to know the volumes of deliveries, does it also mean we will have unsightly recycling bins in Tottenham Lane.

Ans: In terms of refuse & recycling, it is stored inside the building and brought out when the lorries turn up. There are loading bays in front of the building which will be use by refuse & recycling collection and delivery lorries, deliveries will normally be 8-10am so they don't happen all day and the lorries are not huge lorries like supermarkets. This won't impact on traffic running on Tottenham Lane and will not be any different from any other shop getting deliveries in the morning.

Q7: Cllr Winskill I think we need to acknowledge the parking stress in Crouch End generally, and the concerns and worry from local residents needs to be taken seriously. Emma can you tell me if Haringey granted the application could it technically impose a condition which said when the thing opened and there were problems with extra cars coming in and we can ask the operators to pay for a consultation to see if residents wanted an extra hour put on the CPZ time say 9pm in the evening and they would be hit by the no permit and they then would not park in the area. This would mean local residents and go out and still have spaces to park on their return and not have their space taken by cinema goers not leaving till 1 to 2 o'clock in the morning. In conjunction with that would Picture House accept it as a condition?

Ans: Emma Williamson said we would have to take it away and talk it over with our transportation colleagues as part of this application and Picture House would like to take it away and think about it outside this meeting, it is what local residents want. The impact on business is strong as well and we will need to think about it, putting an extra hour on in the evening, the impact on businesses could be equally strong to existing businesses, their customers are coming in and parking and sometime local businesses struggle as well so we need to think about it outside the meeting.

Q8: Resident in Hamden Ave – I don't know when you did your survey but it is impossible to park outside of the CPZ times. I've got two children and if I got to take them out anywhere I cannot get a parking space anywhere on my return. It is very noble to think people will come by public transport and there is free parking which there is outside 10 and 12 O'clock in the morning, people will park there. It just means local residents are penalised.

Ans: The survey did show some of the roads to be busier than others, you get to Tottenham Lane the busier they are and the higher you go the greater the capacity and we do acknowledge there is and yes they will park but as you point out there is less available space there the more capacity there are afield and people will park further afield.

Statement: No it won't be cinema goers that will park further afield, it will be the local residents and it will be the residents that won't go out and do things because once I'm gone with my children I will not get a parking space and therefore will stop me from going out and doing things with my children.

Q9: Roskesly Ave resident: I am also a enthusiastic cinema goer and was a planner some time ago and it does result in looking at this that there are conflicts going on and I do not think the conflicts are resolved by using enthusiastic planning for transport and I think the way you have done your modelling is based on false assumptions. It seems to me you can base the average of somewhere else but you have localised it to here. One of the attraction of Crouch End and everybody that lives here is one of the most difficult place in London in terms of public transport accessibility, that will reflected in the modal split and I think your 14% assumption is pretty over optimistic and would ask you in terms of your sensitivity analysis you have done vary in that percentage and what impact that has on the figures you have Already talked about. I would also ask the Council representative whether they have done their own transport assessment or are you relying on the assessment of the applicants.

Ans: The data from which is included in the transport statement which we carried out to accompany the planning application carried out 10<sup>th</sup> September of this year, prior to that the site had been looked at for a long time and surveys were carried out March of this year as well. In discussion with the Council over the data from the original survey, and they did ask us to vary the scope of the survey and the data is robust. The data that we put in out in our September statement was discussed with the Council before commissioning the survey. The sensitivity test that the Council have asked us to do, we have done which is an addendum report which is going to the Council this week, they have asked us to work out the average cinema use on a Friday and Saturday night at the busiest and asked us to see what would happen if the cinema was a 100% full in practice it is never full as all screens are never in full use at the same time.

Statement from Emma Williamson: I can hear concerns about the transport assessment and I will take that away and talk to our transportation colleagues

about it, they assess the impact and the way the development has been assessed in that regard.

Q10: Resident of Fairfield Gardens, yes I am very concerned about parking. The agenda you distributed tonight, in June when I looked at the scheme the cladding was brown wood and in this picture is shows a pleasant silvery grey. Has it changed?

An: The cladding at the rear of the building has been changed after the scheme went to the Design Panel who made the suggestion that it not be timber and wanted something that didn't change with time. The problem with timber is that it changes over time, it starts off brown and then goes grey and they felt brick cladding so plants could grow on the brick work would be more suitable.

Statement: The problem is that in Fairfield there will be a feel on enclosure by this building and the build is going to take over 9 /12 months and no consideration has been given to those of us living close this, in terms of health and noise, this is a serious concern and have not been addressed in any information leaflets or on website.

Ans: The construction phase will first be the roof and rear elevation and will take a third of the construction time and the vast of the construction time will take place inside the building and because all the access will be in Tottenham Lane and you won't be disturbed throughout the construction process in Fairfield gardens. There is a large sheet of asbestos roof there and will be taken carefully and will be replaced by a different kind of steel roof which goes up very quickly, once up and sealed, all the activity will be inside the building.

Q11: No significant noise pollution is mentioned everywhere in your literature and you mentioned it tonight, for someone who lives and works from home, it seems something different to me than to others.

Ans: In relation to the operation of the cinema, we know you will not hear any sounds from this, we have provided an acoustics report to the Council, we have build similar cinemas in similar residential areas and we have done sound tests through the night at the top of the building as it exists, we have measured the background noise, we have put sound sensors on the back of the building, we have tested the noise in Fairfield Gardens and we have designed the plant to be below the ambient levels, when the cinema is not in operation the plant will be off.

Statement: But it operates from 8am till 1.30 in the morning. What does below ambient means, it does not mean silent.

Q12: My name is Mr Marsh and all I can hear is people saying no, I think we are missing the bigger picture Crouch End doesn't have anything or come close to anything that we can call a cultural centre, we have a Grade 11 listed building which is a town hall that has been in disrepair for many years, this should be housing so many things, cinema, theatre,. There has been 7 schemes come



forward for this site, I think this is a really good opportunity to bring something like this to Crouch End. It is one thing that is missing from Crouch End. We can have 60 cups of coffee in 60 different places but you cannot see a film or anything close to culture. On the Council's website people are saying about the clientele, an art theatre is not a rowdy place, if you put the demographics down. I have been to all the art theatres in London and I never drive to them you don't drive to those places and people won't be a big problem here. No one here is saying is this going to be a nice cultural centre for education, school, for people to be able to come and see a film, all you are talking about is the noise why don't you say let's get rid of all the restaurants in Crouch End. When I tell people I live in Crouch End and they say we go up there for a meal, this place is becoming a place where people come eat and have a drink. I use to live above the laundrette in Fairfield Gardens and I know what is like to deal with noise and appreciate what people are saying about the noise, but feel people are missing the point and saying it is about the noise, people and it will be bad, it's the cars, the 14%, can you not for once embrace something that culturally add to this place. I am passionate about this because we are sitting in a building where I did two designs for Rokesly School for nothing as a contribution, I also did some paid work for the school as I am an architect, I have also been involved with the town hall, what I am talking about is engaging with the community so we can have something sensible here and not just loads of coffee shops. You can with the cars, people, noise but to something cultural like this taking place is here is throwing away an opportunity.

Q13: When you are talking about the Town hall are you saying this will be better in the town hall?

Ans: No what I am saying is this project will benefit local people of Crouch End and provide us with cultural activities.

Q14: I am also very excited at having cinemas here however my questions are why do we need 4 screens? I understood that this site would be on the site of the music palace and the architecture is rather ugly and doesn't look like other buildings in the area.

Ans: In terms of less than 4 screens, for us to produce a viable business, we need as many screens as we can, for you the customer to see a film it comes out for a week and then it goes to screen 2 second week and so on, so it means we can show it for 4 weeks, it cycles down from largest screen to the smallest. We have more screens to allow you the customer to see it within 4 weeks instead of one.

Q15: My property backs onto your development and will have a sense of enclosure it is a much a higher building.

Ans: The building is not much higher; the back of Roseberry house will get nearer to you it is still a way away that it won't affect the light into your property. You will have a building closer to you and it will appear higher, it nearer not higher.

Q16: Can I ask about the planting, who will manage the planting?

Ans: The cinema management will maintain the planting, There will be an automatic watering system which will use rain water and in case of a drought we will use mains water

Q17: Does it not strike anyone that this is ludicrous that we have art picture house and next door we have the new wonder, I live locally and didn't know anything about it. I thought it was a fantastic idea to have a local cinema then I get something in my door about this we are going to have an abundant of cinemas just like Tesco's, budgets, Waitrose, I just don't understand it.

Ans: I cannot stop art house for finding a site and want to build on it, in March we heard that they were developing their project with cinema and they heard about ours, we were equally shocked; We are both going to be opening if this get planning permission and we will work together with Mountview.

Q18: Statement: I agree with the cultural hub but finds it ridiculous to have two cinemas close together and I am very concerned about the parking,

Q19: Will you go away and amend the plans after listening to our comments?

Ans: We will consider all the comments this evening but it will be difficult to deliver this scheme.

Q20: I would like to welcome picture house to the area, it is a fantastic opportunity to bring this end of Crouch End in line with the rest of Crouch End, and there will be disruption, parking stress whilst you build something that will enhance the area.

Q21: Cllr Weber I agree the Tottenham Lane end is Cinderella end of Crouch End and having two cinemas in the area will be good for residents, when looking at planning objections it is not a planning objections, planning considerations are things like height, dimensions of the building. I would like the Council and the developers to check the measurements at the rear of the building because the Quick Fit site was being proposed for development, there was a metre difference in the garden level and a metre can make a big difference. Work together to check the dimensions, Parking I understand I wonder if the Council and the developer have approached TFL because if you are talking 540 people and people coming to have a drink there, you also have the impact of the old Haig for example, the music Palace, there will be more people in the area, they are not necessarily going to be a nuisance but need to be able to get away by public transport, in order to change bus routes to add on extra buses you cannot do it within 6 months, it needs to be done ½ years time, bus routes are looked at every 2/3 years so I would like definitely from the Council and also the developers to press TFL as this would help with public transport. We have rotten public transport and you will have lots of people having around. Good to hear the planting are going to be maintained however the noise is at ambient level, however I would like to see that conditioned so there are regularly maintained. It is easy to let a couple of years go by and the noise creep up and they crack, if that could be conditioned it would solve a lot

of problems down the line. In terms of build there is a little business called MEB motors. If you are putting a wall up there will be scaffolding and they need access for their business so I am hoping the developers will liaise directly with them and ensure they are able to carry on their business as with bubbles car park and car wash. There is also the considerate contractors scheme which I hope the developers would be encourage to sign up to this scheme so residents have access to the site manager so if there was an issue it can be raised immediately. Mountview is taking long but is progressing as part of that the whole CPZ would be reviewed something the Council promised. There needs to be a holistic approach to the review as it cannot be done as a piece meal approach. Can I also ask that the Council circulate a list at the DM Forums of what materials considerations are?

Ans: Emma Williamson said the Council will look into the concerns you raised and the suggestions you've made. We can explain before the meeting what is considered to be material consideration.

Q22: Would there be any community use for young families and also tell me about the Environmental Impact Assessment.

Ans: In relation to community use, the top floor will be space for meeting room for all types of groups at affordable rates. Community groups will be discounted. We have an education team who go round and talk to local schools, films and following their studies, we work with schools to find out how we can be of help. With regards to the environment impact assessment we are using renewable PV panels on the roof, the trick is to use the stale air that you throw away to heat or cool down. The key is to reduce the use of electricity. These systems will be more efficient that cinemas are generally.

Q23: How long will it take for the green wall to grow and I noticed two fire escapes and this is by our precious parking bay in our street. Is the parking bay going to be moved made smaller?

Ans: I don't see why we can't make it work so we don't loose a parking bay and we can recess the doors so they don't to hit cars. With regards to the planting it will take about a year to grow so about two seasons. It will stay green all year round.

Q24: Fairview residents I have issues with parking, we already have the additional parking from the music palace, the old Haig and I do not know why Haringey is here with their own transport assessment incorporating those two new venues in addition to this venue and just buying a privately bought assessment. Where is Haringey on the transport assessment?

Ans: Emma Williamson said this evening is a conversation with the developers and the Council is still formulating its views and assessing what they have submitted and we cannot form a view until the consultation period has ended and we have looked at the application in detail. The transportation team will assess the information submitted and they will use their local knowledge if they require more work to be done then the applicants will have to comply.

We will take back all the concerns raised this evening.

Q25: I will still be able to see the top of that building from my basement flat, it will block my light. I am inviting you to come to my flat and see for yourself. If you had a 3D model and proper photo montage it would help reduce the concerns people have. I also didn't know anything about this scheme until this evening.

Ans: I and my colleague posted in letter boxes 1,000 leaflets through doors and we held two consultation meetings. I apologise if you didn't get it.

Q26: Cllr Winskill: If something does fall off or break down and someone rings the Council, we need to know that someone from enforcement will come and investigate, can this be conditioned, we have had in Tops Parade a restaurant the noise from the ventilation was reported but nothing could be done,

Ans: We are looking at conditions in general and how that would work and the service of equipment this work is still ongoing and I do not want to commit to anything this evening, however I can confirm that I will look into it and see how we can condition and whether we can enforce against it as a way of moving forward.

Q27: Will picture house advertise the telephone number of the manager so local residents can report issues and concerns.

Ans: We want to be a good neighbour and if you feel you have to go to environmental health, then we have not been a good neighbour. You should be on first name terms with cinema manager, be able to raise your concerns and together working in partnership to resolve any issues that come up. If a number or email address is necessary then we will give it.

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

End of meeting

## Appendix 2 – consultation responses

No.	Stakeholder	Comments	Response
1	Transportation	Raise no objection subject to a Section S106 for a travel plan and financial contribution towards parking and traffic management measures, and conditions for parking plan, CMP and DSP	Noted
2	Environmental Health	Raise no objection subject to construction dust condition	Noted
3.	Waste Management	Raise no objection	Noted
3.	Conservation Officer	Raised no objection to the proposal. They suggested that front facade should be broken up into bays to follow the traditional retail frontages and facades	The applicant has amended the front elevation following the comments.
4.	Thames Water	Raise no objection	Noted
5.	Transport for London	Raise no objection subject to CMP and DSP conditions	Noted
6.	Crime Prevention Officer	Raise no objection but has recommended fire exit doors on Fairfield Gardens are alarmed and linked to the CCTV and reception	The applicant has the fire exit doors will only be used in emergencies and not for general public use to leave the building. The doors will be alarmed and linked to CCTV.
7.	London Fire Brigade	Raise no objection	Noted

No.	Stakeholder	Comments	Response
8.	Design Panel	Raise no objection and generally supportive of the scheme	Noted
9	Local Residents	Principle of an another cinema proposal in the area	Officers have considered the wider regeneration and cultural benefits that the cinema proposal would bring to the area which would enhance rather than detract from the viability and vitality of Crouch End District Centre
10	Local Residents	Parking and traffic impacts to surrounding streets.	<p>A transport statement including a parking stress survey based on the Lambeth Methodology has been carried out to demonstrate capacity within 400 metres of the site in a 'worst case scenario'. These scenarios will only occur 6 or 7 times a year for special screenings.</p> <p>Bicycle spaces have been provided within the building to encourage other sustainable modes of travel.</p> <p>A Section 106 will secure a travel plan to offset any parking impacts and a financial contribution is sought towards parking and traffic management measures. A parking review plan is also sought by condition.</p>
11	Local Residents	Impact of noise.	<p>A noise report has been commissioned to confirm that there would be no impact upon residents caused by noise emitted from the cinema.</p> <p>The staggered timings of the screens means visitors are likely to leave and arrive at different times.</p>
12	Local Residents	Misuse of fire exit doors	The fire exit doors are for emergencies only and will be

No.	Stakeholder	Comments	Response
13	Local Residents	Health and safety issues over the removal of asbestos roof	alarmed and linked to CCTV.  The safe removal of the asbestos roof will be overseen by Haringey's Environmental Health.
14	Local Residents	Loss of daylight/sunlight and outlook	A daylight/sunlight report has been submitted to demonstrate that the new rear additions would not lead to a significant degree of impact upon adjacent properties and also be within BRE recommended guidelines.  The proposal features a green wall to 'soften' the appearance of the rear additions.
15	Local Residents	Impact of property structure.	The impact upon the physical damage and stability of adjacent buildings is a civil issue between neighbouring landowners
16	Local Residents	Anti-social behaviour	There is no substantive evidence to demonstrate the proposal is likely to lead to anti-social and rowdy behaviour at the site.  The ancillary bar/cafe will be subject to strict licence controls, and its alcohol licence may be revoked by the Council in the event of any future alcohol-related incidents.
17	Local Residents	Design and appearance	The proposal has been subject to Haringey's Design Panel and the front facade has been amended following initial concerns.  The design is considered a significant improvement over the existing building which would enhance the streetscape and public realm.

No.	Stakeholder	Comments	Response
18.	Local Residents	Inadequate refuse provision	Proposed waste bins will be contained wholly within the building without being stored over the highway.  Servicing will be taken from Tottenham Lane and a delivery and servicing plan has been sought by condition.
19.	Local Residents	Basement impact	A basement impact assessment is not required under the Council's 'Basement Development Guidance Note', as it will be below the existing building footprint (not boundary to boundary), and not project beyond the main rear wall.
20.	Local Residents	Fire Risk	This is not a material planning consideration as it is regulated by Building and Fire Regulations.
21.	Local Residents	Unsustainable local jobs	Construction training / local labour initiatives are sought within the Section 106.





**PLANNING SERVICE  
DEVELOPMENT MANAGEMENT TEAM**

**MINUTES**

Meeting	:	Development Management Forum - HGY/2013/1984 165 Tottenham Lane, N8 9BY
Date	:	5 <sup>th</sup> November 2013
Place	:	Rokesly School, Tottenham Lane, N8
Present	:	Emma Williamson (Chair) Aaron Lau, Cllr Weber, Winskill, The applicant's agents, approx 45 attendees.
Minutes by	:	Tay Makoon

Distribution :

		<b>Action</b>
1.	<p>Emma Williamson welcomed everyone to the meeting, introduced officers, members and the applicant's representatives. She explained the purpose of the meeting that it was not a decision making meeting, the house keeping rules, she explained the agenda and that the meeting will be minuted and attached to the officers report for the Planning Committee.</p>	
2.	<p><b>Proposal</b></p> <p>Redevelopment of the site at No. 165 Tottenham Lane to provide a screen cinema, ancillary cafe/bar, roof top plant and associated infrastructure and other works.</p> <p><b>Presentation by Architect – Holly Smallman, Mark Panther from Picture House</b></p> <p>Welcome Councillors and local residents, we like people coming around as it shows interests. We have been working on this site since 2006; this has been going on for a long time. We nearly had a contract signed a couple of years ago but for some reason we were not able to sign, we worked on our planning application over the summer. I distributed 1,000 leaflets door to door. We also had 2 consultation evenings in this school where we had a good turn out of people coming to hear and see the boards. The reason we choose Crouch End because it is such a great customer potential here and we think I we can provide you the local residents with a really good cinema which is different to the opposite to the multiplex around this area. We are different we will show main stream films and also show art house independent films, live digital films from or recorded ones from the National Theatre. We started in 1989; we have 21 cinemas across the country, 5 in London and the rest across the country. We think we can provide something different here, we want people to walk here from where they live, and we want to serve the 10 minute community.</p> <p>It is not about drawing people in from outer areas. Every cinema is different,</p>	

some are Grade 2 Listed Building and some contemporary, there is no theme to them, some are called Picture House and some not. We tailor our operations to the local community, the manager will listen and give you what you want, if you want left field films or a broader mix then you can have that. We do special screenings, toddler time, silver screening for the retired with free cups of coffee, autism friendly and light levels change. We do a lot for schools, show educational films programming to fit with the development of youth.

