

# MINUTES OF THE MEETING OF THE PLANNING SUB COMMITTEE

HELD ON Monday, 11th January, 2016, 7pm

## PRESENT:

**Councillors: Peray Ahmet (Chair), David Beacham, John Bevan, Clive Carter, Toni Mallett, James Patterson, Elin Weston, Makbule Gunes, Reg Rice and Vincent Carroll**

### 1. **FILMING AT MEETINGS RESOLVED**

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

### 2. **APOLOGIES**

Apologies for absence were received from Cllrs Basu, Doron and Ryan. Cllrs Gunes and Rice substituted.

### 3. **11 PARK ROAD**

The Chair advised that the item had been withdrawn from the agenda due to the applicant being unable to attend the meeting.

### 4. **255 LORDSHIP LANE**

The Committee considered a report on the application to grant planning permission for the demolition of the existing building, construction of a new road and construction of a lower ground, first, second and set back third storey building comprising of 31 new residential flats and 150 sq.m. of new office space. 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. The planning officer advised of an amendment to the recommendation set out within the report which should read 'to grant permission subject to conditions, a S106 legal agreement *and S278 and S38 legal agreements*'.

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

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

- Clarification was sought on how the differing ground levels between the proposed communal garden space and the gardens on the adjacent Lido Square properties would be managed. It was advised that the communal garden would be at a raised level atop the car park and would be provided with a landscaping screen to reduce overlooking plus a stepped down approach using a 1.5m strip of land plus boundary treatment to bridge the gap between the different garden threshold levels.
- Clarification was sought on the width of the new road and access arrangements for refuse vehicles. Officers confirmed that the road at 5.5m width would be compliant

with Manual for Streets standards and although the design was at preliminary stage, would constitute an improvement on the current access road. The new road would be able to accommodate refuse vehicles.

- The Chair expressed disappointment over the low level of affordable housing proposed and sought clarification on the proposed associated review mechanism. Officers advised that the contribution had been independently assessed as being at the maximum reasonable level, primarily a factor of the construction costs associated with the new road. Officers proposed an amendment to the affordable housing review mechanism set out within the report, to base the assessment on the build costs of the scheme, including construction of the new road, instead of the customary sale values in the area. The legal officer advised that the proposed s106 legal agreement Heads of Terms as set out within the report would require amendment to reflect the proposed change to the review mechanism and proposed that it be delegated to officers to set out the detailed terms. The applicant provided further details of the extensive two year design process undertaken for the scheme including the production of outline plans for two schemes, with and without construction of a new road. The scheme incorporating the road had been progressed due to the associated benefits of opening up the rear of the site as well as improving the vicinity. A separate application, currently at pre-application stage, was being developed for the regeneration of the depot site to the rear and which was projected at the current time to be able to support a 35-50% affordable housing contribution.
- In response to a question regarding delivery of the three affordable housing units, officers provided assurance that negotiation undertaken via the review mechanism would not lower but only seek to increase the number of affordable units provided. The Committee sought clarification on the future management of the three affordable housing units. The applicant advised that a decision had yet to be made as to whether a registered social landlord would be engaged or the units managed directly by the applicant.
- Clarification was sought on the allocation process for the three affordable housing units to be let at intermediate rent level and whether priority would be given to residents on the Haringey Housing Register. The applicant advised that the terms of the rent offer was still in discussion with the Housing Service but stated that the applicant would welcome nominations from the Council for allocation of the units. Confirmation was also provided that the scheme would be tenure blind, with one entrance to all of the residential units.
- The Committee sought clarification over the source of funding for the construction of the new road. Officers advised that the road would be built by the applicant at no cost to the Council due to the associated land swap from the change in location of the road. The legal officer advised that the details of any land swap arrangements were not relevant to the determination of the application.

In response to requests from the Committee, officers proposed amendments or additional conditions to cover a ban on the erection of satellite dishes and external metal shutters to the commercial units; an additional condition covering landscaping and requiring a landscape management plan and for the provision of obscure glazing to balconies.

The Committee sought clarification as to whether a condition could be imposed to give priority to residents on the Haringey Housing Register in the allocation of the

intermediate rent units. Officers advised that although this could not be imposed as a condition, the clear steer provided by the Committee in this regard would be taken forward by officers in negotiation with the applicant on the s106 legal agreement. The Chair requested that an update on negotiations be provided back to the Committee in due course.

The Chair moved the recommendation of the report including amended conditions to require opaque glazing to balconies; a ban on external metal shutters to the commercial units; provision of a communal TV aerial system; landscaping and a landscaping management plan condition and a change to s106 Heads of Terms for approval to be subject to a review mechanism prior to occupation, details of which would be delegated to Head Development Management to determine and it was

## **RESOLVED**

- That planning application HGY/2015/2321 be approved subject to conditions and subject to s106, s278 and s38 legal agreements.
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:  
A001, A100 A, A101 B, A102 A, ,A103 B, A104B, A105B, A106A, A200, A201B, A202B, A301 B, A302A, D101, EC101, EC202  
Reason: In order to avoid doubt and in the interests of good planning.
  3. The applicant/ Developer are required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the local authority's approval 1 months (one month) prior to construction work commencing on site. The Plans should provide details on how construction work (inc. Demolition) would be undertaken taken in a manner that disruption to traffic and pedestrians on Lordship Lane and the roads surrounding the site is minimised. The construction management plan must include details on the construction of the development and of the development in a way such that the Councils depot will always have unrestricted access. It is also requested that construction vehicle movements should be carefully planned and coordinated 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.
  4. Before development commences other than for investigative work:
    - a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the

desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

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

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

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

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 in accordance with Policy 5.21 of the London Plan 2011 and Saved Policy UD3 of the Haringey Unitary Development Plan.

