

# MINUTES OF MEETING PLANNING SUB COMMITTEE HELD ON MONDAY, 9TH NOVEMBER, 2015, 7PM

## PRESENT:

**Councillors: Peray Ahmet (Chair), Vincent Carroll (Vice-Chair), Dhiren Basu, David Beacham, John Bevan, Clive Carter (part), Natan Doron, Toni Mallett, James Patterson, James Ryan and Elin Weston**

Also present: Cllrs Arthur, Diakides, Ejiofor, McNamara, Morris, Opoku, Strickland,

### 42. **FILMING AT MEETINGS**

- That the Chair's announcement regarding the filming of the meeting for live or subsequent broadcast be noted.

### 43. **DECLARATIONS OF INTEREST**

Cllr Mallett identified that she would be making a representation as a local ward councillor to item 9, land to rear of 131-151 Boundary Road, and would therefore withdraw from Committee determination of that item.

### 44. **MINUTES**

#### **RESOLVED**

- That the minutes of the Planning Committee held on 5 October be approved.

The Chair agreed to vary the order of the agenda, to take items 10, 12, 8 and then 9. Items 11,13, 14-16 were deferred.

### 45. **MARCUS GARVEY LIBRARY TOTTENHAM GREEN LEISURE CENTRE 1 PHILIP LANE N15 4JA**

The Committee considered a report on the application to grant planning permission for the installation of a new entrance door to the south elevation of Marcus Garvey Library along with the associated external works. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions.

The planning officer gave a short presentation highlighting the key aspects of the report. It was updated that a further representation had been received since publication of the agenda but which did not raise any additional points requiring response.

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

- The new door would create a serious child safeguarding issue through providing a general access route through the children's garden and adjacent to the children's library leading to concerns over disruption and safety to families using the library.
- The report was more concerned with safeguarding the tree onsite than children's safety.

- A large number of objections to the application had been made during the consultation period.
- The plan was ill thought out and would only benefit Fusion as the applicant and not library users.
- The scheme would remove a significant portion of the children's garden and render the remainder unsafe as it would no longer be a safe, dedicated space for families to use accessed only via the children's library. Proposed landscaping improvements to the garden would not make up for the space lost.
- The consultation undertaken had not been comprehensive, for example a lack of contact with the Bernie Grants Art Centre etc.
- The application should be rejected on the grounds of impact on public amenity.
- The new entrance would create an internal street within the library which would be problematic.

At this point in the proceedings, Cllr Carter came forward to make a representation in response to the application. The Chair sought clarification as to Cllr Carter's status as a member of the Committee and asked the advice of the legal officer. The legal officer outlined to Cllr Carter the need for him to make a declaration of interest with regard to the application as a standing member of the Committee and as at the current point, there had yet to be an indication made by him of his status at the meeting. The legal officer asked that Cllr Carter address this in the interests of clarity and for the record before starting his representation. Cllr Carter made a statement that the Chair was aware of his previous declarations on this matter, that he was an active member of the Friends of Marcus Garvey Library group and a defender of libraries, an issue which first got him involved in politics. He then raised the following points regarding the application:

- A lack of consultation and engagement regarding the application had been carried out and no formal public consultation undertaken.
- The new door was not a necessary part of the development and would become a 'poor door' for accessing the Customer Service Centre.
- The scheme would cause disruption to library users during construction works and reduce library user space by half.

Cllr Diakides addressed the Committee as a local ward councillor and made the following objections:

- The door was not justified, would create a disruptive thoroughfare and equated to unnecessary expenditure.
- The scheme was unpopular with library users.
- Multiple entrances to the library would make it difficult for security guards to patrol.
- The impact on the children's garden and library was unacceptable.
- The tree to the rear was a very rare species and should be preserved.

Cllr Arthur addressed the Committee as the Cabinet Member for Resources and Culture as the Council was the freeholder of the land and raised the following points;

- The importance of the library to local people was recognised.
- The application would form part of plans linking the library to the wider regeneration plans for the Tottenham Green area including opening out of the approach road to the rear.