Distributed 1,000 leaflets, the scheme will have 29 cinemas and in a town centre location. As a member you can choose to go pay as you go and have great discounts off your bar and have a number of free tickets each year. We open from 8am – for schools to come in and watch programmes, you might want a coffee and use the Wii-Fii, and you may want to use it as a place to hang out. That is what we are about a place to be. There is a ground floor cafe and foyer ticket sale and onto 1<sup>st</sup> floor bar. We can do live performances, we can do exhibitions and music exhibitions, film shows Quiz night, educational matters, private screenings, and galas. In terms of the hours we would like to start at 8am and open till half past midnight from Sunday to Wednesday, Thursday and Saturday to give you the customer choice to watch as many films as you want to watch till 1.30am. That is the last screen, most films will finish by 11.30pm, there are an increasing number of films that is three hours long and we need to be able to show them as people work and need to be able to have access to the films they want to watch. It is infrequent and it does allow you choice. Performances are staggered not all four screens are used at once, so you won't get everyone going and going at the same time. We really are about the community, we want to extend the choice to you for leisure destination.

In conjunction with other leisure facilities coming up we want to work together to create a cultural hub, we want to be a significant cultural offer on the high street for you, employment we think 20 full time management roll of which two or three may not be from the area and 50 apart time jobs ad we hope that will be welcomed. We want to be a partner with you in the local community, here for charities; here for hire and we are a good neighbour otherwise we would not have 21 other cinemas. We will partner the art house and work together to programme films as it is not worth fighting each other. We will do things differently and so will they but we will do it in unison.

Design & Construction – Mark Panther gave information relating to the history of the site and using slide presentation of the proposed scheme explained the design and construction of the scheme.

#### **Question from Floor**

Q1: Have you had a look at parking in the street this evening, there is no parking spaces and you are proposing that people leave the cinema at 1.30, you have pointed out that this is a residential area and the noise will be very disturbing for people who live in this area,

Ans: In relation to parking, we have commissioned a parking survey company on Friday and Saturday night they walked around the streets as talked about on the earlier plans and they have counted the total amount of available spaces for parking and have counted the number of cars parked in those spaces on an hourly basis from 7pm to 11pm on Friday and Saturday night yes

we have a clear understanding of the number of parking in the area and what it uses.

Q2: What you are saying is that there is more parking on a Saturday night which says to me there is going to be more noise for the residents

Ans: The nature of people who go to the picture house are not rowdy, the reality is that people come an hour or so earlier before their film and have a glass of wine or a coffee and watch a film and the nature of our customer base is that they quietly go home and not the kind of customers that would hang around and make noise, we are not a pub or vertical drinking place, it is a cinema, there are very few occasions where people will come out of the establishment inebriated very rare , there are 4 screens, one 160 seats, one 170, one 150 and 110 it would be one of those screens that would still be in use till 1.30 and I estimate it being once or twice a month, it is about how many times the films come our way, most of our cinemas stop films around 11.30 and people quietly dissipate home. The 12.30 is to allow you to watch a film after work, we have staff that we want to get home early too. We do not encourage that kind of behaviour.

Q3: The comparable of 14% is based on Hackney cinema and TFL was defending the idea that it should be compared with Dulwich cinema which is more like Crouch End which has only buses, train station is quite far, no tube. It's 26% in Dulwich which when the cinema is full will have about 200 cars and it will be near the other cinema so you are talking 800 seats capacity if you have 25% that is 100 cars, why have you not looked at the area on Saturday afternoons or Sunday afternoon, this area is very busy on those afternoons.

Ans: On the modal split the percentage of cars we looked at got data from two picture house cinemas Hackney and Greenwich and Hackney the car use was about 8% and Greenwich was 22% and TFL did suggest to look at a more robust 22%. Greenwich has a river on one side and it is restricted how people can come to the site and there is also a large park backing onto the centre there, it is not densely populated residential as Crouch End is. Greenwich also has a couple of large car parks in the town centre there which makes it more attractive to drive there than here perhaps. One thing with transport is that whatever the mode of transport is will be governed by the number of parking available. The 14% is the recent data we had and that seems to be accepted by the Council with the conversation we had so far.

Statement: Lots of families have cars in the area, you are talking of Highgate, Hampstead, and Turnpike Lane further north and lots of people have cars.

Ans: We do focus on a much closer area, we do not envisage people coming from Highgate and Archway, there are 40,000 people living within a 10minute walking distance of this area and 90% of those peoples 41% are likely to be our customers. The MD set this company up for local community and not asking people to come from far, if another site came along in another area, then we would do the same as well because we think there is enough demand here.

Q4: Resident of Fairfield Gardens and have issues with parking, current the is nowhere to park are you suggesting that I join the search for parking like those 59 others trying to do the same within the parameter of the cinema, we will all

be looking for the same spaces, people who drive will try to get as close to the cinema as possible as I said currently I live in that road there are no available spaces so you might have done your research but I live here and I know what that looks like.

Q5: I want to say I am very excited about the idea of picture house coming to Crouch End and I have come along to support the application. I think we should be discouraging people from using cars rather than worrying about where they will allow them to park. Too many people use their cars in my view and we should be discouraging them, I remember the same arguments being put forward when Waitrose application came in, everyone said it would destroy Crouch End by coming in cars. Nobody goes to Waitrose in cars because they can't and I think the same will happen with the cinema. I go to the Phoenix a lot and I go by public transport, it is similar a residential area, shows similar kind of films and I wouldn't dream of using a car to get there. I wish I didn't have to get a bus up there but able to walk and see a film locally. Also the noise issue, if the cinema doesn't take over this site, will it be another bar? Bars as it use to be before Art House took over. Look at the Earl Haig, I fully support what they have done to it but it is quite noisy there now. If you live in Fairfield gardens then you probably already have a lot of noise from that place. It worries me that something has to happen to it as it is an eyesore now and we need to develop it and do it sympathetically. It is an Iconic building and it is the only building of that era in Crouch end. It has been designed sympathetically and we do need to support it.

Q6: The only warning bell for me is that all the deliveries will be in Tottenham Lane, having seen what happens in Tesco's on the High Street. I want to know the volumes of deliveries, does it also mean we will have unsightly recycling bins in Tottenham Lane.

Ans: In terms of refuse & recycling, it is stored inside the building and brought out when the lorries turn up. There are loading bays in front of the building which will be use by refuse & recycling collection and delivery lorries, deliveries will normally be 8-10am so they don't happen all day and the lorries are not huge lorries like supermarkets. This won't impact on traffic running on Tottenham Lane and will not be any different from any other shop getting deliveries in the morning.

Q7: Cllr Winskill I think we need to acknowledge the parking stress in Crouch End generally, and the concerns and worry from local residents needs to be taken seriously. Emma can you tell me if Haringey granted the application could it technically impose a condition which said when the thing opened and there were problems with extra cars coming in and we can ask the operators to pay for a consultation to see if residents wanted an extra hour put on the CPZ time say 9pm in the evening and they would be hit by the no permit and they then would not park in the area. This would mean local residents and go out and still have spaces to park on their return and not have their space taken by cinema goers not leaving till 1 to 2 o'clock in the morning. In conjunction with that would Picture House accept it as a condition?

Ans: Emma Williamson said we would have to take it away and talk it over with our transportation colleagues as part of this application and Picture House

would like to take it away and think about it outside this meeting, it is what local residents want. The impact on business is strong as well and we will need to think about it, putting an extra hour on in the evening, the impact on businesses could be equally strong to existing businesses, their customers are coming in and parking and sometime local businesses struggle as well so we need to think about it outside the meeting.

Q8: Resident in Hamden Ave – I don't know when you did your survey but it is impossible to park outside of the CPZ times. I've got two children and if I got to take them out anywhere I cannot get a parking space anywhere on my return. It is very noble to think people will come by public transport and there is free parking which there is outside 10 and 12 O'clock in the morning, people will park there. It just means local residents are penalised.

Ans: The survey did show some of the roads to be busier than others, you get to Tottenham Lane the busier they are and the higher you go the greater the capacity and we do acknowledge there is and yes they will park but as you point out there is less available space there the more capacity there are afield and people will park further afield.

Statement: No it won't be cinema goers that will park further afield, it will be the local residents and it will be the residents that won't go out and do things because once I'm gone with my children I will not get a parking space and therefore will stop me from going out and doing things with my children.

Q9: Roskesly Ave resident: I am also a enthusiastic cinema goer and was a planner some time ago and it does result in looking at this that there are conflicts going on and I do not think the conflicts are resolved by using enthusiastic planning for transport and I think the way you have done your modelling is based on false assumptions. It seems to me you can base the average of somewhere else but you have localised it to here. One of the attraction of Crouch End and everybody that lives here is one of the most difficult place in London in terms of public transport accessibility, that will reflected in the modal split and I think your 14% assumption is pretty over optimistic and would ask you in terms of your sensitivity analysis you have done vary in that percentage and what impact that has on the figures you have Already talked about. I would also ask the Council representative whether they have done their own transport assessment or are you relying on the assessment of the applicants.

Ans: The data from which is included in the transport statement which we carried out to accompany the planning application carried out 10<sup>th</sup> September of this year, prior to that the site had been looked at for a long time and surveys were carried out March of this year as well. In discussion with the Council over the data from the original survey, and they did ask us to vary the scope of the survey and the data is robust. The data that we put in out in our September statement was discussed with the Council before commissioning the survey. The sensitivity test that the Council have asked us to do, we have done which is an addendum report which is going to the Council this week, they have asked us to work out the average cinema use on a Friday and Saturday night at the busiest and asked us to see what would happen if the cinema was a 100% full in practice it is never full as all screens are never in full

use at the same time.

Statement from Emma Williamson: I can hear concerns about the transport assessment and I will take that away and talk to our transportation colleagues about it, they assess the impact and the way the development has been assessed in that regard.

Q10: Resident of Fairfield Gardens, yes I am very concerned about parking. The agenda you distributed tonight, in June when I looked at the scheme the cladding was brown wood and in this picture is shows a pleasant silvery grey. Has it changed?

An: The cladding at the rear of the building has been changed after the scheme went to the Design Panel who made the suggestion that it not be timber and wanted something that didn't change with time. The problem with timber is that it changes over time, it starts off brown and then goes grey and they felt brick cladding so plants could grow on the brick work would be more suitable.

Statement: The problem is that in Fairfield there will be a feel on enclosure by this building and the build is going to take over 9 /12 months and no consideration has been given to those of us living close this, in terms of health and noise, this is a serious concern and have not been addressed in any information leaflets or on website.

Ans: The construction phase will first be the roof and rear elevation and will take a third of the construction time and the vast of the construction time will take place inside the building and because all the access will be in Tottenham Lane and you won't be disturbed throughout the construction process in Fairfield gardens. There is a large sheet of asbestos roof there and will be taken carefully and will be replaced by a different kind of steel roof which goes up very quickly, once up and sealed, all the activity will be inside the building.

Q11: No significant noise pollution is mentioned everywhere in your literature and you mentioned it tonight, for someone who lives and works from home, it seems something different to me than to others.

Ans: In relation to the operation of the cinema, we know you will not hear any sounds from this, we have provided an acoustics report to the Council, we have build similar cinemas in similar residential areas and we have done sound tests through the night at the top of the building as it exists, we have measured the background noise, we have put sound sensors on the back of the building, we have tested the noise in Fairfield Gardens and we have designed the plant to be below the ambient levels, when the cinema is not in operation the plant will be off.

Statement: But it operates from 8am till 1.30 in the morning. What does below ambient means, it does not mean silent.

Q12: My name is Mr Marsh and all I can hear is people saying no, I think we are missing the bigger picture Crouch End doesn't have anything or come close to anything that we can call a cultural centre, we have a Grade 11 listed building

which is a town hall that has been in disrepair for many years, this should be housing so many things, cinema, theatre,. There has been 7 schemes come forward for this site, I think this is a really good opportunity to bring something like this to Crouch End. It is one thing that is missing from Crouch End. We can have 60 cups of coffee in 60 different places but you cannot see a film or anything close to culture. On the Councils website people are saying about the clientele, an art theatre is not a rowdy place, if you put the demographics down. I have been to all the art theatres in London and I never drive to them you don't drive to those places and people won't be a big problem here. No one here is saying is this going to be a nice cultural centre for education, school, for people to be able to come and see a film, all you are talking about is the noise why don't you say let's get rid of all the restaurants in Crouch End. When I tell people I live in Crouch End and they say we go up there for a meal, this place is becoming a place where people come eat and have a drink. I use to live above the laundrette in Fairfield Gardens and I know what is like to deal with noise and appreciate what people are saying about the noise, but feel people are missing the point and saying it is about the noise, people and it will be bad, it's the cars, the 14%, can you not for once embrace something that culturally add to this place. I am passionate about this because we are sitting in a building where I did two designs for Rokesly School for nothing as a contribution, I also did some paid work for the school as I am an architect, I have also been involved with the town hall, what I am talking about is engaging with the community so we can have something sensible here and not just loads of coffee shops. You can with the cars, people, noise but to something cultural like this taking place is here is throwing away an opportunity.

Q13: When you are talking about the Town hall are you saying this will be better in the town hall?

Ans: No what I am saying is this project will benefit local people of Crouch End and provide us with cultural activities.

Q14: I am also very excited at having cinemas here however my questions are why do we need 4 screens? I understood that this site would be on the site of the music palace and the architecture is rather ugly and doesn't look like other buildings in the area.

Ans: In terms of less than 4 screens, for us to produce a viable business, we need as many screens as we can, for you the customer to see a film it comes out for a week and then it goes to screen 2 second week and so on, so it means we can show it for 4 weeks, it cycles down from largest screen to the smallest. We have more screens to allow you the customer to see it within 4 weeks instead of one.

Q15: My property backs onto your development and will have a sense of enclosure it is a much a higher building.

Ans: The building is not much higher; the back of Roseberry house will get nearer to you it is still a way away that it won't affect the light into your property. You will have a building closer to you and it will appear higher, it nearer not higher.

Q16: Can I ask about the planting, who will manage the planting?

Ans: The cinema management will maintain the planting, There will be an automatic watering system which will use rain water and in case of a drought we will use mains water

Q17: Does it not strike anyone that this is ludicrous that we have art picture house and next door we have the new wonder, I live locally and didn't know anything about it. I thought it was a fantastic idea to have a local cinema then I get something in my door about this we are going to have an abundant of cinemas just like Tesco's, budgets, Waitrose, I just don't understand it.

Ans: I cannot stop art house for finding a site and want to build on it, in March we heard that they were developing their project with cinema and they heard about ours, we were equally shocked; We are both going to be opening if this get planning permission and we will work together with Mountview.

Q18: Statement: I agree with the cultural hub but finds it ridiculous to have two cinemas close together and I am very concerned about the parking,

Q19: Will you go away and amend the plans after listening to our comments?

Ans: We will consider all the comments this evening but it will be difficult to deliver this scheme.

Q20: I would like to welcome picture house to the area, it is a fantastic opportunity to bring this end of Crouch End in line with the rest of Crouch End, and there will be disruption, parking stress whilst you build something that will enhance the area.

Q21: Cllr Weber I agree the Tottenham Lane end is Cinderella end of Crouch End and having two cinemas in the area will be good for residents, when looking at planning objections it is not a planning objections, planning considerations are things like height, dimensions of the building. I would like the Council and the developers to check the measurements at the rear of the building because the Quick Fit site was being proposed for development, there was a metre difference in the garden level and a metre can make a big difference. Work together to check the dimensions, Parking I understand I wonder if the Council and the developer have approached TFL because if you are talking 540 people and people coming to have a drink there, you also have the impact of the old Haig for example, the music Palace, there will be more people in the area, they are not necessarily going to be a nuisance but need to be able to get away by public transport, in order to change bus routes to add on extra buses you cannot do it within 6 months, it needs to be done ½ years time, bus routes are looked at every 2/3 years so I would like definitely from the Council and also the developers to press TFL as this would help with public transport. We have rotten public transport and you will have lots of people having around. Good to hear the planting are going to be maintained however the noise is at ambient level, however I would like to see that conditioned so there are regularly maintained. It is easy to let a couple of years go by and the noise creep up and they crack, if that could be conditioned it would solve a lot of problems down the line. In terms of build there is a little business called MEB motors. If you are putting a wall up there will be scaffolding and they



need access for their business so I am hoping the developers will liaise directly with them and ensure they are able to carry on their business as with bubbles car park and car wash. There is also the considerate contractors scheme which I hope the developers would be encourage to sign up to this scheme so residents have access to the site manager so if there was an issue it can be raised immediately. Mountview is taking long but is progressing as part of that the whole CPZ would be reviewed something the Council promised. There needs to be a holistic approach to the review as it cannot be done as a piece meal approach. Can I also ask that the Council circulate a list at the DM Forums of what materials considerations are?

Ans: Emma Williamson said the Council will look into the concerns you raised and the suggestions you've made. We can explain before the meeting what is considered to be material consideration.

Q22: Would there be any community use for young families and also tell me about the Environmental Impact Assessment.

Ans: In relation to community use, the top floor will be space for meeting room for all types of groups at affordable rates. Community groups will be discounted. We have an education team who go round and talk to local schools, films and following their studies, we work with schools to find out how we can be of help. With regards to the environment impact assessment we are using renewable PV panels on the roof, the trick is to use the stale air that you throw away to heat or cool down. The key is to reduce the use of electricity. These systems will be more efficient that cinemas are generally.

Q23: How long will it take for the green wall to grow and I noticed two fire escapes and this is by our precious parking bay in our street. Is the parking bay going to be moved made smaller?

Ans: I don't see why we can't make it work so we don't loose a parking bay and we can recess the doors so they don't to hit cars. With regards to the planting it will take about a year to grow so about two seasons. It will stay green all year round.

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you had a 3D mode and proper photo montage it would help reduce the concerns people have. I also didn't know anything about this scheme until this evening.

Ans: I and my colleague posted in letter boxes 1,000 leaflets through doors and we held two consultation meetings. I apologise if you didn't get it.

Q26: Cllr Winskill: If something does fall off or break down and someone rings the Council , we need to know that someone from enforcement will come and investigate, can this be conditioned, we have had in Tops Parade a restaurant the noise from the ventilation was reported but nothing could be done,

Ans: We are looking at conditions in general and how that would work and the service of equipment this work is still ongoing and I do not want to commit to anything this evening, however I can confirm that I will look into it and see how we can condition and whether we can enforce against it as a way of moving forward.

Q27: Will picture house advertise the telephone number of the manager so local residents can report issues and concerns.

Ans: We want to be a good neighbour and if you feel you have to go to environmental health, then we have not been a good neighbour. You should be on first name terms with cinema manager, be able to raise your concerns and together working in partnership to resolve any issues that come up. If a number or email address is necessary then we will give it.

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

End of meeting

Planning Committee 9<sup>th</sup> December 2013

Item No.

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2013/1846	<b>Ward:</b> Muswell Hill
<b>Date received:</b> 06/09/2013	
<b>Address:</b> 30 Muswell Hill N10 3TA	
<b>Proposal:</b> Redevelopment of site to provide 12 self-contained flats within 2 residential blocks together with 10 parking spaces and associated landscaping	
<b>Existing Use:</b> Vacant land	<b>Proposed Use:</b> Residential
<b>Applicant:</b> Muswell Earth Ltd	
<b>Ownership:</b> Private	
<b>DOCUMENTS</b>	
Planning Application Form	
CIL Form	
Design and Access Statement	
Planning Statement	
Landscape Statement	
Sustainability and Energy Statement	
Arboricultural Statement	
Community Involvement Report	
Development Viability Report	

<b>PLANS</b>		
<b>Plan Number</b>	<b>Rev.</b>	<b>Plan Title</b>
3655/P01		Site location plan
3655/P02		Aerial Views
3655/P03		Site photos – views from Muswell Hill
3655/P04		Site photos – internal
3655/P05		Existing site plan - survey
3655/P08		Demolition plan
3655/P09		Proposed site plan – lower ground floor
3655/P10		Proposed site plan – ground floor
3655/P11		Proposed first floor plan
3655/P12		Proposed lower ground, ground, first and second floor plan

3655/P15		Proposed 3 <sup>rd</sup> , 4 <sup>th</sup> and roof plans
3655/P19		Proposed site section AA
3655/P20		Proposed site section BB
3655/P25		Proposed site elevation – Muswell Hill
3655/P26		Proposed elevation - comparisons
3655/P27		Proposed rear elevation – Springfield Avenue
3655/P28		Proposed side elevation (east)
3655/P29		Proposed side elevation (west)
3655/P100		3D views
3655/P101		3D view - Aerial

**Case Officer Contact:**

Valerie Okeiyi  
P: 020 8489 5120  
E: Valerie.okeiyi@haringey.gov.uk

**PLANNING DESIGNATIONS:**

Road Network: Classified Road

**RECOMMENDATION**

**GRANT PERMISSION** subject to conditions and Section 106 Agreement

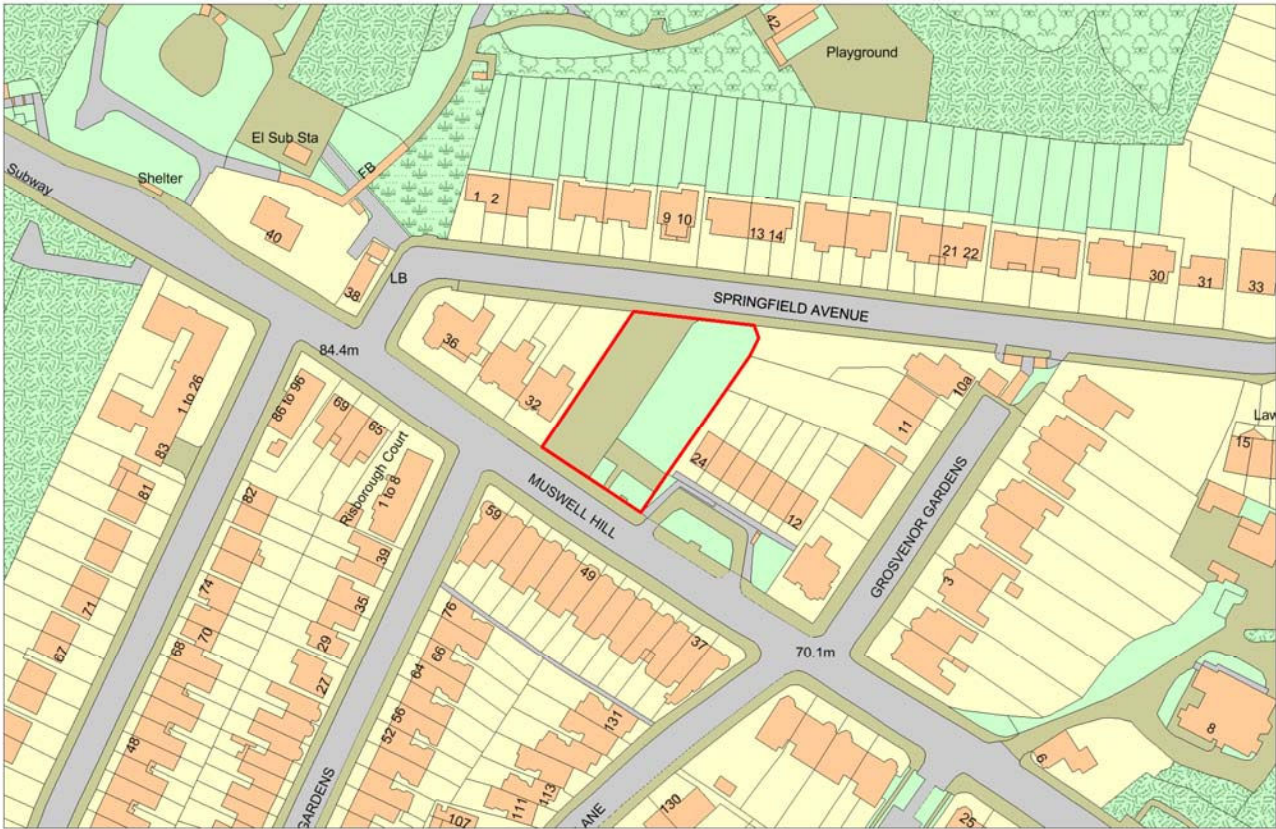
**SUMMARY OF REPORT:**

It is important to know that there is an extant planning permission for this site that provides for the redevelopment for the site to provide a five storey building facilitating 12 units (HGY/2000/1778). The proposed scheme is an improvement in terms of design, access, and layout, and it provides for Section 106 contributions. This scheme in the main, optimises the potential of the site for high quality housing, which would contribute towards Haringey's target for new homes. The building although contemporary in style would give the site an appearance that would not detract from the character of the area as a whole. The design, form and choice of materials for the proposed building have been designed sensitively to the character of the surrounding area. The residential developments would be of adequate design standard. The proposal would not harm the living conditions of residents of neighbouring properties. The proposal complies with Lifetime Homes Standards. The scheme would introduce measures to reduce the energy emissions of the proposed buildings.

<b>TABLE OF CONTENTS</b>	
1.0	PROPOSED SITE PLAN
2.0	IMAGES
3.0	SITE AND SURROUNDINGS
4.0	PLANNING HISTORY
5.0	DESCRIPTION OF PROPOSED DEVELOPMENT
6.0	RELEVANT PLANNING POLICY
7.0	CONSULTATION
8.0	PRE-APPLICATION CONSULTATION
9.0	ANALYSIS / ASSESSMENT OF APPLICATION
10.0	CONCLUSION
11.0	HUMAN RIGHTS
12.0	EQUALITIES
13.0	RECOMMENDATIONS
14.0	CONDITION
15.0	APPENDICES
	Appendix 1: Consultation Responses

1.0 PROPOSED SITE PLAN

30 Muswell Hill, Haringey



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Town and Country Planning Act 1990 (as amended) Plan relating to the Notice Address



2.0 IMAGES



Front of site and remaining front boundary wall



Front of site and the detached villa at no. 32 Muswell Hill





Row of 1960s terraces at 12 – 24 Muswell Hill to the east of the proposed development



**View of site from Springfield Avenue**



Existing site plan survey





Proposed ground floor



Proposed site elevation

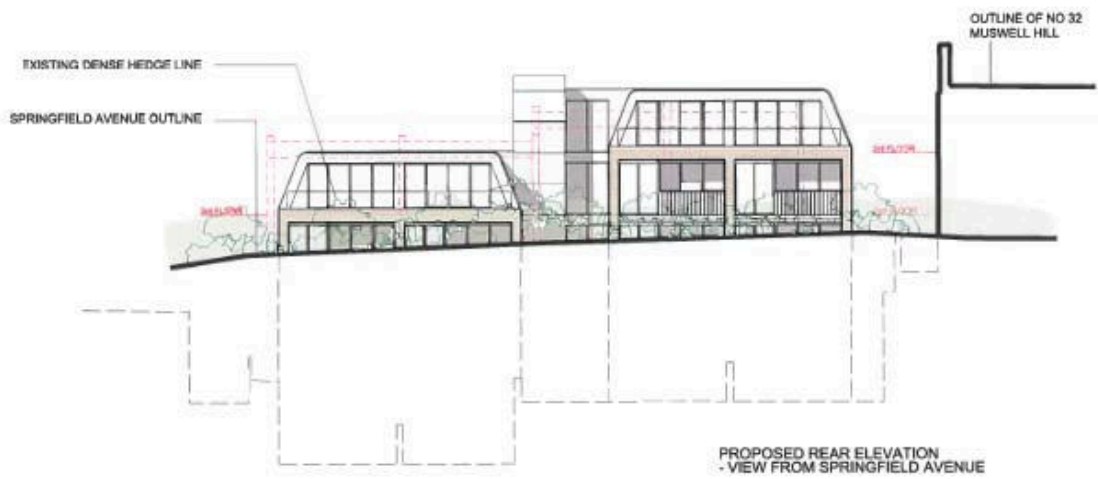


GML PROPOSED FRONT ELEVATION  
AS VIEWED FROM MUSWELL HILL

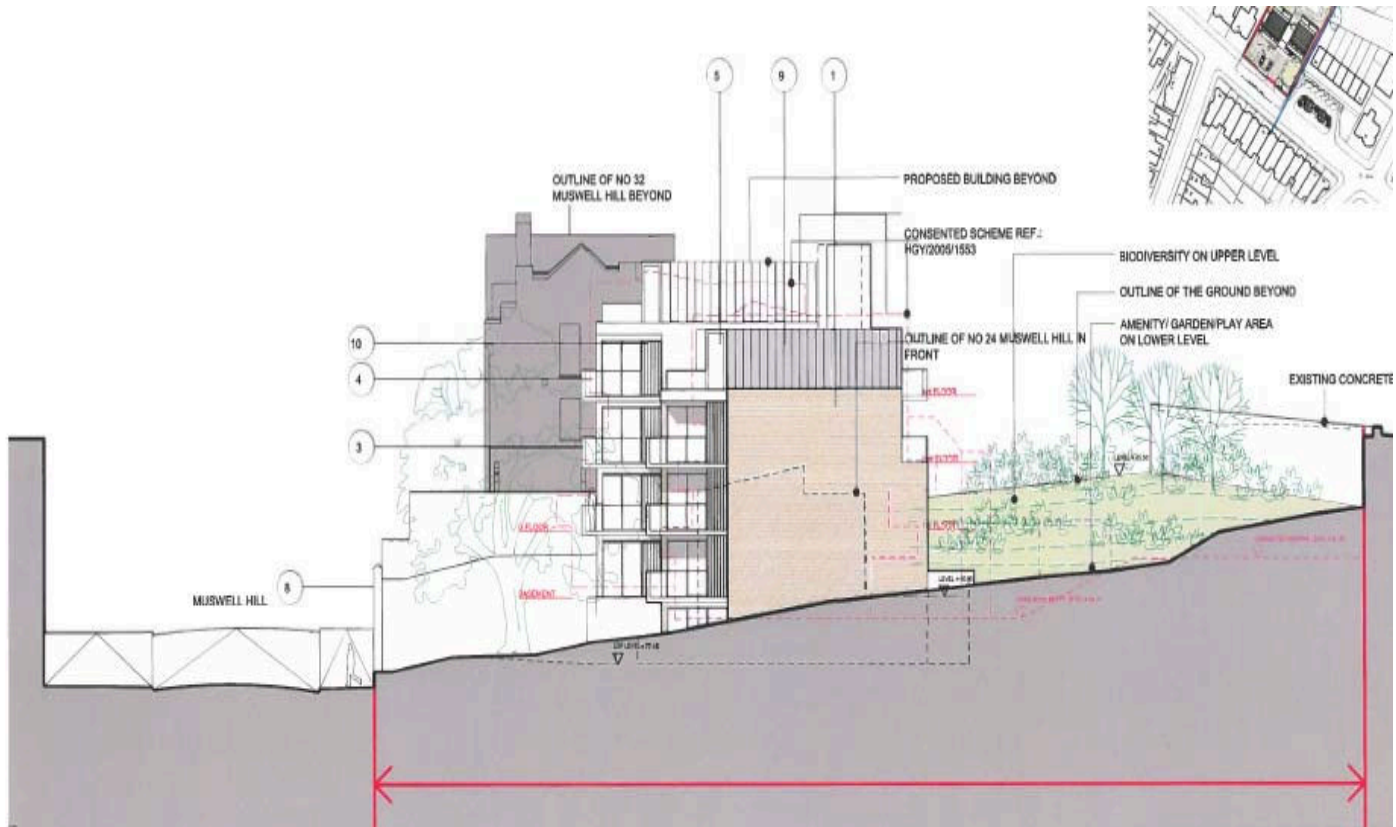


CONSENTED SCHEME REF : HGY/2005/1553 FRONT ELEVATION  
AS VIEWED FROM MUSWELL HILL

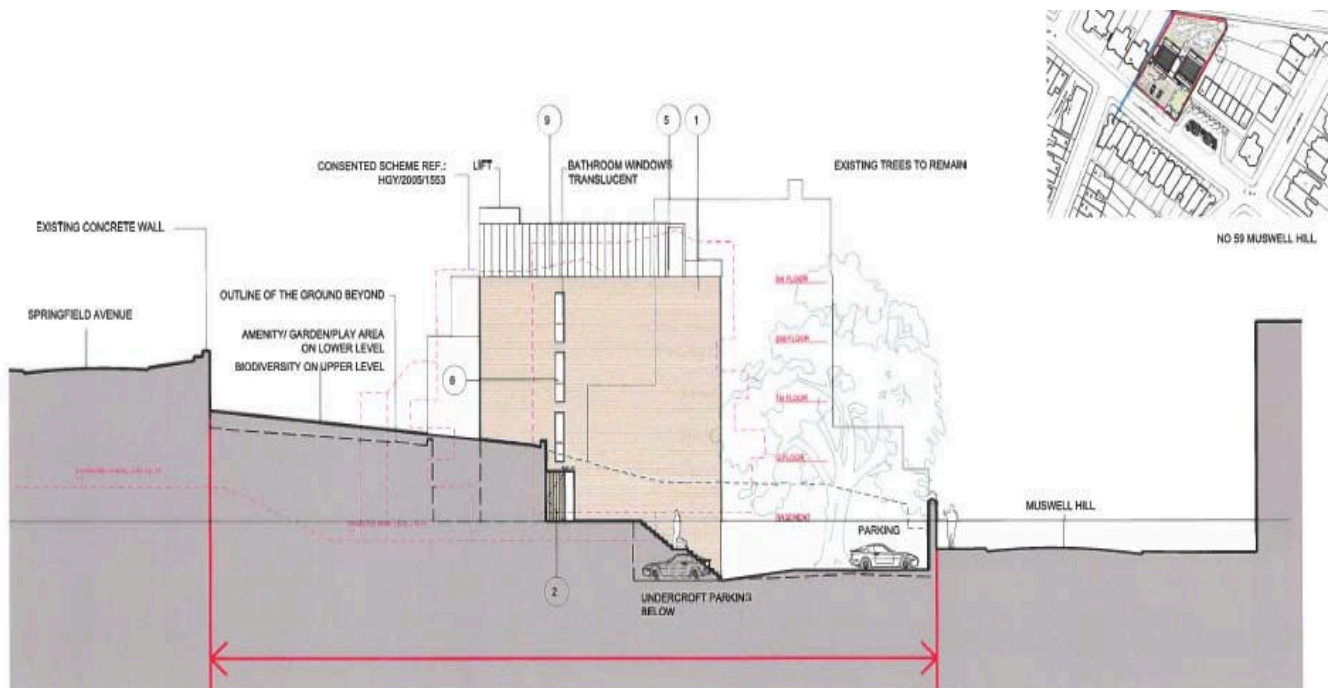
**Proposed elevation comparison**



Proposed rear extension



Proposed side elevation (east)



Proposed side elevation (west)





### 3D Views

#### 3.0 SITE AND SURROUNDINGS

- 3.1 The application site is located on the north east side of Muswell Hill between the four storey Victorian detached villas at 32-26 Muswell Hill and the row of 1960's two storey terraces at 12-24 Muswell Hill. The site slopes steeply up along the road frontage towards the Muswell Hill town centre and it also slopes up towards the retaining wall at the rear of the site behind which is Springfield Avenue which is a residential street comprising of two storey semi detached villas that look down onto the site. The site sits on a plot originally occupied by two detached houses which now comprises; shrubbery, grass and two Ash trees at the front of the site which are subject to a Tree Preservation Order. The site is partially bounded by the original front boundary wall with piers and hoarding followed by a brick wall of different levels which partially bounds the 1960's row of adjacent terraces which are set well back from the street. Directly opposite the site is a row of 3 storey Edwardian style terraces behind which is Alexandra Gardens.
- 3.2 The site is not in a conservation area but it is located in close proximity to three conservation areas; Muswell Hill, Alexandra Palace and Park and Rookfield.

3.3 The application site has a medium public transport accessibility level (PTAL) of 4 and is within walking distance of several bus routes.