- Investment was being made into the library including refurbishment and IT improvements to make it a civic hub.
- The number of people using the future Customer Service Centre was forecast to be lower than that currently at Apex House due to the shift to online self service and movement of Housing Services to Wood Green.
- No reduction would be made to the children's library space.
- CCTV would be installed in the library as well as a glass partition and gated access to the children's library. Clear sight lines would remain from the reception desk to the children's library.
- The revamp of the ground floor of the library was to include installation of a removable floor to create flexibility in use.
- The new access door aimed to minimise disruption in the future with the development of the public realm plans.

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

- Further assurances were sought on the child safeguarding concerns raised by the objectors. Officers advised that although a Council safeguarding policy was in place in the library, the responsibility for supervision of children remained as currently with parents/carers and not library staff.
- In response to questions regarding the children's garden area, confirmation was provided that approximately two thirds of the children's garden would be lost and that input would be sought from library users into the development of landscaping plans for the remaining area. In relation to the tree onsite, officers were satisfied with the arboriculturalist report and the proposals for its protection.
- In response to a question, it was advised that wider regeneration plans for the area would likely come forward within the next year or two.
- The potential for future relocation of the children's library should any issues arise such as congestion etc was questioned. Clarification was provided that the ground floor would be of flexible use allowing the layout to be adapted if necessary.
- Confirmation was provided that the ramp and revolving door would be available for library user use prior to the Customer Service Centre being installed in the longer term.

The Chair moved the recommendation of the report and it was

## **RESOLVED**

- That planning application HGY/2015/2325 be approved subject to conditions.
1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.  
Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.
  2. The development hereby authorised shall be carried out in accordance with the following approved plans and specifications:  
2450,1002,2001,2201,2021,2211, 1001  
Reason: In order to avoid doubt and in the interests of good planning.

3. 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 measures for the protection of the cypress tree 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 be made, without the written consent of the Local Planning Authority.

Reason: In order to ensure the safety and well being of the tree 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.

4. No development shall commence until a scheme for new landscaping works within the external area in the vicinity of the new ramp and children's garden area (including the timescale for planting and installation) has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in accordance with the approved details.

Reason: In order to mitigate the impact of the proposed works on the children's garden area consistent with, Policy SP16 of the Haringey Local Plan 2013.

Informatives:

INFORMATIVE 1: The NPPF

In dealing with this application, Haringey Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 to foster the delivery of sustainable development in a positive and proactive manner.

INFORMATIVE 2: Hours of Construction Work:

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

- 8.00am - 6.00pm Monday to Friday

- 8.00am - 1.00pm Saturday

- and not at all on Sundays and Bank Holidays.

#### **46. UNITS 1-5 BRUCE GROVE STATION 509 - 513A HIGH ROAD N17 6QA**

[Cllr Carter joined the Committee to take part in the determination of the remainder of applications]

The Committee considered a report on the application to grant planning permission for the single storey extension to the High Road facade of Bruce Grove Station to create an additional 174sqm of A1/A3 space with associated landscaping and yard. 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.

An objector addressed the Committee and raised the following points:

- The courtyard to the front of the station site was important open amenity space used by the community, with historic and memorial value.
- The condition of the site should not be used to justify the development.
- The trees currently onsite helped to improve the environment and had a positive impact on the town centre.
- The scheme would cause harm to public amenity and to the Locally Listed station building.
- Historic England appeared to have been consulted on the first draft but not subsequent and no details were provided within the report of the stakeholder consultation meeting held on 7 July.

Cllr Opoku addressed the Committee in her capacity as local ward councillor and raised the following points:

- Residents had campaigned in the past for the courtyard area to be kept as open amenity space.
- Mature trees onsite would be lost.
- Safety concerns were raised relating to narrowing of the pavement near the bus stop outside the station.
- The steel cladding would obscure the historic station building and was not an appropriate material.

Representatives for the applicant addressed the Committee and raised the following points:

- The scheme would create a high quality, contemporary, landmark building for the Bruce Grove town centre whilst optimising development of a key brown field site and aiding regeneration.
- Planning policy identified that traditional designs were not the only acceptable option in conservation areas.
- The current open space was not a suitable use and suffered from antisocial behaviour and littering.
- Relocation of the bus stops was a long term aspiration.
- The Quality Review Panel were supportive of the application.
- The pavement to the front of the station would be widened and public realm and pedestrian movements improved within the station.

Cllrs McNamara and Strickland addressed the Committee in their respective capacities as Cabinet Members for Environment and Housing and Regeneration and raised the following points:

- Businesses previously housed in the arches had been operating without planning permission

- Significant improvements had already been made to the site due to Network Rail and TfL investment such as pavement improvements.
- The reserved matters process needed strict oversight to ensure implementation of a high quality scheme tying in with the heritage aspects on the locally Listed Building.
- A high quality solution was required to increase footfall in this important prime town centre site.
- Design plans had been developed by a renowned architect with considerable input from the Council's conservation officer.
- The Council's Quality Review Panel were in support of the application
- Changes had been made to the design following the outcome of the consultation including increasing the use of glass to allow views of the arches.
- The scheme would generate jobs for the area.

The Committee raised the following matters in discussion of the application:

- Further clarification was sought on the conservation officer's view of the application. In response, she advised that although the scheme would cause some harm to the setting of the Locally Listed Building as well as the Conservation Area, this was categorised as being less than substantial. It was considered that the high quality design and associated heritage and public benefits would outweigh the harm caused whilst still allowing appreciation of the station building and serving as a permanent solution for a neglected site which currently detracted from the Conservation Area.
- Clarification was sought on oversight of reserved matters. Officers advised that the discharge of conditions would be overseen by another specialist architect to ensure the scheme was delivered to plan.
- The loss of public amenity space was questioned. Officers identified that the site had never been used as open amenity space and was more suitable as commercial space.
- In response to a question, the applicant confirmed the intention for a single commercial unit onsite, although this could be subdivided if necessary.
- Assurances were sought over the proposed use of Corten steel to the building façade. The applicant advised that this had been selected as a robust, low maintenance material that linked into the railway context and would allow light into the building whilst also providing a sense of enclosure from the busy High Road.
- Clarification was sought on the width of pavements outside the station. Officers advised that the proposal would provide an additional 1 metre footway space within the site boundary to improve pedestrian accessibility.

The Chair moved the recommendation of the report and it was

## **RESOLVED**

- That planning application HGY/2014/2349 be approved subject to conditions.
1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

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

2. The development hereby authorised shall be carried out in accordance with the following approved plans and specifications:

A-618-001 REV1, 002 REV1, 003 REV1, 004 REV1, 005 REV1, 006 REV1, 007 REV1, 010 REV1

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

3. Before any works hereby approved are commenced details shall be submitted to and approved in writing by the Local Planning Authority showing

a) precise details/specification of the external materials

b) detailed drawings (1:20 scale) showing the junctions and fixing between the different materials in particular the top-most edge of the Cor-ten, and the junction between the glazed panels and the roof.

c) measures to manage surface water run-off from the Cor-ten steel panels in order to minimise the risk of staining to the elevations and footway.

The proposal shall be 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 and consistent with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

4. Prior to the occupation of the development full details of proposed extract ventilation systems shall be submitted to and approved in writing by the local planning authority. The details shall include proposed odour control measures, fan location and discharge positions. Such schemes shall be approved and installed to the local planning authority's satisfaction prior to the commencement of the uses.