#### 4.0 PLANNING HISTORY

##### 4.1 Planning history

<b>HGY/1994/0261</b>	GTD 26-04-94	30 Muswell Hill London	Conversion into three self-contained flats (2 x 2 bed and 1 x 1 bed) involving erection of rear roof extension.
<b>HGY/2000/1778</b>	GTD 26-07-01	30 And Land Adjacent Muswell Hill London	Erection of a four storey residential development comprising 8 X 2 bed three person self-contained flats and 4 X 3 bed, four person maisonettes with sixteen car parking spaces.
<b>HGY/2005/0294</b>	WDN 20-04-05	30 Muswell Hill London	Approval of Details pursuant to conditions 2, 3, 5, 6, 9, 10, 11 (plans, security, landscaping , trees, refuse, visibility splay and car parking) attached to planning reference HGY/2000/1778.
<b>HGY/2005/0612</b>	REF 27-06-05	30 Muswell Hill London	Erection of a 4 storey building comprising 8 x 2 bed and 4 x 3 bed flats with associated parking for 12 cars and landscaping.
<b>HGY/2005/1553</b>	GTD 11-10-05	30 Muswell Hill London	Approval Of Details pursuant to Condition 5 (landscaping & treatment of surrounding areas of the proposed development) attached to planning permission reference HGY/2000/1778.
<b>HGY/1994/0261</b>	GTD 26-04-94	30 Muswell Hill London	Conversion into three self-contained flats (2 x 2 bed and 1 x 1 bed) involving erection of rear roof extension.

4.1.1 Planning permission was granted under planning reference; HGY/2000/1778 in July 2001 for the erection of a four storey residential development comprising 8 X 2 bed three person self-contained flats and 4 X 3 bed, four person maisonettes with sixteen car parking spaces. The planning consent has been

implemented and this was confirmed by the Council's planning department in the form of a letter from the planning team leader in September 2006 which confirmed that the original house had been demolished and three piled foundations were formed in connection with the construction of the flats after a site visit was carried out in 2006. This evidence also showed the Council's building control department received a building regulations application. In addition, the only pre-commencement condition; condition 5 (landscaping), that was discharged in October 2005.

#### 4.2 Planning enforcement history

NCC/2007/00366 – Site falling into disrepair resulting in collapse of the fence – Remedy – the property is completely vacant. Not a planning issue - case closed – 03/07/07

UNT/2012/00415 – Untidy land – remedy – Case closed no breach - case closed – 17/04/12

UNW/2012/00623 – Site is an eyesore – remedy – Architects advised to inform client to secure site to prevent dumping - case Closed – 18/10/12

UNW/2013/00359 – Complaint about dumping on the site – remedy – The only action currently happening on site are the temporary works in support of maintaining the site pending the commencement of works for the extant consent - case closed – 09/07/13

### 5.0 DESCRIPTION OF PROPOSED DEVELOPMENT

5.1 The applicant/architect identified a number of shortcomings with the extant permission (HGY/2000/1778) that was put on hold; these have been identified below;

- The consented proposal does not have the benefit of any lifts;
- Access to the upper floors is via external staircases, and therefore raises issues of security, noise and privacy;
- The accommodation was not lifetime homes compliant;
- Parking was proposed to the rear which prevented the opportunity to improve the biodiversity of the site;
- The design was very standard;
- The proposal was not subject to any S106 obligations and any similar proposed scheme would incorporate obligations.

5.2 The current scheme outlined below is the result of ongoing discussions that began with pre-application discussions which has led to the current design.

- 5.3 Permission is now sought to redevelop the site to provide a five storey residential block inclusive of the recessed top floor. The block would be contemporary in style and comprise of 12 self-contained flats. The proposed block would form three elements; block A to the west; block B to the east and the stair/lift tower located centrally.
- 5.4 Block A which lies adjacent to the four storey detached Victorian villa at no. 32 comprises of a ground, first, second, third and top floor level. From the proposed site elevation; block A would be 11m wide and range from 12.8m – 13.8m high to the eaves, 15.4m – 16m high to the ridge of the top floor and have a depth ranging from 11m -15m.
- 5.5 Block B which lies adjacent to the two storey terraces at 12-24 Muswell Hill comprises of a lower ground, ground, first, second and third floor level. From the proposed site elevation; block B would be 11m wide and range from; 11.4m – 12.6m high to the eaves, 14m – 15m high to the ridge of the top floor and have a depth ranging from 11m – 14m.
- 5.6 Both blocks would be separated by a 4m wide deeply recessed stair/lift tower with views towards the rear garden. The tower would have a height of 16m and depth ranging from 7.6m – 9m.
- 5.7 From the front block A would be set further forward of block B by 4m and from the rear block B would be set further forward of block A by 4m. The blocks would have a projecting bay with vertical head to ceiling height windows alongside recessed balconies with balustrades accessed via French doors running from lower to upper floor level. The recessed top floor would comprise of a mansard style pitch roof with balustrade. From the Muswell Hill frontage the top floor of block A would be set back by 2m and block B would be set back by 2.6m.
- 5.8 From the rear, the lower floor of block A would have french doors leading to a patio area on ground floor level and block B would have french doors leading into a patio area created by a lightwell at lower ground floor level. Recessed balconies with balustrades are proposed on first to third floor level accessed via french doors alongside vertical floor to ceiling height windows. The top floor of block A would be set back from the rear by 2m and Block B would be set back by 4.4m.
- 5.9 From the side elevation where both blocks slope up from front to rear, the recessed balconies would run from the eastern corner. The side elevation (west) of block A would comprise of narrow vertical bathroom windows running from lower to upper floor level alongside the main entrance to flat A1 on ground floor level.
- 5.10 The proposed building would be constructed using facing bricks with a zinc sheet roof, grey metal double glazed windows, metal cladding with flush joints, vertical metal fin balustrades, structural glass balustrades, timber door and vertical metal louvres.

- 5.11 The layout of the residential block would comprise of a bike store for 24 bicycles and the lower floors of flat B1 and B2 at lower ground floor level. The ground floor would comprise of the lower floors of flats A1, A2, B3 and B4 and the upper floors of B1 and B2. The first floor would comprise of the upper floors of flats A1, A2, B3 and B4 and the lower floors of flats A3 and A4. The second floor would comprise of the upper floors of flats A3 and A4 and flat B5. The third floor would comprise of flats A5 and B6 and the top floor would comprise of flat A6. All the duplexes and flats would have extensive balconies and terraces, with patios for the lower ground floor flats. The proposal would provide solar photovoltaic panels at top floor level and roof level.
- 5.12 Access to the flats would be from the Muswell Hill frontage at lower ground floor level with a stairwell and lift at the central core to gain access to the upper floors. Flat A1 would have its own separate access via a set of steps from the side of the building (proposed side elevation west).
- 5.13 The front brick and flint boundary wall would be repaired to the north that continues beyond 32 and 34 Muswell Hill and the wall would be reinstated to the southern section of the boundary. The front boundary wall would have a 4.8m wide vehicle and pedestrian entrance.
- 5.14 The refuse/recycling storage area to the front of the building would also have a brick and flint wall to match the front boundary wall.
- 5.15 The front of the building would comprise of six car parking spaces at ground floor level and four undercroft parking spaces proposed at lower ground floor level. Parking bay no. 5 would be designated for a disabled user.
- 5.16 In terms of soft and hard landscaping to the front of the building; 130 sq. m. of green space is proposed, alongside shrub and tree planting along the sites boundary. The car park would comprise of block paving including contrasting block paving to indicate the pedestrian route. The undercroft car park would have a concrete surface. The rear of the building would comprise of a lower communal garden that would provide a play space, with shrub/tree planting, level resin bound gravel surface with seating and tables, level lawn area and stepped access linking the communal garden areas. The upper communal garden would comprise of a gravel surface area, step access to the morning sun trap and lower communal area, plants/shrub/tree planting and boulders. The proposed landscaping would also include a morning and afternoon sun trap and pergola.

## **6.0 RELEVANT PLANNING POLICY**

- 6.1 The planning application is assessed against relevant national, regional and local planning policy, including relevant policies within the:

National Planning Policy Framework  
The London Plan 2011

Haringey Local Plan: Strategic Policies  
Haringey Unitary Development Plan (2006) (Saved remnant policies)  
Haringey Supplementary Planning Guidance and Documents

For the purpose of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the London Plan 2011, the Haringey Local Plan 2013 and 39 remnant saved policies in the Haringey Unitary Development Plan 2006.

### 6.1.1 National Planning Policies

#### National Planning Policy Framework

The National Planning Policy Framework (NPPF) was adopted in March 2012. This document rescinds the previous national planning policy statements and guidance.

### 6.1.2 Regional Planning Policies

#### The London Plan 2011 (Published 22 July 2011)

Policy 3.5 Quality and design of housing developments  
Policy 3.3 Increasing Housing Supply  
Policy 3.4 Optimising Housing Potential  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable Energy  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 6.13 Parking  
Policy 5.17 Waste Capacity

### 6.1.3 Local Planning Policies

#### Local Plan 2013 – 2036 (17 Strategic Policies (SP))

SP0 The presumption in favour of sustainable development  
SP2 Housing  
SP4 Working towards a Low Carbon Haringey  
SP7 Transport  
SP11 Design  
SP17 Delivering and Monitoring the Local Plan

#### Haringey Unitary Development Plan (Adopted 2006)

39 remnant saved UDP policies;

UD3 General Principles  
UD7 Waste Storage  
M10 Parking for Development  
OS17 Tree Protection, Tree Masses and Spines

## 7.0 CONSULTATION

7.1 The Council has undertaken consultation. A summary list of consultees is provided below

### 7.2 Internal Consultees

- Haringey Environmental Health – Housing Renewal
- Haringey Environmental Health – Commercial Environmental Health
- Haringey Waste Management/Cleansing
- Haringey Building Control
- Haringey Transportation Team
- Haringey Arboriculturalist
- Haringey Housing Design and Projects
- Haringey Economic Regeneration

### 7.3 External Consultees

- Ward Councillors
- Muswell Hill & Fortis Green Association
- Thames Water
- Andrew Snape – Crime Prevention Officer
- Thames Water
- London Fire Brigade (Edmonton)

### 7.4 Local Residents

- 203 residents and businesses.

7.5 A summary of the responses received are as follows;

#### LBH – Commercial Environmental Health comments;

- The lead officer recommends the following conditions;
  - Control of construction dust
  - Combustion and energy plant

#### LBH – Building Control comments;

- This work will be subject to the requirements of the Building Regulations 2010 and will require an application to be submitted to this office.

#### LBH – Waste Management comments;

- Application details storage area for waste containers. One of which should be for recycling. Sufficient bin allocation should be allowed to ensure no side waste or spillage occurs between waste collection days.

LBH – Transportations comments;

- Ten on-site parking spaces is in line with the parking standards outlined in the Haringey Council adopted UDP (saved policies 2013);
- The site does not fall within an area that has been identified within the Haringey Council UDP as suffering from high on-street parking pressure;
- 20% of the parking provision will have charging points for electric vehicles with a further 20% passive provision in line with standards set out within the London Plan;
- The proposal includes the provision of a secure storage facility capable of catering for up to 24 bicycles which complies with standards set out within The London Plan (2011);
- The highway and transportation authority therefore seek contributions from the developer in order to provide improvements within the immediate vicinity of the sites frontage onto Muswell Hill;
- A dedicated refuse store is located to the rear of the public footway, which will aid on-street collection and therefore minimise disruption to traffic on Muswell Hill;
- An area of hard standing has been provided at the front of the plot to allow servicing and domestic deliveries to take place on-site; and
- The proposed development is unlikely to have any significant adverse impact on the surrounding highway network or car parking demand at this location.

LBH – Arboriculturalist

- The Council's tree officer visited the site to inspect the trees and has no objection subject to condition. T1 appears to be in a declining condition with a major structural defect (included union). The tree officer has no objection to T1 being removed. It is proposed to plant 3 new trees at the front of the site, which would mitigate the loss of T1 and provide an increase in tree cover. T2 is being retained with minor pruning to facilitate the new structure;
- The Arboricultural Impact Assessment (AIA) provides a specification for tree protection and other measures to ensure T2 can be safely retained.

Thames Water

- With regards to sewerage infrastructure Thames Water have no objection;
- Thames water advise that with regards to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water course or a suitable sewer;
- Thames water would advise that with regards to water infrastructure they have no objection.



London Fire Brigade

No comments received as of yet. Any comments will be reported to members.

Muswell Hill & Fortis Green Association

- The roofline of the middle block needs to be redesigned;
- The proposed balconies are inconsistent with the prevailing architecture in the vicinity;
- If planning permission is granted the main facing material for the frontage and side should be in a type consistent in colour and texture to those predominantly used in Muswell Hill;
- The number of car parking spaces is not sufficient and will increase parking pressure in the adjoining roads;
- Vehicles turning right into the development from Muswell Hill will add to congestion in Muswell Hill.

Andrew Snape – Crime Prevention Officer

- The new homes would benefit from the Secured by Design standards, particularly for door and window standards;
- There should be gating near the front of the property to prevent intruders gaining access.

Affordable Housing Group

- The design of the proposal is fine;
- Each flat should have its own parking;
- This application is a good opportunity to receive a cash payment in lieu of affordable;
- The Council rejected St Luke's Hospital and 150 Fortis Green on the grounds of lack of affordable;
- The new application is a good opportunity to get a substantial cash payment to assist the Councils affordable housing needs.

Local residents (five letters of objection received)

- The parking spaces proposed are insufficient and would increase the parking pressure in the area ;
- There are concerns that the proposed height level of the afternoon suntrap could result in possible overlooking to the properties on Grosvenor Gardens;
- 12 flats seems excessive for the site;
- There is no allocation for parking for visitors;
- There are concerns with the overall height of the building;
- The bricks used for the proposed building should be in keeping with those predominantly used on the surrounding buildings

- The quantity of flats would result in safety issues with cars and delivery vehicles turning into the site;
- There are concerns with the added demand on Muswell Hill Primary School and local NHS facilities;
- The design is unsympathetic to the local area;
- The proposal would create an unwelcome break to the Edwardian architecture that is so dominant in Muswell Hill;
- The design is of no architectural merit;
- There are concerns as to whether the historic WW2 ARP post whose solid exterior fabric has survived remarkably intact will be retained and whether it is due to remain in situ or to be moved to an alternative Haringey site

## 8.0 PRE-APPLICATION CONSULTATION.

8.1 A pre-application meeting was held in August 2012. This proposal was put together as a re-design of the consented scheme under planning reference; HGY/2000/1778; with the same number of units but a different layout and design principle.

8.2 The scheme was presented to the Design Review Panel in December 2012. The proposals were welcomed as an improvement on the approved scheme, especially for its landscaping and moving parking to the front. The flat layouts, access and means of site enclosure needed further consideration. And the design needed further development.

8.3 Following the presentation to the Design Review Panel, a number of design options were produced for the Council's design officer to review and provide feedback on which has led to the current design.

8.4 Prior to the submission of the planning application a public consultation was set up to present the proposals. All local councillors were contacted and before the main consultation; community groups and other key stakeholders within the area were identified and contacted. The groups and individuals contacted included the following;

- The Muswell Hill and Fortis Green Association
- The Chine and Cascades Residents Association
- Alexandra Residents Association
- Haringey Federation of Residents Association
- Warner Estate Residents Association
- Muswell Hill Conservation Area Advisory Committee
- Park Avenue South Neighbourhood Watch

200 leaflets were distributed to local residents, list of stakeholders and the local ward councillors.

8.5 A public exhibition took place at the Royal British Legion, Muswell Hill Road in July 2013 with the proposed scheme available and members of the

development team were available to answer any questions. A leaflet to take away was also available at the exhibition. Several response mechanisms for the local community and stakeholders to give their feedback have been in place, including quantitative and qualitative response mechanisms and feedback to participants and the wider community.

## 9.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

Taking account of the development plan, comments received during the processing of this application and other material considerations, the main issues in this case are:

- 9.1 The presumption in favour of sustainable development
- 9.2 Principle of development
- 9.3 Design, height, bulk and scale
- 9.4 Density
- 9.5 Impact of proposal on living conditions of surrounding residents
- 9.6 Standard of accommodation
- 9.7 Dwelling mix
- 9.8 Affordable Housing
- 9.9 Transport considerations/access
- 9.10 Landscaping
- 9.11 Trees
- 9.12 Waste management
- 9.13 Energy and sustainability
- 9.14 Mayoral Community Infrastructure Levy
- 9.15 Planning Obligations – Section 106 Legal Agreement and head of terms

### 9.1 The presumption in favour of sustainable development

#### 9.1.1 Haringey Local Plan Policy SP0 states that:

*When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). The Council will always work proactively with applicants to find solutions, which mean that proposals can be approved wherever possible and to secure development that improves the economic social and environmental conditions in Haringey. Planning applications that accord will be approved without delay, unless material considerations indicate otherwise.*

*Where development proposals accord with the development plan, then the Council will grant permission unless material considerations indicate otherwise taking into account whether:*

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or*

- *Specific policies in the NPPF indicate that development should be restricted.*

9.1.2 This proposal can be considered as an example of sustainable development in that it seeks to optimise the potential of the site and provide high quality housing that would be sustainable. The Committee is accordingly obliged in development plan terms to give this proposal favourable consideration subject to consideration of the issues set out below.

## 9.2. Principle of Development

9.2.1 The principle of residential on the site is considered appropriate because the plot was originally occupied by two detached houses. Furthermore, planning consent was granted in 2001 for 12 flats under planning reference; HGY/2000/1778. The proposal is also supported by London Plan Policies 3.3 'Increasing Housing Supply' and 3.4 'Optimising Housing and the Council's new and raised target of meeting or exceeding 820 homes a year. It is also supported by Haringey Local Plan Policy SP2 'Housing. In addition, the site is surrounded by residential uses and is within a broader residential context.

9.2.2 Local residents have raised concerns that the amount of units would be excessive for the site, however it is considered that the amount of units would meet the requirements set out in the above policies. Furthermore, the extant planning permission for the site would provide 12 flats and as such the number of flats proposed for the current scheme the subject of this application (12 flats) is acceptable as this principle has already been established by virtue of the extant planning permission (HGY/2000/1778).

## 9.3 Design, height, bulk and scale

9.3.1 London Plan Policies 7.4 'Local Character' and 7.6 'Architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Local Plan Policy SP11 and Saved UDP Policy UD3 'General Principles' reinforce this strategic approach.

9.3.2 Surrounding residential development is characterised by 3/4 storey Victorian/Edwardian houses with front-to-back pitched roofs, projecting bays and a mixture of brick and render on the exterior and more recently built 1960s row of adjacent 2 storey terraces with flat roofs.

9.3.3 It is considered that although the proposed scheme would be contemporary in style, the proposed blocks that would be separated by the deeply recessed stair/lift tower are of a similar scale to the adjacent Victorian villas. The separating distance between the flank wall of the adjoining properties and new block is considered appropriate and the modern pitch roof and projecting bay would pick up elements of the traditional style. The block responds well to the hill as prominent corner features are proposed and it would step down to reflect the existing pattern of development on this part of the hill. The scheme

would also restore and recreate the front boundary wall that would provide a suitable setting for the street frontage.

- 9.3.4 It is considered that the proposed development would sit comfortably in relation to its neighbouring buildings and even though it would appear very prominent on the hill it should be seen as a stand alone building and not be seen as sitting in the same context as the adjacent Victorian villas, as it sits further back from the street frontage and forms a transition between the Victorian villas and the 1960s row of terraces. Furthermore, it is important that due consideration is afforded to the fact that the scale, height, bulk and siting of the proposed development follows, in the main, the siting and dimensions of the building which benefits from planning permission (2000/1778).
- 9.3.5 Local residents have raised concerns over the scale, design and materials of the development; however it is considered that the proposal meets the requirements set out in the above policies. Furthermore, the final details of material would be secured by a condition to ensure that the material proposed would be sensitive to the character and appearance of the surrounding area.
- 9.3.6 Overall the design, massing, form and choice of materials of the proposed development have been designed sensitively taking account of the character of the surrounding area. This proposed scheme is considered to conform, in the main, with the scheme which benefits from planning permission with regards to the siting and dimensions of the development (HGY/2000/1778). Furthermore, the design and visual appearance of the proposed development is considered to be a significant improvement to the building which could be developed under extant planning permission reference; HGY/2000/1778.

#### **9.4 Density**

- 9.4.1 National, London and local policy seeks to ensure that new housing development makes the most efficient use of land and takes a design approach to meeting density requirements.
- 9.4.2 Table 3.2 of the London Plan sets out the acceptable ranges for density according to the public transport accessibility (PTAL) of a site. The site is considered to be in the 'urban' context and has a PTAL of 4, thus development should be within the density range of 200 to 700 habitable room per hectare (hr/ha). The proposed development has a density of 260 hr/ha, which is consistent with the London Plan Density Matrix for urban locations with a PTAL of 4.

#### **9.5 Impact of proposal on living conditions of surrounding residents**

- 9.5.1 London Policy 7.6 says that new development should be of the highest architectural quality, whilst also being of an appropriate proportion and scale so as not to cause unacceptable harm to the amenity of surrounding land and buildings, especially where these are in residential use. This is also reflected in Saved UDP Policy UD3.

- 9.5.2 The development would not have an adverse impact on daylight/sunlight and overlooking to nearby residential properties in particular the residents on Springfield Avenue which back onto the site, in that the distance of 23m from the rear of the building to the rear boundary is sufficient to avoid overlooking, loss of privacy and loss of daylight/sunlight. Furthermore, the proposed building would be set at a significantly lower level when viewed from Springfield Avenue and only two levels of the building would be visible alongside ample vegetation screening which forms part of the proposal.
- 9.5.3 In terms of overlooking residents from Grosvenor Gardens, the development would be more than 40m away from their properties, which is considered sufficient to safeguard amenity and the afternoon sun trap proposed would be screened by a wall over 3m in height. The property at No. 24 Muswell Hill which is to the east of the proposed development (block B) has no side facing windows which can be overlooked by the proposed corner balconies. In addition, the existing mature tree that would be retained would partially screen the corner balconies. Block B has also been designed carefully so that there are no side windows facing into the rear gardens of the row of adjacent terraces.
- 9.5.4 Block A has been designed carefully so that it would be set back from the side facing windows of the property at no 32 Muswell Hill, which are predominantly secondary windows, furthermore, the side facing bathroom/hallway windows of block A would have frosted windows and a condition has been imposed on any grant of planning permission.
- 9.5.4 Local residents have raised concerns that the proposed development could result in possible overlooking to their properties, however it is considered that it meets the requirements set out in the above policies. Again it is considered that this proposed scheme in the main, conforms with the extant planning permission and there would be no material adverse impact on the amenity of the surrounding residents (2000/1778)

## 9.6 **Standard of accommodation**

- 9.6.1 London Plan Policy 3.5 'Quality and design of housing developments' requires residential developments to be of adequate design standard. The Mayor's Housing SPG provides guidance on how to apply this policy. This is also reflected in the Council's Housing SPD. London Plan Policy 3.8 and Haringey Local Plan Policy SP2 require that all units to be built to Lifetime Homes Standard. This standard ensures that dwellings are able to be easily adapted to suit the changing needs of occupiers, particularly those with limits to mobility.
- 9.6.2 The size of each flat is set out below. These figures exceed the minimum standards, set out in table 3.3 of London Plan Policy 3.5.

Flat A1 (block A)	Ground and first floor 2 bed 4 person duplex	87sqm
Flat A2 (block A)	Ground and first floor 2 bed 4 person duplex	92sqm
Flat A3 (block A)	First and second floor 2 bed 4 person duplex	92sqm
Flat A4 (block A)	First and second floor 2 bed 4 person duplex	97sqm
Flat A5 (block A)	Third floor 3 bed 6 person flat	123sqm
Flat A6 (block A)	Top floor 3 bed 6 person flat	99sqm
Flat B1 (block B)	Lower ground and ground floor 2 bed 4 person duplex	89sqm
Flat B2 (block B)	Lower ground and ground floor 2 bed 4 person duplex	99sqm
Flat B3 (block B)	Ground and first floor 2 bed 4 person duplex	82sqm
Flat B4 (block B)	Ground and first floor 2 bed 4 person duplex	102sqm
Flat B5 (block B)	Second floor 3 bed 6 person flat	123sqm
Flat B6 (block B)	Third floor 3 bed 6 person flat	102sqm

9.6.3 The Mayor's SPG recommends that single-aspect dwellings should be generally avoided. All the flats are dual aspect that would benefit from adequate light and ventilation.

9.6.4 The communal open space provided for the exclusive use of occupants of the proposed flats would be 565 sq.m. which is in accordance with the Council's Housing SPD because the communal space exceeds the minimum of 25 sq. metres for each unit. Furthermore, the green space to the front of the building would provide an additional 130 sq.m. In addition to the communal space all the units would have extensive balconies and terraces in the form of private amenity space at the front and rear which meets and exceeds the requirements set in the Housing Design Guide (2010).

9.6.5 All flats have been designed to Lifetime Homes Standards.

9.6.6 The proposed units would therefore provide satisfactory accommodation in compliance with the above policies.

## 9.7 Dwelling mix

- 9.7.1 London Plan Policy 3.8 'Housing Choice' of the London Plan seeks to ensure that development schemes deliver a range of housing choices in terms of a mix of housing and types. This approach is continued in Haringey Local Plan SP2 Housing, which is supported by the Council's Housing SPD
- 9.7.2 The proposed development provides 8x 2-bed and 4 x 3-bed flats. Although there are no 1 and 4 bed units proposed as required in figure 7.1 of the Council's Housing SPD, the proposal has a mixture of family size and smaller units as the SPD requires and given the size of the scheme and limitations of the site the mix is considered acceptable.
- 9.7.3 The proposed dwelling mix has already been established under extant planning permission reference HGY/2000/1778.

## 9.8 Affordable Housing

- 9.8.1 London Plan Policy 3.12 states that Boroughs should seek "the maximum reasonable amount of affordable housing...when negotiating on individual private residential and mixed-use schemes", having regard to their affordable housing targets; the need to encourage rather than restrain residential development; the need to promote mixed and balanced communities; the size and type of affordable housing needed in particular locations; and the individual circumstances including development viability". Local Plan Policy SP2 requires developments of more than 10 units to provide a proportion of affordable housing to meet an overall borough target of 50%. Paragraph 173 of the NPPF (2011) seeks to ensure viability, so that the cost of any requirements for affordable housing when taking account of the normal cost of development and mitigation provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.
- 9.8.2 Whilst in most cases Affordable Housing, as part of a S106 Agreement, is located on the application site, there is provision in the Housing SPD (2008) to allow for a commuted sum to be paid in lieu of the non provision of affordable units on site. This money can be used by the Council to assist in providing affordable housing at another site.
- 9.8.9 The applicant has submitted an economic viability assessment based on the 'GLA Toolkit' which is an approved London-wide method of assessing viability of affordable housing schemes. Council officers commissioned an independent assessment of the viability. This has concluded that given the high residual land value of the scheme because of the extant planning permission for 12 units, the requirement to pay CIL and the exceptional costs of building the scheme given the topography of the site that the surplus available for section 106 contributions as a whole is £134,500.



- 9.8.10 As set out below £64,000 is needed to meet the Council's policies for education and transport contributions. Following receipt of the independent assessment of the viability and agreement on the build costs, sales values, profit levels and bank charges the applicant originally proposed a contribution for affordable housing of £60,500. Following further discussion the applicant has agreed to reduce its profit levels and has increased this offer to £125,500. In addition the applicant has agreed to the inclusion of a clause in the section 106 agreement to capture value should the sales prices of the units exceed those set out in the viability assessment.
- 9.8.11 Given the size of the scheme it is accepted that it would not be practical for affordable housing to be located on site given that the level of interest of social landlords in a single unit is likely to be limited. As such in these circumstances a commuted sum is considered acceptable.

## 9.9 Transport Considerations/Access

- 9.9.1 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 and Haringey Local Plan Policy SP7 and more generally in Policy UD3 of the UDP 2006.
- 9.9.2 10 car parking spaces are provided on site, and two will have electric charging points. The proposal also provides 24 secure cycle parking spaces. The Council's Transportation Team has assessed the proposal and do not object because the level of provision is in line with parking standards detailed within parking standards outlined in the Haringey Council adopted UDP (saved policies 2013). Notwithstanding the above provision, the site does not fall within an area that has been identified within the Haringey Council UDP as that suffering from high on-street parking pressure. Further to this, 20% of the parking provision will have charging points for electric vehicles with a further 20% passive provision in line with standards set out within the London Plan.
- 9.9.3 In addition, the proposal includes the provision of a secure storage facility capable of catering for up to 24 bicycles. This level of provision complies with standards set out within The London Plan (2011). However, with the increased pedestrian/cycling activity expected from this development proposal, pedestrians and cyclists would benefit from improved walking/cycling conditions. The highway and transportation authority therefore seek contributions from the developer in order to provide improvements within the immediate vicinity of the sites frontage onto Muswell Hill.
- 9.9.4 Local residents have raised concerns over the number of parking spaces proposed, increased parking pressure resulting from the development and highway safety, however it is considered that the proposal meets the requirements set out in the above policies.
- 9.9.5 Under the extant planning permission (HGY/2000/1778) parking provision was approved to the rear of the site. This scheme proposes parking provision at the

front of the site, which is considered an improvement as a quality landscaping scheme is proposed to the rear of the site, which is considered to improve visual amenity and outlook.

## 9.10 Landscaping

9.10.1 London Plan Policy 7.5 states that public spaces should incorporate the highest quality landscaping and planting. Local Plan Policy SP11 seeks to ensure that development proposals demonstrate that opportunities for soft landscaping have been taken into account. This is also reflected in Saved UDP policy UD3.

9.10.2 The proposed landscaping scheme has been carefully designed to deliver a significant amount of soft landscaping to the front and rear of the proposed block for the enjoyment of future occupants of all ages and to encourage biodiversity. It would also provide a suitable setting for the building and surrounding area.

## 9.11 Trees

9.11.1 Saved UDP Policy OS17 seeks to protect and improve the contribution of trees, tree masses and spines to the local character.

9.11.2 The proposal would entail the removal of one mature Oak tree located on the boundary with Muswell Hill and the proposal would be within close proximity to the mature Ash tree that would be retained.

9.11.3 The Council's arboriculturalist has assessed the proposal and has no objection subject to the inclusion of conditions. T1 appears to be in a declining condition with a major structural defect and there is no objection to its removal. It is proposed to plant three new trees at the front of the site, which would mitigate the loss of T1 and provide an increase in tree cover. T2 is being retained with minor pruning to facilitate the new structure. In addition, the Arboricultural Impact Assessment (AIA) submitted provides a specification for tree protection and other measures to ensure T2 can be safely retained.

## 9.12 Waste Management

9.12.1 London Plan Policy 5.17 'Waste Capacity' and Saved UDP Policy UD7 'Waste Storage' require development proposals to make adequate provision for waste and recycling storage and collection.

9.12.2 The details of waste management arrangements will be conditioned consistent with Local Plan Policy SP6 and saved UDP policy UD7

## 8.13 Energy and Sustainability

9.13.1 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.

9.13.2 The Sustainability and Energy Statement provided demonstrates that the development has the potential for Code for Sustainable Homes Level 4, this is equivalent to a 25% reduction emissions over a Building Regulations 2010 baseline. A condition will be applied securing this.

9.13.4 The development would therefore comply with Policy 5.2 and 5.11 of the London Plan.

#### 9.14 **Mayoral Community Infrastructure Levy**

9.14.1 Based on the Mayor of London's CIL charging schedule the London Borough of Haringey is set at a rate of £35 per square metre. The total gross internal area of the development would be 1,187.4 sq metres. Therefore the chargeable floor space would cost £41,559.

9.14.2 This would be collected by Haringey after implementation (if permission were to be granted) and could be subject to surcharges if the developer fails to assume liability, or to submit a commencement notice, or for late payment or an indexation in line with the construction costs index.

#### 9.15 **Planning Obligations – Section 106 Legal Agreement and Head of Terms**

9.15.1 Section 106 agreements, or planning obligations, are legally binding commitments by the applicant/developer and any others that 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 also set out in Council's Development Plan policies and supplementary planning guidance, specifically SPG10a "Negotiation, Management and Monitoring of Planning Obligations" (Adopted 2006).

9.15.2 The statutory policy tests which planning obligations must meet are set out in the Community Infrastructure Levy Regulations 2010. Planning obligations must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

9.15.3 The applicant has agreed to provide the following contributions in the form of a S106 agreement. These contributions are in line with Haringey policy.

- **Education Contribution**

In line with Supplementary Planning Guidance SPG10c, it is appropriate for the Local Planning Authority to seek a financial contribution towards the cost associated with the provision of facilities and services arising from additional demand generated for school places. The education contribution associated with this development is calculated to amount to £59,000.

- **Affordable Housing**

The applicant has agreed to make a financial contribution of £125,500 towards the provision of affordable housing in the borough.

- **Transportation contribution**

The applicant has agreed to contribute a sum of £15,000, for the construction of a new crossover and improvement of the section of the Muswell Hill footway adjacent to the site to provide enhance walking and cycling facilities in order to promote travel by sustainable modes of transport to and from the site.

- **Employment and Training**

The applicant has agreed that 20% of the onsite workforce (excluding managers and supervisors) employed during the construction of the proposed development should comprise of local residents.

## 10.0 CONCLUSION

10.1 The development proposal accords with the development plan. The Committee is accordingly obliged in development plan terms to give this proposal favourable consideration consistent with Haringey Local Plan Policy SP0. There are a number of benefits to this scheme which outweigh any perceived disbenefits to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

10.2 The benefits to the scheme are as follows;

- The scheme optimises the potential of the site for high quality housing;
- The design, form and choice of materials for the proposed building has been designed sensitively to the character of the surrounding area;
- The development has sensitively addressed the impact on living conditions of neighbouring properties;
- The quality of accommodation is considered appropriately built in accordance with Life Time Homes Standards;
- The scheme would introduce measures to reduce the energy emissions of the proposed building;

10.3 The proposal is considered to be in accordance with National Guidance and London and Local Policy and planning permission should therefore be granted subject to conditions.

## 11.0 HUMAN RIGHTS

- 11.1 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.

## 12.0 EQUALITIES

- 12.1 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.

## 13.0 RECOMMENDATIONS

(1) That Planning Permission be granted in accordance with planning application reference number HGY/2012/1846, subject to a pre-condition that Muswell Earth Ltd the owners of the application site shall have first entered into an Agreement 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 £59,000 towards Education; £18,750 towards Employment and Training; £15,000 towards the Highways and £106,750 towards affordable housing.

(2) That the Agreements referred to in Resolution (1) above is to be completed within the agreed time as the Council's Assistant Director (Planning Policy and Development) shall in his sole discretion allow; and

(3) That in the absence of the Agreements referred to in Resolution (1) above being completed within the time period provided for in Resolution (2) above, the planning application reference number HGY/2012/1856 be refused for the following reason:

The proposal fails to provide a contribution in accordance with the requirements for education; employment and training; highways and affordable housing.

## 14.0 GRANT PERMISSION subject to Conditions as set out below;

### ***IMPLEMENTATION***

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

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

2. Notwithstanding the information submitted with the application, the development hereby permitted shall only be built in accordance with the following approved plans: 3655/P09, P10, P11, P12, P15, P19, P19, P20, P25, P26, P27, P28, P29, P100

Reason: To avoid doubt and in the interests of good planning.

### ***PRE-COMMENCEMENT CONDITIONS***

#### **Materials**

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. The development shall be implemented in accordance with the approved samples.

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.

#### **Landscaping**

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme]. The soft landscaping scheme shall 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 approved in writing by the Local Planning Authority.
- 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 retained thereafter .

Reason: In order for the Local Planning 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 consistent with Policy 7.21 of the London Local Plan 2011, Policy SP11 of the Haringey Local Plan 2013 and Policy UD3 of the Haringey Unitary Development Plan 2006.

#### **Boundary Treatment**

5. Details of the proposed boundary treatment shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The approved boundary treatment shall thereafter be installed prior to occupation of the new residential unit.

Reason: In the interest of the visual amenity of the area and residential amenities of neighbouring occupiers.

#### **Levels**

- 6 The details of all levels on the site in relation to the surrounding area be submitted and approved by the Local Planning Authority.

Reason: In order to ensure that any works in conjunction with the permission hereby granted respects the height of adjacent properties through suitable levels on the site.

#### **Sustainable construction**

7. Prior to the implementation of the consent hereby approved, the applicant shall submit a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy set out under Policy 5.2 of the London Plan 2011 and that the residential elements of the scheme will achieve Code for Sustainable Homes Level 4. Thereafter the recommendations of the energy assessment shall be undertaken in full and required technology installed in accordance with the details approved and an independent post-installation review, or other verification process as agreed, shall be submitted to the Local Planning Authority confirming the agreed technology has been installed prior to the occupation of the building hereby approved.

Reason: To ensure the development incorporates on-site renewable energy generation to contribute to a reduction in the carbon dioxide emissions generated by the development, in line with Local Plan Policy SP4 and London Plan Policy 5.2.

#### **Waste Storage**

8. No development shall take place until a detailed scheme for the provision of refuse and waste storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be implemented and permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Policy UD7 'Waste Storage' of the Haringey Unitary Development Plan and Policy 5.17 'Waste Capacity' of The London Plan.

#### **Control of Construction Dust:**

9. 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 effects of the construction upon air quality is minimised

#### **Combustion and Energy Plant:**

10. Prior to installation details of the boilers to be provided for space heating and domestic hot water should be forwarded to the Local Planning Authority. The boilers to be provided for space heating and domestic hot water shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To ensure that the Code for Sustainable Homes assessment obtains all credits available for reducing pollution, as required by The London Plan Policy 7.14.