In order to retain control over the external appearance of the development and to ensure appropriately designed extraction equipment is provided in the interests of the visual amenity of the area and neighbouring amenity consistent with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

5. The use hereby permitted shall not be operated before 07:00 hours or after 00:00 hours at any time.

Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished consistent with Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

6. No development shall take place, including any works of demolition, until a Method of Construction Statement, to include details of:

a) parking and management of vehicles of site personnel, operatives and visitors

b) loading and unloading of plant and materials

c) storage of plant and materials

d) programme of works (including measures for traffic management)

e) provision of boundary hoarding behind any visibility zones

f) wheel washing facilities:

have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained during the demolition and construction period.

Reasons: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies 6.3, 6.11 and 7.15 of the London Plan 2011, Policies SP0 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

7. 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.

8. The existing architects or other such architects as approved in writing by the Local Authority shall undertake the detailed design of the project.

Reason: In order to retain the design quality of the development in the interest of the visual amenity of the area and consistent with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

9. Prior to the commencement of the development hereby permitted, a shutter and signage strategy shall be submitted to and approved in writing by the Local Planning Authority all future proposal for shutters and signage shall be in accordance with this strategy.

Reason: In order to retain the design quality of the development in the interest of the visual amenity of the area and consistent with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

10. Details of the species of the proposed tree (20-25cm stem girth) shall be agreed with the Local Planning Authority in writing before commencing the work permitted, and shall be planted within the first planting season following the completion of the proposed development hereby approved.

Reason: In the interests of visual amenity and to conserve the contribution of trees to the character of the area.

Informatives:

INFORMATIVE: In dealing with this application, Haringey Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 to foster the delivery of sustainable development in a positive and proactive manner.

INFORMATIVE : CIL



Based on the information given on the plans, the Mayoral CIL charge will be £... (£6,020 172 sqm x £35) and the Haringey CIL charge will be £0 (Small scale retail are charged at a NIL Rate). This will be collected by Haringey after/should the scheme is/be 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.

**INFORMATIVE:**

Hours of Construction Work: The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

- 8.00am - 6.00pm Monday to Friday
- 8.00am - 1.00pm Saturday
- and not at all on Sundays and Bank Holidays.

**INFORMATIVE: Party Wall Act:** The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

**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.

**INFORMATIVE:** Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

**47. 191-201 ARCHWAY ROAD, LONDON N6 5BN**

The Committee considered a report on the application to grant planning permission for the erection of building behind retained Archway Road facade and fronting Causton Road to provide 25 residential dwellings (Class C3) at basement, ground, first, second and third floor level, including retention side return wall on Causton Road. Demolition of all existing buildings to the rear. Retention of retail floor space unit at ground floor level (Class A1). Change of use of part ground floor and part basement from retail (Class A1) to Class B1 use. Provision of associated residential amenity space, landscaping and car parking. 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 subject to a s106 legal agreement.

The planning officer gave a short presentation highlighting the key aspects of the report.

A number of objectors addressed the Committee. In order to allow clarification to be sought on claims the daylight/sunlight report omitted reference to a number of windows to neighbouring properties on Causton Road, the Chair agreed in discussion

with the Head of Development Management to defer the application to a future meeting.

## **RESOLVED**

- That the application be deferred.

### **48. LAND TO REAR OF 131-151 BOUNDARY ROAD N22 6AR**

[Cllr Mallett stood down from the Committee for the determination of this item in order to make a representation as a local ward councillor].

The Committee considered a report on the application to grant planning permission for the demolition of existing workshop/store and shed, construction of one detached, three bedroom, single storey dwelling with basement served by light wells, and 2 no. semi-detached, two storey, three bedroom houses with basements served by light wells, and construction of two sets of entrance gates. 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 subject to a s106 legal agreement.

The planning officer gave a short presentation highlighting the key aspects of the report.