#### **Construction Management Plan**



11. The Applicant/ Developer are required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the local authority's approval prior to construction work commences on site. The Plans should provide details on how construction work would be undertaken in a manner that disruption to traffic and pedestrians on Muswell Hill 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 network.

**Historic WW2 ARP post**

12. No works shall be carried out on the site until a full detailed record including, photographs and survey of the historic WW2 ARP post has been submitted and approved by the LPA

Reason: To ensure that there is evidence that the structure appears on Council's records.

***POST-COMMENCEMENT CONDITIONS***

**Lifetime Homes**

13. The residential units hereby approved shall be designed to Lifetime Homes Standard.

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

**Obscure glazed windows**

14. No unit shall be occupied until the obscure glazed windows shown on the approved drawings (3655/P 29) have been installed. The windows shall thereafter be retained and not removed without the prior written consent of the Local Planning Authority.

Reason: To prevent overlooking to adjoining neighbours in accordance with Saved UDP policy UD3 'General Principles' and Local Plan Policy SP11 'Design'

**INFORMATIVE 1 – Naming**

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

**INFORMATIVE 2 – Thames Water**

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

**INFORMATIVE 3 – Thames Water**

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.

**INFORMATIVE 4 – Secure by Design**

The new homes would benefit from the Secured by Design standards, particularly for door and window standards; There should be gating near the front of the property to prevent intruders gaining access

## 15.0 APPENDICES

## 15.1 Consultation responses

No	Stakeholder		Questions/Comments	Responses
1	LBH - Transportation	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Ten on-site parking spaces is in line with the parking standards outlined in the Haringey Council adopted UDP (saved policies 2013);</li> <li>• The site does not fall within an area that has been identified within the Haringey Council UDP as that suffering from high on-street parking pressure;</li> <li>• 20% of the parking provision will have charging points for electric vehicles with a further 20% passive provision in line with standards set out within the London Plan;</li> <li>• The proposal includes the provision of a secure storage facility capable of catering for up to 24 bicycles which complies with standards set out within The London Plan (2011);</li> <li>• The highway and transportation authority therefore seek contributions from the developer in order to provide improvements within the immediate vicinity of the sites frontage onto Muswell</li> </ul>	As noted in para. 9.9.1 – 9.9.4 and Condition 11 ‘Construction Management Plan and para. 9.15.3 highlights the transportation contribution.

			<p>Hill;</p> <ul style="list-style-type: none"> <li>• A dedicated refuse store is located to the rear of the public footway, which will aid on- street collection and therefore minimise disruption to traffic on Muswell Hill;</li> <li>• An area of hard standing has been provided at the front of the plot to allow servicing and domestic deliveries to take place on-site;</li> <li>• The proposed development is unlikely to have any significant adverse impact on the surrounding highway network or car parking demand at this location.</li> </ul>			As noted in condition 9 & 10
2	LBH – Environmental Health – Food and Hygiene			The commercial health officer recommends 2 conditions		
3	LBH – Building Control			This work will be subject to the requirements of the Building Regulations 2010 and will require an application to be submitted to this office. Please see link below: <a href="http://www.haringey.gov.uk/buildingcontrol/">http://www.haringey.gov.uk/buildingcontrol/</a>		
4	LBH – Council's			<ul style="list-style-type: none"> <li>• The Council's tree officer visited</li> </ul>		As noted in condition 4

	Arboriculturalist		<p>the site to inspect the trees and has no objection subject to condition. T1 appears to be in a declining condition with a major structural defect (included union). I would have no objection to T1 being removed. It is proposed to plant 3 new trees at the front of the site, which would mitigate the loss of T1 and provide an increase in tree cover. T2 is being retained with minor pruning to facilitate the new structure;</p> <ul style="list-style-type: none"> <li>The Arboricultural Impact Assessment (AIA) provides a specification for tree protection and other measures to ensure T2 can be safely retained.</li> </ul>	
LBH – Waste Management		<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Application details storage area for waste containers. One of which should be for recycling. Sufficient bin allocation should be allowed to ensure no side waste or spillage occurs between waste collection days.</li> </ul>	Condition 8 requires details of waste storage
Thames Water		<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>With regards to sewerage infrastructure Thames Water have no objection;</li> <li>Thames water advise that with regards to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water course or a suitable sewer;</li> <li>Thames water would advise that</li> </ul>	As noted in informative 2 & 3

			<p>with regards to water infrastructure they have no objection.</p>	
	<p>Andrew Snape – Crime Prevention Officer</p>		<ul style="list-style-type: none"> <li>• The new homes would benefit from the Secured by Design standards, particularly for door and window standards;</li> <li>• There should be gating near the front of the property to prevent intruders gaining access.</li> </ul>	<p>As noted in informative 4</p>
	<p>Muswell Hill &amp; Fortis Green Association</p>		<ul style="list-style-type: none"> <li>• The roofline of the middle block needs to be redesigned;</li> <li>• The proposed balconies are inconsistent with the prevailing architecture in the vicinity;</li> </ul>	<p>The Roofline of central block is stair and lift core, set back 6.2m from the face of the western block and 1.5m from the eastern block. The stair is designed with glazing front and back to be read as a separate and, indeed, separating element</p> <p>The balconies proposed help to better animate and give focus to the side elevation when viewed coming up the hill. It provide a further element of verticality to the façade that echoes the vertical divisions of the houses to the west</p>

<p>and it highlights the corners as the balconies step both outwards and upwards when viewed coming up the hill.</p>	<p>As noted in para. 9.3.5 final details of material would be secured by a condition to ensure that the material proposed would be sensitive to the character and appearance of the surrounding area.</p>
<p>If planning permission is granted the main facing material for the frontage and side should be in a type consistent in colour and texture to those predominantly used in Muswell Hill;</p>	<p>As noted in para. 9.9.2, the Council's Transportation Team has assessed the proposal and do not object because the level of provision is in line with parking standards detailed within parking standards outlined in the Haringey Council adopted UDP (saved policies 2013). Notwithstanding the above provision, the site does not fall within an area that has been identified within the Haringey Council UDP</p>
<p>The number of car parking spaces is not sufficient and will increase parking pressure in the adjoining roads;</p>	<p>Vehicles turning right into the development from Muswell Hill will add to congestion in Muswell Hill.</p>

<p>as that suffering from high on-street parking pressure</p>	<p>As noted in para. 9.8.9</p> <p>The applicants have submitted an economic viability assessment based on the 'GLA Toolkit' which is an approved London-wide method of assessing viability of affordable housing schemes. This has concluded that, due to the extant planning permission for 12 units and the requirement to pay CIL, there is insufficient surplus available to find all S106 contributions, including the provision of affordable housing.</p> <p>The Councils consider that in this case there would be greater overall benefit for the Council from a commuted sum towards the provision of affordable units within the borough, rather than try and get a very small number of affordable housing units on the site at 30 Muswell Hill.</p>
<p>The design of the proposal looks fine. However each flat should have its own parking! Have the applicants submitted a tool kit for a payment in lieu of affordable Housing? If yes why is not on the portal? What is the amount? This application is a good opportunity for the Council to receive a cash payment in lieu of affordable. The Council rejected the St Lukes Hospital Application and 150 Fortis Green N10 on the grounds of lack of affordable housing. This NEW application is a good opportunity to get a substantial cash payment to assist the council's affordable housing needs. Could we see the tool kit please?</p>	<ul style="list-style-type: none"> <li>•</li> </ul>



5	Neighbouring properties	<ul style="list-style-type: none"> <li>The parking spaces proposed are insufficient and would increase the parking pressure in the area ;</li> </ul>	<p>As noted in para. 9.9.2, the Council's Transportation Team has assessed the proposal and do not object because the level of provision is in line with parking standards detailed within parking standards outlined in the Haringey Council adopted UDP (saved policies 2013). Notwithstanding the above provision, the site does not fall within an area that has been identified within the Haringey Council UDP as that suffering from high on-street parking pressure</p>
		<ul style="list-style-type: none"> <li>There are concerns that the proposed height level of the afternoon suntrap could result in possible overlooking to the properties on Grosvenor Gardens;</li> <li>12 flats seems excessive for the site;</li> </ul>	<p>As noted in para. 9.5.3 the afternoon sun trap proposed would be screened by a wall over 3m in height</p> <p>As noted in para. 9.2.2 it is the officer's view that the amount of units would meet the requirements set out in the above policies</p>

	<ul style="list-style-type: none"> <li>• There is no allocation for parking for visitors;</li> <li>• There are concerns with the overall height of the building;</li> <li>• The bricks used for the proposed building should be in keeping with those predominantly used on the surrounding buildings</li> <li>• The quantity of flats would result in safety issues with cars and delivery vehicles turning into the site;</li> <li>• There are concerns with the</li> </ul>	<p>As noted in para. 9.9.4 the number of parking spaces proposed is considered sufficient.</p> <p>As noted in para. 9.3.6 the design, massing, form and choice of materials of the proposed development have been designed sensitively taking account of the character of the surrounding area</p> <p>As noted in para. 9.3.5 final details of material would be secured by a condition to ensure that the material proposed would be sensitive to the character and appearance of the surrounding area.</p> <p>As noted in para. 9.9.4 the proposal would not result in safety issues with cars and delivery vehicles</p>
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<p>The proposal would not significantly result in the added demand on local facilities in the area</p>	<p>added demand on Muswell Hill Primary School and local NHS facilities;</p> <ul style="list-style-type: none"> <li>• The design is unsympathetic to the local area;</li> </ul>		
<p>As noted in para. 9.3.6 the design, massing, form and choice of materials of the proposed development have been designed sensitively taking account of the character of the surrounding area</p>	<ul style="list-style-type: none"> <li>• The proposal would create an unwelcome break to the Edwardian architecture that is so dominant in Muswell Hill;</li> </ul>		
<p>As noted in para. 9.3.4 the proposal should be seen as a stand alone building and not be seen as sitting in the same context as the adjacent Victorian villas, as it sits further back from the street frontage and forms a transition between the Victorian villas and the 1960s row of terraces</p>	<ul style="list-style-type: none"> <li>• The design is of no architectural merit;</li> </ul>		
<p>As noted in para. 9.3.6 the design, massing, form and choice of materials of the</p>			

<p>proposed development have been designed sensitively taking account of the character of the surrounding area</p>	<p>The structure does not have any statutory or local protection.</p> <p>As noted in condition 12; No works shall be carried out on the site until a full detailed record including, photographs and survey of the historic WW2 ARP post has been submitted and approved by the LPA. This is considered appropriate by Council officers.</p>
<ul style="list-style-type: none"><li>• There are concerns as to whether the historic WW2 ARP post whose solid exterior fabric has survived remarkably intact will be retained and whether it is due to remain in situ or to be moved to an alternative Haringey site</li></ul>	



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Planning Committee 9<sup>th</sup> December 2013

Item No.

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2013/1985	<b>Ward:</b> Tottenham Green
<b>Address:</b> Land to rear of 318-320 High Road N15 4BN	
<b>Proposal:</b> Demolition of a derelict commercial building (B2) and a vacant land parcel, to provide 18 residential dwellings, associated landscaping, refuse and recycling facilities and 2 disabled car parking spaces.	
<b>Existing Use:</b> Commercial (B2)	
<b>Proposed Use:</b> Residential (C3)	
<b>Applicant:</b> Mrs Janet Mussington, Sanctuary Group	
<b>Ownership:</b> Private	

**DOCUMENTS**

<b>Title</b>
Design & Access Statement July 2013
Archaeological Desk Based Assessment September 2013
Code for Sustainable Homes Planning Statement September 2013

**PLANS**

<b>Plan Number</b>	<b>Rev.</b>	<b>Plan Title</b>
11.286/D01	A	Location Plan
11.286/D02	A	Existing Site Plan
11.286/D03	A	Proposed Site Layout
11.286/D04	A	Proposed Ground Floor Plan
11.286/D05	A	Proposed First Floor Plan
11.286/D06	A	Proposed Second Floor Plan
11.286/D07	A	Proposed Third Floor Plan
11.286/D08	A	Proposed Fourth Floor Plan
11.286/D09	A	Proposed Roof Plan
11.286/D10	A	Proposed Elevations
11.286/D11	A	Proposed Elevations

**Case Officer Contact:**

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**PLANNING DESIGNATIONS:**

- Local Employment Area

**RECOMMENDATION**

**GRANT AMENDMENT subject to conditions and s106 agreement**

**SUMMARY OF REPORT**

The application site is a derelict site located behind development on the east side of Tottenham High Road and south of Monument Way. The proposed residential development provides much needed housing in a sustainable location.

The scheme's design has been carefully considered and is of a high quality addressing its context adequately, causing no harm to the character and appearance of the local area including Conservation Area or to local residential amenity, and provides new residential accommodation of an acceptable living and sustainability standard.

Due to the site's high accessibility to public transport, the lack of general parking provision is considered acceptable and the scheme will be designated 'car-restricted', preventing residents from gaining parking permits. However, two disabled parking spaces will be provided.

S106 contributions towards local environmental improvements, education, maintenance of the adjacent Saltram Close play area and amendment of the Traffic Management Order will be sought.

The proposal is considered acceptable against national, London and local planning policy and should be approved.



<b>TABLE OF CONTENTS</b>	
1.0	SITE PLAN
2.0	IMAGES
3.0	SITE AND SURROUNDIINGS
4.0	PROPOSAL DESCRIPTION
5.0	PLANNING HISTORY
6.0	RELEVANT PLANNING POLICY
7.0	CONSULTATION
8.0	ANALYSIS / ASSESSMENT OF APPLICATION
9.0	SUMMARY AND CONCLUSION
10.0	RECOMMENDATION
11.0	APPENDICES: Appendix 1: Consultation Responses



2.0 IMAGES

General Layout





### **3.0 SITE AND SURROUNDINGS**

- 3.1 The application site is a rectangular piece of land lying east-west behind 318-320 High Road, N15. Currently there is a derelict single storey former industrial building occupying the east most quarter of the site. The rest of the site is in poor condition and covered in debris.
- 3.2 The site is enclosed by a 2-3m high brick wall with a vehicle gate on the east side. Access to the site is via an access lane which leads to the High Road between no.'s 320 and 324 High Road.
- 3.3 To the north of the site is a Kwik Fit garage which fronts onto Monument Way, to the east is a recently constructed 5-storey residential building also developed by Sanctuary Housing Group. To the south is a Local Authority housing estate known as Saltram Close. The estate consists of 4-storey blocks of flats and is arranged around a play area in the centre of the estate. This play area is immediately south of the application site. To the west is 320 High Road, a Locally Listed 3-storey late 19<sup>th</sup> Century building with commercial use on the ground floor and flats above. No. 318 is a smaller 2-storey building well set back from the footway, leaving a front courtyard which is used as an outside retail stall. These properties and others along the High Road are within the Tottenham Green Conservation Area. To the north-west is a modern 5-storey block of flats facing onto the junction of High Road and Monument way.
- 3.4 The site is well served by public transport having access to the Tottenham High Road Bus Corridor, Seven Sisters Underground station and rail station to the south and Bruce Grove rail station to the north.

### **4.0 PROPOSAL DESCRIPTION**

- 4.1 Permission is sought for the demolition of the existing building and erection of two buildings containing 18 dwellings. The two blocks are both rectangular in plan. On the west side is a 3-storey block 22.8m long and 9.9m deep. On the east side is a 5-storey block 23.5m long and 12.5m deep. Separating these blocks is a 15.4 wide landscaped area. Two Blue Badge parking spaces are provided in the south-west corner of the site which are accessed via the small access road off the High Road.
- 4.2 The existing boundary wall will be replaced by a more modest means of enclosure and pedestrian access will be provided to Saltram Close.
- 4.3 The buildings are contemporary in appearance and follow the general architectural language of the completed block of flats to the north east. The buildings are proposed to be finished simply in buff brick with perforated aluminium balcony screens.

## 5.0 PLANNING HISTORY

5.1 The site's planning history is provided below:

- HGY/2001/1564 - The erection of a three storey building comprising 15x2 bed self contained flats and 14 car parking spaces with access from Stainby Road – NOT DETERMINED
- OLD/2000/0775 - Erection of 2 storey garage & store for repair and maintenance of funeral vehicles & storage of coffins - WITHDRAWN
- OLD/1985/0513 - Installation of prefabricated toilet accommodation - GRANTED

## 6.0 RELEVANT PLANNING POLICY

National Planning Policy Framework

London Plan 2011

Policy 3.4 Optimising Housing Potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing Choice  
Policy 3.9 Mixed and Balanced Communities  
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes  
Policy 3.13 Affordable Housing thresholds  
Policy 4.4 Managing Industrial Land and Premises  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.17 Waste capacity  
Policy 6.3 Assessing effects of development on transport capacity  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.11 Smoothing traffic flow and tackling congestion  
Policy 6.12 Road network capacity  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Secured by design  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 8.3 Community infrastructure levy

Haringey Local Plan 2013-2026

SP0 Presumption in Favour of Sustainable Development

SP1 Managing Growth  
SP2 Housing  
SP4 Working Towards a Low Carbon Haringey  
SP6 Waste and Recycling  
SP7 Transport  
SP9 Improving skills and training to support access to jobs and community cohesion and inclusion  
SP11 Design  
SP12 Conservation

Saved Unitary Development Plan 2006 Policies

UD3 General Principles  
UD7 Waste Storage  
M10 Parking for Development

Supplementary Planning Guidance

SPG1a 'Design Guidance'  
SPD - Housing ('Density, Dwelling Mix, Floor space Minima, Conversions, Extensions and Lifetime Homes')  
SPG7a 'Parking Standards'  
SPG8a 'Waste and Recycling'  
SPG8f 'Land Contamination'  
SPG9 'Sustainability Statement'  
SPG10a 'The negotiation, management and monitoring of planning obligations'  
SPG10b 'Affordable Housing'  
SPG10c 'Educational Needs generated by new housing development'  
Mayor's Housing SPG

## 7.0 CONSULTATION

Internal	External
Ward Councillors	Local Residents (184 addresses)
Cleansing	Tottenham CAAC
Transportation	Thames Water
Building Control	Greater London Archaeological
Housing, Design & Major Projects	Advisory Service (GLAAS)
Tottenham Team	London Fire Brigade
Housing Renewal	
Conservation and Design	
Commercial Environmental Health	

7.1 A Development Management Forum was held on 29 October 2013 at Tottenham Green Leisure Centre however there were no attendees.

## 8.0 RESPONSES

8.1 No responses from local residents or Councillors were received.

### 8.2 LBH Housing Enabling Team

8.3 The scheme in its current form complies with the Councils Strategic Policies, principally on the grounds that it promotes the area's regeneration – current policy SP2.

8.4 This position is supported by paragraphs 3.2.18 and 3.2.19 of the SP and 5.28-5.30 of the Housing SPD, as such the proposals have been developed to include a high proportion of low cost home ownership.

8.5 The enabling team supports this scheme in terms of the proportion of affordable housing delivered due to the reasons outlined above and will have continuous engagement with Sanctuary Housing to ensure the council aims and objectives are met.

### 8.6 LBH Transportation

8.6.1 The application site has a high public transport accessibility level (PTAL) of 6 and is within walking distance of a number of local bus routes servicing High Road Tottenham with a combined two-way frequency of 205 buses per hour. The site is within easy walking distance of both Seven Sisters and Tottenham Hale underground and rail stations. It is therefore considered that prospective residents of this development would use sustainable travel modes for the majority their journeys to and from the site.

8.6.2 The vehicular access to the west of the site is narrow and egresses onto a major junction with High Road/Monument Way/Philip Lane, which forms a part of the Transport for London Road Network. It is intended that this



existing access only serve two parking bays on the site, which will limit the number of movements from this narrow access. The site does not have any other direct vehicular access to the public highway. However, it is intended that refuse collections and access for servicing be gained from privately controlled Saltram Close.

- 8.6.3 Stainby Road is the nearest public residential street from the proposed development and lies to the east of the site. Although Stainby Road falls within the Seven Sisters controlled parking zone (CPZ), none of the prospective residents will be eligible for on-street parking permits as Parking Management have confirmed that the application site does not physically fall within the defined boundary of the CPZ itself. To ensure that the objectives of the parking zone are not nullified the Council does not allow for residents from properties outside the drawn boundary to apply for parking permits. It should be noted that the extent of CPZ boundary is legally defined within its associated Traffic Management Order. However, to avoid any future ambiguity the applicants have agreed to enter into a S.106 agreement to secure and promote the development as car-restricted.
- 8.6.4 The two on-site parking spaces are designated for the use of disabled blue badge holders only. This level of provision is in line with maximum parking standards outlined within the Haringey Council adopted UDP (saved policies 2013) and additionally accords with UDP Policies M9- 7.19 and M9- 7.20 which states “The construction of new residential developments without car parking would support Council policies to reduce car dependency and the encouragement of other modes of transport”. The parking levels within this development also accord with UDP Policies M10- 7.21 and M10-7.22 and Haringey’s Local Plan Strategic Policies (2013-2026) outlined within SP1, SP4 and SP7.
- 8.6.5 In line with SP7 we will also require that the applicant provide all prospective residents with two years free membership of the existing car club, which operates within the immediate vicinity of the site and currently has a car-club bay located on Antill Road. This will offer a more sustainable option for those who still require access to a car. As there is no realistic prospect of residents using on-street parking facilities within the immediate vicinity of the site we would agree with the assumption in the transport statement that the site will not generate a significant number of traffic movements.
- 8.6.6 The proposal also includes the provision of two secure storage facilities capable of catering for up to 24 bicycles. This level of provision complies with standards set out within The London Plan (2011). However, in order to further encourage the uptake of cycling the highway and transportation authority will seek contributions from the applicant in order to provide improvements to the local cycle route network within the vicinity of the site. The contribution should be secured by a Section 106 Agreement.
- 8.6.7 It is considered that the proposed development is unlikely to have any

adverse impact on the surrounding highway network or car parking demand at this location. Therefore, the highway and transportation authority would not object to this application subject to the imposition of the following S.106 obligations and planning condition:

S.106 Obligations:

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

2. The Applicant/ Developer will be required to contribute by way of a S.106 agreement £12,000 (twelve thousand pounds) for environmental improvements within the local area surrounding the site.

3. A residential travel plan must be secured by the S.106 agreement. As part of the travel plans, the following measures must be included in order to maximise the use of sustainable modes of transport:

a) Provision of welcome residential induction packs containing public transport and cycling/walking information like available local cycle/walking routes map, details of cycle parking and public transport time-tables to all new residents, travel pack to be approved by the Council's transportation planning team.

b) Secure that the developer offers all residents of the development free membership to a local car club for at least the first 2 years, evidence of which must be submitted to the Haringey Transportation Planning team.

c) cycle parking to be provided in line with the 2011 London plan

d) The developer is required to pay a sum of, £3,000 (three thousand pounds) for the purposes of monitoring the travel plan for a period of at least 5 years.

Pre-commencement condition:

1. The Applicant/ Developer is required to submit a construction management plan (CMP) and construction logistics plan (CLP) for the local authority's approval 3 months prior to construction work commencing on site. The plans should provide details on how construction work would be undertaken in a manner that disruption to traffic and pedestrians on High Road Tottenham and Stainby Road 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 network.

Informative

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

In addition to the above comments TfL has the following comments and conditions:

Informatives

- 1.The site of the proposed development is adjacent to the A10, high Road, which forms part of the Transport for London Road Network (TLRN).
- 2.Vehicle access will be via the existing access arrangements which is acceptable.
- 3.TfL supports no car parking is proposed for the proposed development, with the exception of 2 accessible parking spaces.

Conditions

Cycle parking should be provided in accordance with the standards set out in the London Plan.

Subject to the above condition being met, the proposal as it stands would not result in an unacceptable impact to the Transport for London Road Network (TLRN).

**8.7 LBH Conservation Officer**

- 8.7.1 The proposed development is for substantial residential use providing 18 units in total. The layout of the scheme follows the overall Master Plan envisaged for the site allowing further future development of the site as part of the wider regeneration of Tottenham.
- 8.7.2 The scheme proposes two blocks of flats, three and five storeys high respectively. The three storey block would be located immediately behind the retail units along High Road and would be in closest proximity to the

locally listed building. However, given its overall height and bulk this would not be considered detrimental to its setting and would be acceptable.

- 8.7.3 The five storey block would be more visible from Monument Way, although most of it would be obscured behind the existing block of flats. The stepped height and the overall mass of the two blocks relate well to the surrounding buildings and whilst partly visible from some long distance views within the conservation area, they would not have a detrimental impact on it.
- 8.7.4 The contemporary and simplistic design and architectural language would be considered positive to the setting of the conservation area.
- 8.7.5 Overall, the scheme would not be considered detrimental to the setting of the locally listed building and would enhance the setting of the conservation area. It is, therefore, acceptable.

## **8.8 Greater London Archaeological Advisory Service**

- 8.8.1 The site lies within the historic core of the medieval settlement of Tottenham. The applicant's archaeological desk-based assessment has been examined by GLAAS but it is not able to agree with its conclusions without corroborating survey data.
- 8.8.2 In view of the above it therefore advises that the following condition be added to any forthcoming consent.

### Condition

A) No demolition or development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority.

B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation followed by the subsequent recording of significant remains prior to development (including preservation of important remains), in accordance with recommendations given by the borough and in PPS 5/NPPF.

## **8.9 LBH Waste Management**

8.9.1 The proposed development does not provide adequate information on waste collection and storage in order to provide bespoke comments. This part of the application has been given RAG traffic light status of RED for waste storage and collection arrangements. Further details have been provided in response to these comments and a suitable condition has been included on the decision notice.

## **8.10 LBH Environmental Health**

8.11 Conditions requiring contaminated land assessment, details of all boilers and associated air quality and construction dust mitigation plan to be submitted and approved in writing by the Local Planning Authority should be included in the decision notice.

## **9.0 ANALYSIS / ASSESSMENT OF APPLICATION**

### **9.1 Principle of Development**

9.1.1 The proposal provides 18 residential units. Additional housing is supported by London Plan Policies 3.3 'Increasing Housing Supply' and 3.4 'Optimising Housing Potential'. It is also supported by Haringey Local Plan Policy SP2 'Housing' which seeks an additional 820 homes per annum in the Borough. Although the site once contained an employment use, the site has been derelict for a number of years and the development of the site for housing of the density proposed represents the optimal use of the site.

### **9.2 Density**

9.2.1 National, London and local policy seeks to ensure that new housing development makes the most efficient use of land and takes a design approach to meeting density requirements.

9.2.2 Table 3.2 of the London Plan sets out the acceptable range for density according to the Public Transport Accessibility (PTAL) of a site. The site is considered to be in an 'urban' context and has a PTAL of 5, thus development should be within the density range of 200 to 700 habitable

rooms per hectare (hr/ha). Accounting for the retail uses on the ground floors, the proposed development has a density of 544 hr/ha, which is acceptable having regard to the site's accessibility and urban context.

### **9.3 Dwelling Mix**

- 9.3.1 The NPPF recognises that to create sustainable, inclusive and diverse communities, a mix of housing based on demographic and market trends and the needs of different groups should be provided. London Plan Policy 3.8 'Housing Choice' of the London Plan seeks to ensure that development schemes deliver a range of housing choices in terms of a mix of housing and types. This approach is continued in Haringey Local Plan SP2 Housing, which is supported by the Council's Housing SPD.
- 9.3.2 The proposed dwelling mix is 3 x 1-bedroom (17%), 9 x 2-bedroom (50%) and 6 x 3-bedroom (33%). This does not exactly accord with the Council's desired dwelling mix as it provides fewer 1-bedroom and more 2- and 3-bedroom properties, however the greater provision of these larger dwellings is welcome. The LBH Housing Enabling Team considers the proposed mix acceptable.

### **9.4 Affordable Housing**

- 9.4.1 The NPPF states that where it is identified that affordable housing is needed, planning policies should be set for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. However, such policies should be sufficiently flexible to take account of changing market conditions over time (para. 50).
- 9.4.2 Similarly, The London Plan (2011), Policy 3.12 states that Boroughs should seek "the maximum reasonable amount of affordable housing...when negotiating on individual private residential and mixed-use schemes", having regard to their affordable housing targets, the need to encourage rather than restrain residential development and the individual circumstances including development viability".
- 9.4.3 Policy SP2 of the Local Plan requires developments of more than 10 units to provide a proportion of affordable housing to meet an overall borough target of 50%.
- 9.4.4 The development as proposed is 100% affordable housing, thereby exceeding the above threshold. The tenure mix is as follows: 6 x rent, 4 x intermediate rent and 8 x shared ownership. The Council's Housing team have no objection to this mix as it helps to address the balance of social rented housing across the borough.

9.4.5 Although 100% affordable housing is proposed, the s106 will allow for flexibility of between 50% and 100% in the proportion of affordable provided in order enable the applicant to secure finance for the scheme. Even at 50%, the development would be in compliance with planning policy, as such this approach is considered acceptable in this instance.

9.4.6 The development is therefore considered to be in compliance with Policy 3.12 “Negotiating affordable housing on individual private residential and mixed use schemes” of the London Plan.

## **9.5 Standard of Accommodation**

9.5.1 London Plan Policy 3.5 ‘Quality and Design of Housing Developments’ requires the design of all new housing developments to enhance the quality of local places and for the dwelling in particular to be of sufficient size and quality. The standards by which this is measured are set out in the Mayor’s Housing SPG.

9.5.2 All of the proposed flats exceed the floorspace standards in the above SPG. All except two flats are dual aspect. However, the two single aspect flats (1-bedroom flats on the second and third floors of Block B) do have a partial westerly aspect over the balcony.

9.5.3 Due to the Kwik Fit garage, the outlook to the north is poor but the flats have been designed so that only secondary windows face this direction. All habitable rooms have a primary window facing east, west or south.

9.5.4 Each dwelling benefits from a private external amenity space which would meet or exceed the minimum size standard in the SPG and receive adequate light and outlook.

9.5.5 Lift access is provided to all floors and no more than 3 dwellings per floor share a core (maximum permitted is 8 per floor).

9.5.6 The scheme has been designed in accordance with Lifetime Homes and two flats (more than 10% of the scheme) have been designed as fully wheelchair accessible units.

9.5.7 The proposed residential accommodation is therefore considered acceptable. .

## **9.6 Child playspace**

9.6.1 London Plan Policy 3.6 ‘Children and young people’s play and informal recreation facilities’ requires developments make provision for play and informal recreation, based on the expected child population generated by the scheme. The Mayor’s SPG “Shaping Neighbourhoods: Play and

Informal Recreation" 2012 provides minimum standards for the provision of children's play space. The Haringey Open Space and Recreation Standards SPD sets out the Council's own play space standards under the Local Plan.

- 9.6.2 According to the Mayor's SPG the proposal would have a child yield of 10.7 children, requiring 107m<sup>2</sup> of child playspace (or 32.1m<sup>2</sup> under Haringey Standards). The development provides 49m<sup>2</sup> of well-overlooked children's playspace in the open area between the two blocks. Although this is below the Mayor's standard, occupants of the development will have access to the approximately 900m<sup>2</sup> play area in Saltram Close which features play equipment and a basketball half-court. Children living in the development will therefore have access to sufficient 'doorstep', 'local playable' and 'neighbourhood playable' space as set out in the Mayor's SPG and the Haringey SPD.
- 9.6.3 The proposal is therefore considered to have sufficient provision for play space in compliance with the above policies.
- 9.6.4 The s106 will secure a £500p.a. contribution over 25 years (£12,500) to the maintenance of this play area.

## 9.7 Inclusive Design and Access

- 9.7.1 London Plan Policy 7.2 'Inclusive Environment' requires development to follow the principles of inclusive design and to meet the highest standards of accessibility and inclusion. Haringey Local Plan Policy SP11, Haringey UDP Policy UD3 "General Principles" and SPG 4 "Access for All – Mobility Standards" all seek to ensure that there is access to and around the site and that the mobility needs of pedestrians, cyclists and people with difficulties are considered.
- 9.7.2 The development has been designed in accordance with relevant standards relating to inclusive access (BS8300 and Building Reg. Part M). Access to each flat is by 800mm wide communal doors with level thresholds and to each entrance to a wheelchair flat and the lift is 1500mm x 1500mm clear landing to accommodate a wheelchair. The communal staircase will have uniform risers and handrails designed to assist mobility impaired users. Circulation signage will be both visual and tactile.
- 9.7.3 Internal layouts are designed to allow for accessibility for wheelchair users and the two ground floor flats to block A are designed specifically for wheelchair users.
- 9.7.4 The proposed development will therefore provide inclusive access for future occupiers in accordance with the above policies.

## 9.8 Design and appearance



- 9.8.1 London Plan Policies 7.4 'Local Character' and 7.6 'Architecture' require development proposals to be of the highest design quality and have appropriate regard to local context. Haringey Local Plan Policy SP11 and Saved UDP Policy UD3 'General Principles' continue this approach. Policy 7.8 'Heritage Assets and Archaeology' of the London Plan requires development to conserve the significance of the heritage asset. Haringey Local Plan Policy SP12 seeks to ensure that proposals affecting Conservation Areas preserve or enhance the historic character of the Conservation Area.
- 9.8.2 The proposed design is for two contemporary style buildings with simple block forms in a linear arrangement. The approach is similar to that taken for a recently completed development on Stainby Road by the same applicant. As such, the size and massing of the buildings are in keeping with this development and the existing blocks of flats in the immediate area.
- 9.8.3 The external finish is in brick with visual interest created by recessed balconies and varied brick bond styles. The balconies are perforated aluminium sheets to provided interest while also providing privacy for users. Final details of materials will be secured by condition.
- 9.8.4 The subject site has a small frontage onto the Conservation Area and as set out above in the Council's Conservation Officer's comments the proposed design would not cause harm to its character.
- 9.8.5 The proposed development is therefore considered to be of high quality design suited to the context of the area in compliance with the above policies.

## **9.9 Impact on Amenity**

- 9.9.1 London Plan Policy 7.6 'Architecture' and Saved UDP Policy UD3 requires development proposals to have no significant adverse impacts on the amenity of surrounding development.

### *Sunlight/daylight*

- 9.9.2 Due to the location and orientation of the site, there is no residential development to the north. The shadow cast by this development would fall mainly on the Kwik Fit garage immediately to the north. There would be some over shadowing late in the afternoon (17:00 to 18:00) for the recently consented 5-storey block of flats to the north east but there would be no impact at other times of the day. On balance, it is considered that there would no significant impact on sunlight/daylight for neighbouring residential properties.

### *Privacy*

- 9.9.3 There are no facing windows within 20m of the development that would experience overlooking. There are 2 small windows on north flank elevation of 61 and 62 Saltram Close but these are obscure glazed.
- 9.9.4 The distance between the two proposed buildings is 15.4m although 20m is desirable, the Mayor's Housing SPG sets out a flexible approach should be taken in order secure the optimal development of sites. The units which do have facing windows between the two blocks have a secondary outlook which provides longer views. For the balconies which are also within 15.4m, screening can be installed. This will be secured by condition.
- 9.9.5 The proposed development would cause no harm to existing residential amenity.

## **9.10 Traffic and Parking**

- 9.10.1 National planning policy seeks to reduce greenhouse gas emissions and congestion. This advice is also reflected in the London Plan Policies Policy 6.3 'Assessing effects of development on transport capacity', 6.11 'Smoothing Traffic Flow and Tackling Congestion' and 6.12 'Road Network Capacity', 6.13 'Parking' and broadly in Haringey Local Plan Policy SP7 and Saved UDP Policy UD3 'General Principles'.
- 9.10.2 The subject site has a high public transport accessibility level (PTAL) of 6 and is within walking distance of a number of local bus routes and both Seven Sisters and Tottenham Hale underground and rail stations. It is therefore considered that prospective residents of this development would use sustainable travel modes for the majority their journeys to and from the site.
- 9.10.3 The vehicular access to the west of the site is narrow and egresses onto a major junction with High Road/Monument Way/Philip Lane, which forms a part of the Transport for London Road Network. It is intended that this existing access only serve two parking bays on the site, which will limit the number of movements from this narrow access. The site does not have any other direct vehicular access to the public highway. However, it is intended that refuse collections and access for servicing be gained from privately controlled Saltram Close.
- 9.10.4 Stainby Road is the nearest public residential street from the proposed development and lies to the east of the site. Although Stainby Road falls within the Seven Sisters controlled parking zone (CPZ), none of the prospective residents will be eligible for on-street parking permits as the application site does not fall within the boundary of the CPZ itself. To ensure that the objectives of the parking zone are not nullified the Council does not allow for residents from properties outside the drawn boundary to apply for parking permits. However, to avoid any future ambiguity the applicants have agreed to enter into a S.106 agreement to secure and promote the development as car-restricted.

- 9.10.5 The two on-site parking spaces are designated for the use of disabled blue badge holders only. This level of provision is in line with maximum parking standards outlined within saved UDP Policies M9- 7.19 and M9- 7.20 which states. The parking levels within this development also accord with UDP Policies M10-7.21 and M10-7.22 and Haringey's Local Plan Strategic Policies (2013-2026) outlined within SP1, SP4 and SP7.
- 9.10.6 In line with SP7 the applicant will be required to provide all prospective residents with two years free membership to the local car club, which has a car-club bay located on Antill Road. This will offer a more sustainable option for those who still require access to a car.
- 9.10.7 The proposal also includes the provision of two secure storage facilities capable of catering for up to 24 bicycles. This level of provision complies with standards set out within The London Plan (2011). However, in order further encourage the uptake of cycling the highway and transportation authority will seek contributions from the applicant in order to provide improvements to the local cycle route network within the vicinity of the site. The contribution should be secured by a Section 106 Agreement.
- 9.10.8 Subject to the above, the proposed development will not cause harm to local traffic and highway conditions in compliance with the above policies.