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

- Owing to proposals for each bedroom to be supplied by an ensuite bathroom, there was concern that the dwellings would be run as HMOs (House of Multiple Occupation).
- The site was not previously developed garden land and as such should be protected. No planning permission was in place for the shed onsite used for commercial purposes.
- Local people had discovered a restrictive covenant in place on the land and would be pursuing enforcement with the beneficiary.
- The scheme failed to meet emerging Council policy requirements for backland development in failing to relate appropriately and sensitively to its surroundings.
- The detached house would be sited only 2m from the garden fences to the closest Sirdar Road properties.
- The scheme would result in overlooking to 208 and 210 Sirdar Road, with tree planting not suitable all year screening.
- Increased noise levels in the area arising from the new dwellings was not covered within the report.
- Plans did not include the retention of mature trees onsite thereby exacerbating noise and overlooking concerns.
- The report identified that there would be no impact on parking but did not explain why.
- The scheme was inappropriate for the site and to the surrounding community.

Cllr Mallett addressed the Committee and reiterated the concern raised by the objectors over the provision of ensuite bathrooms to each bedroom in the proposed

new units. This would be unusual for family accommodation leading to concerns over HMO conversion and associated increased noise and parking pressures.

A representative for the applicant addressed the Committee and raised the following points:

- The site was not considered garden land as it did not relate to a specific dwelling.
- The owner of the land had used the shed onsite for commercial purposes.
- The scheme would provide 3 new family houses.
- Ensuite bathrooms to each bedroom was a contemporary feature and affirmed that there was no expectation the scheme would be a HMO development.
- Revisions had been made to the scheme design following objections received. The last application had been rejected on a single grounds and which had now been addressed under the current application.
- The presence of any restrictive covenant was not a planning issue.
- The scheme had been designed to reduce overlooking including set back to the first floor element.
- The scheme would bring an unoccupied urban plot back into use in an established residential area.
- Spare parking capacity existed in the immediate area.

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

- Clarification was sought on whether a condition could be imposed to restrict future permitted development rights covering any future conversion of the dwellings to HMOs. In response, officers confirmed that an Article 4 Direction was in place in the area which removed permitted development rights and there was therefore no additional benefit in imposing a condition which would do the same thing, even if the applicant consented to its imposition. Planning permission would be required for any future conversion to HMOs. The legal officer advised that should the Committee wish to go beyond this in terms of restrictions on future development, exceptional circumstances would need to be identified.
- Concerns were raised over access for emergency vehicles. Confirmation was provided that although the site would have no vehicular access, the London Fire Brigade had no objection subject to an onsite fire hydrant or sprinkler system. Access from the road was considered acceptable for other emergency service access and was not unusual in similar developments.
- In response to a question regarding the mooted restrictive covenant in place for the site, the legal officer advised that this was not a material planning consideration in the determination of the application.

[9.55 - the Chair agreed to the suspension of Standing Orders to allow the meeting to go on beyond 10pm for the conclusion of determination of the item at hand].

- Clarification was sought as to whether restrictions were in place on the number of units permissible in backland developments especially those with no vehicle access. Officers advised that there was no set rule and that each application needed to be determined on its own merits.

Cllr Carroll put forward a motion, seconded by Cllrs Beacham, Carter and Weston to reject the application on the grounds of overdevelopment, being out of keeping with the area, poor access and a reduction in the amount of open space. At a vote, the motion was carried and it was

**RESOLVED**

- That planning application HGY/ 2015/0522 be rejected on the grounds of overdevelopment, being out of keeping with the area, poor access and a reduction in the amount of open space.

**49. 3 FORDINGTON ROAD, N6 4TD**

This item was deferred to a subsequent meeting.

**50. PARK ROAD SWIMMING POOLS PARK ROAD N8 7JN**

This item was deferred to a subsequent meeting.

**51. TOWN & COUNTRY PLANNING ACT 1990, TOWN & COUNTRY PLANNING ACT (TREES) REGULATIONS 1999**

This item was deferred to a subsequent meeting.

**52. UPDATE ON MAJOR PROPOSALS**

This item was deferred to a subsequent meeting.

**53. APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

This item was deferred to a subsequent meeting.

**54. DATE OF NEXT MEETING**

1 December.

CHAIR: Councillor Peray Ahmet

Signed by Chair .....

Date .....