## **9.11 Trees and Landscaping**

- 9.11.1 Under Policy OS17 'Tree Protection, Tree Masses and Spines' of the Haringey UDP, the Council will seek to protect and improve the contribution of trees to local character. London Plan Policy 7.4 'Trees and Woodlands' states that existing trees of value should be retained and any loss as the result of development should be replaced.
- 9.11.2 There are no mature trees within the application boundary but there are several mature trees close to the southern boundary. A condition will be applied requiring the submission and implementation of a tree protection scheme during construction.
- 9.11.3 The proposal includes an indicative landscaping scheme consisting of planters, small trees and lawn areas. A condition will be applied requiring the submission and approval of a detailed landscaping scheme.

## **9.12 Energy and Sustainability**

- 9.12.1 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. Policy 5.2 sets out the Mayor's 'lean, clean, green' energy hierarchy which prioritises energy use reduction, clean production and renewable production respectively.

9.12.2 Using photovoltaics and high thermal efficiency, the development will achieve a 25% reduction in emission compared to 2010 Building Regulations baseline, thereby achieving Code for Sustainable Homes Level 4, in compliance with the above policies.

### **9.13 Flood Risk**

9.13.1 The site is not in Flood Risk zones 2 or 3 and a flood risk assessment is not required under the NPPF, London Plan or Local Policy.

### **9.14 Contaminated Land**

9.15 London Plan Policy 5.21 'Contaminated Land' requires that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination. This is continued in Haringey UDP Policy ENV11.

9.16 The site was in light industrial use and there is the possibility of land contamination. A condition will be applied requiring a full investigation of site contamination.

### **9.17 Waste Management**

9.17.1 London Plan Policy 5.17 'Waste Capacity', Local Plan Policy SP6 'Waste and Recycling' and Saved UDP Policy UD7 'Waste Storage', require development proposals make adequate provision for waste and recycling storage and collection.

9.17.2 The Council's Waste Management Officer objected to the scheme requiring further information. The applicant has responded confirming waste containers have been provided in both blocks and they sit adjacent to the central landscaped area, as shown on the ground floor plan. Further details on the management of the waste area (such as exact collection point of Saltram Close) will be secured by condition.

## 9.18 S106 Planning Obligations and Community Infrastructure Levy (CIL)

9.18.1 Section 106 of the Town and Country Planning Act 1990 allows the Local Planning Authority (LPA) to seek financial contributions to mitigate the impacts of a development. Below are the agreed Heads of Terms.

### *Affordable housing*

- Minimum 50% affordable housing

### *Education*

- A contribution towards school places of £80,416 based on the formula set out in SPG 10C and child yield figures from the GLA.

### *Transport*

- £1000 towards the amendment of the TMO to designate it as car-restricted.
- Travel Plan and £3000 towards its monitoring for at least 5 years
- £12,000 towards environmental improvements within the local area

### *Local Employment*

- £3,750 for every £1m of construction cost towards a Work Placement Co-ordinator.

### *Maintenance of Saltram Close play area*

- £500 p.a. for 25 years (£12,500) towards the maintenance of the adjacent Saltram Close play area

### *Cost recovery*

- 3% of total s106 contribution

### *CIL*

The development as proposed is 100% affordable housing scheme so it is not liable for CIL. If however, the affordable element falls below 100%, CIL will be liable for that portion at a rate of £35 per m<sup>2</sup>.

## 10.0 SUMMARY AND CONCLUSION

- 10.1 The proposed residential development provides much needed housing in a sustainable location.
- 10.2 The scheme's design has been carefully considered and is of a high quality addressing its context adequately, causing no harm to the character and appearance of the local area including Conservation Area or to local residential amenity, and provides new residential accommodation of an acceptable living and sustainability standard.
- 10.3 Due to the site's high accessibility to public transport, the lack of general parking provision is considered acceptable and the scheme will be designated 'car-restricted', preventing residents from gaining parking permits. However, two disabled parking spaces will be provided.
- 10.4 S106 contributions towards local environmental improvements, education, maintenance of the adjacent Saltram Close play area and amendment of the Traffic Management Order will be sought.
- 10.5 The proposal is considered acceptable against national, London and local planning policy and should be approved.

## **11.0 RECOMMENDATION**

### **GRANT PERMISSION**

Subject to the following conditions and s106 Agreement

### **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 Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

### **DRAWINGS**

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

Reason: In order to avoid doubt and in the interests of good planning.

### **MATERIALS**

**3. Samples of materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. 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 consistent with Policy 7.6 of the London Plan 2011, Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

**4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include (proposed finished levels or contours, means of enclosure, car parking layout, other vehicle and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (e.g. furniture, play equipment refuse or other storage units, signs, lighting etc.), retained historic landscape features and proposals for restoration where relevant, and thereafter retained in perpetuity.**

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.

**5. Before the development hereby permitted is commenced details of balcony screening between the two buildings shall be submitted to and approved in writing by the Planning Authority. Development shall be carried out in accordance with the approved details prior to the first use of the balcony and the screening shall be retained in perpetuity unless otherwise agreed in writing by the Planning Authority.**

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 General Principles of the Haringey Unitary Development Plan 2006.

## **WASTE AND RECYCLING COLLECTION**

**6. Details of a scheme for the storage and collection of refuse from the premises shall be submitted to and approved by the Local Planning Authority prior to the commencement of the use. The approved scheme shall be implemented and permanently retained to the satisfaction of the Local Planning Authority.**

Reason: In order to protect the amenities of the locality and to comply with Saved Policy UD7 of the Haringey Unitary Development Plan 2006 and Policy 5.17 of the London Plan 2011.

## **ARCHAEOLOGY**

**7. A) No demolition or development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority.**

**B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).**

**C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.**

Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation followed by the subsequent recording of significant remains prior to development (including preservation of important remains), in accordance with recommendations given by the borough and in PPS 5/NPPF.

## **CONTAMINATED LAND**

**8. 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:-

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

## **COMBUSTION AND ENERGY PLANT**

9. Prior to installation details of the boilers to be provided for space heating and domestic hot water should be forwarded to the Local Planning Authority. The boilers to be provided for space heating and domestic hot water shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To ensure that the Code for Sustainable Homes assessment obtains all credits available for reducing pollution, as required by The London Plan Policy 7.14.

## **CONTROL OF CONSTRUCTION DUST**

10. 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 work being carried out on the site.

Reason: In order to minimise harm to air quality and residential amenity in accordance with Saved UDP Policy ENV7.

### **CONSTRUCTION TRAFFIC**

11. Three months prior to commencement of the development hereby permitted, details a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) shall be submitted, approved in writing by the Local Planning Authority and implemented accordingly. The Plans must provide details on how construction work would be undertaken in a manner that disruption to traffic and pedestrians on High Road Tottenham and Stainby Road is minimised and that construction vehicle movements will be planned and co-ordinated to avoid the AM and PM peak periods.

Reason: To minimise vehicular conflict at this location in the interest of safety and the freeflow traffic in accordance with Saved UDP Policy UD3 and Haringey Local Plan Policy SP7.

### **CYCLE PARKING**

12. Prior to the first occupation of the development hereby permitted, the applicant shall provide secure and covered cycle storage for 24 bicycles.

Reason: To encourage the use of sustainable modes of transport and to comply with London Plan standards.

### **TREE PROTECTION**

13. Prior to the commencement of any development hereby approved and before any equipment, machinery or materials are brought onto the site for the purposes of the development hereby approved, details of the protection of any retained tree onsite or nearby which is likely to be affected by the development, to comply with *BS 5837: 2012 - Trees in relation to design, demolition and construction - Recommendations* shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved and the protection shall be installed prior to the commencement of any development hereby approved and maintained until all equipment, machinery and surplus materials have been removed from the site.

**Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made, without the written consent of the Local Planning Authority.**

Reason: In order to ensure the safety and well being of the trees on the site during construction works that are to remain after building works are completed consistent with London Plan Policy 7.21, Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan.

#### **LOCAL LABOUR/TRAINING**

**14. That where reasonably possible, not less than 20 percent (20%) of onsite workforce (excluding managers and supervisors) employed during the construction period for the proposed development comprise of 'local residents'. In the event that achieving 20% proves impracticable for reasons notified in writing to and approved by the Council then another figure agreed by the relevant parties concerned (acting reasonably) may be acceptable.**

**Note: 'Local' is defined as employees preferably within the Haringey confines, but where not practicable, will include North London Sub-Region. This is consistent with Construction Web's approach.**

Reason: In order to provide employment opportunities for local residents in accordance with Policy G4 of the Haringey Unitary Development Plan and Policy 4.12 'Improving Opportunities for All' of the London Plan.

**15. That where reasonably practicable not less than 10 percent (10%) of the onsite 'local' workforce (excluding managers and supervisors) employed during the construction period for the proposed development comprise of trainees, but in the event that achieving 10% proves impracticable for reasons notified in writing to and approved by the Council then another figure agreed by the parties concerned acting reasonably may be acceptable. These trainees can be self employed or sourced from 'local' Small and Medium size Enterprise's. Note: The ten percent (10%) trainees is included in the 20 percent (20%) figure of 'local employees' and not the percentage of the workforce on-site as a whole.**

Reason: In order to provide employment opportunities for local residents in accordance with Policy G4 of the Haringey Unitary Development Plan and Policy 4.12 'Improving Opportunities for All' of the London Plan.

#### **INFORMATIVES:**

The development of this site is likely to damage heritage assets of archaeological and historical interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

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

## **12.0 APPENDICES**

### **12.1 Appendix 1 – Consultation Responses**

No.	Stakeholder	Question/Comment	Response
	INTERNAL		Noted. Conditions and s106 provision
	LBH Housing Enabling Team	<p>The scheme in its current form complies with the Councils Strategic Policies, principally on the grounds that it promotes the area's regeneration – current policy SP2.</p> <p>This position is supported by paragraphs 3.2.18 and 3.2.19 of the SP and 5.28-5.30 of the Housing SPD, as such the proposals have been developed to include a high proportion of low cost home ownership.</p> <p>The enabling team supports this scheme in terms of the proportion of affordable housing delivered due to the reasons outlined above and will have continuous engagement with Sanctuary Housing to ensure the council aims and objectives are met.</p> <p>12.2</p>	Notes
	LBH Transportation	<p>The application site has a high public transport accessibility level (PTAL) of 6 and is within walking distance of a number of local bus routes servicing High Road Tottenham with a combined two-way frequency of 205 buses per hour. The site is within easy walking distance of both Seven Sisters and Tottenham Hale underground and rail stations. It is therefore considered that prospective residents of this development would use sustainable travel modes for the majority their journeys to and from the site.</p> <p>The vehicular access to the west of the site is narrow and egresses onto a major junction with High Road/Monument Way/Philip Lane, which forms a part of the Transport for London Road Network. It is</p>	Noted. Recommendations followed.

No.	Stakeholder	Question/Comment	Response
		<p>intended that this existing access only serve two parking bays on the site, which will limit the number of movements from this narrow access. The site does not have any other direct vehicular access to the public highway. However, it is intended that refuse collections and access for servicing be gained from privately controlled Saltram Close.</p> <p>Stainby Road is the nearest public residential street from the proposed development and lies to the east of the site. Although Stainby Road falls within the Seven Sisters controlled parking zone (CPZ), none of the prospective residents will be eligible for on-street parking permits as Parking Management have confirmed that the application site does not physically fall within the defined boundary of the CPZ itself. To ensure that the objectives of the parking zone are not nullified the Council does not allow for residents from properties outside the drawn boundary to apply for parking permits. It should be noted that the extent of CPZ boundary is legally defined within its associated Traffic Management Order. However, to avoid any future ambiguity the applicants have agreed to enter into a S.106 agreement to secure and promote the development as car-restricted.</p> <p>The two on-site parking spaces are designated for the use of disabled blue badge holders only. This level of provision is in line with maximum parking standards outlined within the Haringey Council adopted UDP (saved policies 2013) and additionally accords with UDP Policies M9-7.19 and M9- 7.20 which states “The construction of new residential developments without car parking would support Council policies to reduce car dependency and the encouragement of other modes of transport”. The parking levels within this development also accord with UDP Policies M10-7.21 and M10-7.22 and Haringey’s Local Plan Strategic Policies (2013-2026) outlined within SP1, SP4 and SP7.</p> <p>In line with SP7 we will also require that the applicant provide all prospective residents with two years free membership the existing car club, which operates within the immediate vicinity of the site and currently has a car-club bay located on Antill Road. This will offer a more sustainable option for those who still require access to a car. As there is no realistic prospect of residents using on-street parking</p>	

No.	Stakeholder	Question/Comment	Response
		<p>facilities within the immediate vicinity of the site we would agree with the assumption in the transport statement that the site will not generate a significant number of traffic movements.</p> <p>The proposal also includes the provision of two secure storage facilities capable of catering for up to 24 bicycles. This level of provision complies with standards set out within The London Plan (2011). However, in order further encourage the uptake of cycling the highway and transportation authority will seek contributions from the applicant in order to provide improvements to the local cycle route network within the vicinity of the site. The contribution should be secured by a Section 106 Agreement.</p> <p>It is considered that the proposed development is unlikely to have any adverse impact on the surrounding highway network or car parking demand at this location. Therefore, the highway and transportation authority would not object to this application subject to the imposition of the following S.106 obligations and planning condition:</p> <p>S106 Obligations:</p> <ol style="list-style-type: none"> <li>1. "The residential unit is defined as 'car restricted' and therefore no residents therein will be entitled to apply for a residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development." The applicant must contribute a sum of £1000 (One thousand pounds) towards the amendment of the TMO for this purpose.</li> <li>2. The Applicant/ Developer will be required to contribute by way of a S.106 agreement £12,000 (twelve thousand pounds) for environmental improvements within the local area surrounding the site.</li> <li>3. A residential travel plan must be secured by the S.106 agreement. As part of the travel plans, the following measures must be included in order to maximise the use of</li> </ol>	

No.	Stakeholder	Question/Comment	Response
		<p>sustainable modes of transport:</p> <p>a) Provision of welcome residential induction packs containing public transport and cycling/walking information like available local cycle/walking routes map, details of cycle parking and public transport time-tables to all new residents, travel pack to be approved by the Council's transportation planning team.</p> <p>b) Secure that the developer offers all residents of the development free membership to a local car club for at least the first 2 years, evidence of which must be submitted to the Haringey Transportation Planning team.</p> <p>c) cycle parking to be provided in line with the 2011 London plan</p> <p>d) The developer is required to pay a sum of, £3,000 (three thousand pounds) for the purposes of monitoring the travel plan for a period of at least 5 years.</p> <p>Pre-commencement condition:</p> <p>2. The Applicant/ Developer are required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the local authority's approval 3 months prior to construction work commencing on site. The Plans should provide details on how construction work would be undertaken in a manner that disruption to traffic and pedestrians on High Road Tottenham and Stainby Road 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.</p>	



No.	Stakeholder	Question/Comment	Response
		<p>Reason: To reduce congestion and mitigate any obstruction to the flow of traffic on the transportation network.</p> <p>Informative The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.</p> <p>In addition to the above comments TfL has the following comments and conditions:</p> <p>Informatives</p> <ol style="list-style-type: none"> <li>1.The site of the proposed development is adjacent to the A10, High Road, which forms part of the Transport for London Road Network (TLRN).</li> <li>2.Vehicle access will be via the existing access arrangements which is acceptable.</li> <li>3.TfL supports no car parking is proposed for the proposed development, with the exception of 2 accessible parking spaces.</li> </ol> <p>Conditions</p> <p>Cycle parking should be provided in accordance with the standards set out in the London Plan.</p> <p>Subject to the above condition being met, the proposal as it stands would not result in an unacceptable impact to the Transport for London Road Network (TLRN).</p>	

No.	Stakeholder	Question/Comment	Response
	<p><b>LBH Conservation Officer</b></p>	<p>The proposed development is for substantial residential use providing 18 units in total. The layout of the scheme follows the overall Master Plan envisaged for the site allowing further future development of the site as part of the wider regeneration of Tottenham.</p> <p>The scheme proposes two blocks of flats, three and five storeys high respectively. The three storey block would be located immediately behind the retail units along High Road and would be in closest proximity to the locally listed building. However, given its overall height and bulk this would not be considered detrimental to its setting and would be acceptable.</p> <p>The five storey block would be more visible from Monument Way, although most of it would be obscured behind the existing block of flats. The stepped height and the overall mass of the two blocks relate well to the surrounding buildings and whilst partly visible from some long distance views within the conservation area, they would not have a detrimental impact on it.</p> <p>The contemporary and simplistic design and architectural language would be considered positive to the setting of the conservation area.</p> <p>Overall, the scheme would not be considered detrimental to the setting of the locally listed building and would enhance the setting of the conservation area. It is, therefore, acceptable.</p>	<p>Noted.</p>
	<p><b>LBH Waste</b></p>	<p>The proposed development of Demolition of a derelict commercial</p>	<p>Further details required by condition.</p>

No.	Stakeholder	Question/Comment	Response
	<b>Management</b>	building (B2) and a vacant land parcel, to provide 18 residential dwellings, associated landscaping, refuse and recycling facilities and 2 disabled car parking spaces, does not provide adequate information on waste collection and storage in order to provide bespoke comments. This part of the application has been given RAG traffic light status of RED for waste storage and collection arrangements.	
	<b>LBH Environmental Health</b>	Conditions requiring contaminated land assessment, details of all boilers and associated air quality and construction dust mitigation plan are submitted and approved in writing by the Local Planning Authority.	Noted. Conditions applied.
	<b>EXTERNAL</b>		
	<b>Greater London Archaeological Advisory Service</b>	<p>The site lies within the historic core of the medieval settlement of Tottenham. I have examined the applicant's archaeological desk-based assessment but without corroborating survey data I am not able to agree with its conclusions that no significant archaeological survival can be anticipated.</p> <p>In view of the above, I therefore advise that the following condition be added to any forthcoming consent.</p> <p>Condition</p> <p>A) No demolition or development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority.</p> <p>B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).</p> <p>C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance</p>	Noted. Recommendations followed.

No.	Stakeholder	Question/Comment	Response
		<p>with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.</p> <p>Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation followed by the subsequent recording of significant remains prior to development (including preservation of important remains), in accordance with recommendations given by the borough and in PPS 5/NPPF.</p>	
	<b>RESIDENTS</b>	n/a	
		A Development Management Forum was held 29 <sup>th</sup> October 2013 at Tottenham Leisure Centre but there were no attendees.	