5. 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 in accordance with Policy 5.21 of the London Plan 2011 and Saved Policy UD3 of the Haringey Unitary Development Plan.

6. 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 with reference to the GLA's SPG Control of Dust and Emissions during Construction and Demolition. All demolition and construction contractors and Companies working on the site must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.

7. Prior to installation details of the gas 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 20 mg/kWh (0%).  
Reason: As required by The London Plan Policy 7.14.
8. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.  
Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
9. The development hereby permitted shall be built in accordance with the approved renewable energy statement and the energy provision shall be thereafter retained in perpetuity without the prior approval, in writing, of the Local Planning Authority.  
Reason: To ensure that a proportion of the energy requirement of the development is produced by on-site renewable energy sources to comply with Policy 5.7 of the London Plan 2011 and Policies SP0 and SP4 of the Haringey Local Plan 2013.
10. 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.
11. No construction works (excluding demolition) shall commence until further details of the design implementation, maintenance and management of the sustainable drainage scheme have been submitted & approved in writing by the Local planning Authority. Details shall include:-  
(a) Details of an emergency plan should the pumps fail.  
(b) Management and maintenance plan for the lifetime of the development, management by Residents  
Management Company or other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime a scheme of surface water drainage works including an appropriate maintenance regime have been submitted to and approved in writing by the Local Planning Authority. The sustainable drainage scheme shall be constructed in accordance with the approved details and thereafter retained.

Reason: To promote a sustainable development consistent with Policies SP0, SP4 and SP6 of the Haringey Local Plan 2013.

12. No development shall take place until a detailed surface water drainage scheme for Site, which is based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus 30% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall include details of its maintenance and management after completion and shall subsequently be implemented in accordance with the approved details before the development on Site is occupied.

Reason: Mechanism for the detailed drainage proposals to be approved as the scheme is developed

13. Completion and Maintenance of Sustainable Drainage – Shown on Approved Plans No building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

**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 £68,705 (sqm x £35) and the Haringey CIL charge will be £20,532 (1,368 sqm x £/15). 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: The London Fire Brigade strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier.

INFORMATIVE: 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. 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 groundwater. 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.

INFORMATIVE: Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

INFORMATIVE: A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."

INFORMATIVE: Thames Water will aim to provide customers with a minimum pressure

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

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

## **5. UPDATE ON MAJOR PROPOSALS**

The Committee considered an update on major planning proposals in the pipeline.

The following comments were made on applications:

### 2 Canning Crescent N22

It was requested that consideration be given to offering Homes for Haringey the opportunity to manage the onsite affordable housing units if a registered social landlord could not be found.

### Tottenham Hotspur stadium redevelopment and 44 White Hart Lane

Cllr Bevan requested that discharge of a number of conditions under the approved application including details of match day road sweeping contributions and the community involvement programme come back before the Committee. The Head of Development Management advised that these elements were not conditioned but were s106 obligations and as such had been approved as part of the determination of the application by the Committee on 16 December. Revisiting this element would require a review of the whole decision. The Legal Officer urged the Committee to exercise extreme caution in discussions on potentially reopening a decision within a public meeting with no supporting papers and without the presence of the applicant or interested parties. He requested that any outstanding issues in this regard should be taken up outside the meeting with senior planning officers. Additionally, the Chair identified that the issues raised would fall within the remit of the resident business liaison group to be established for the scheme as well as the local area management plan and group, thereby providing the opportunity for local people and ward councillors to provide input.

### Land of Brook Road N22

Clarification was sought on whether this was part of the Heartlands scheme and if such, concern over the principle of permitting residential development when it was considered that originally this area had been outlined for employment land use. Clarification was also sought on how this application linked into the Wood Green Area Action Plan. Officers identified that the proposal for the site was at very preliminary stage and had yet to be assessed by planners. An update would be sought and provided to the Committee at the next meeting.

### 191-201 Archway Road

Confirmation was sought as to whether the application, including the revised BRE report, would be considered at the 28 January meeting. Officers advised that the application would be submitted to a January or February Committee..



**6. APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

The Committee considered a report setting out decisions on planning applications taken under delegated powers for the period from 23 November to 18 December 2015.

1-18 and 33-44 Summersby Road N6.

Concerns were raised on Homes for Haringey putting forward proposals for uPVC replacement windows and doors to properties within a Conservation Area. Officers advised that the planning service was generally robust in outlining the unacceptability of uPVC windows and doors within Conservation Areas and would be working with HfH going forward on plans for the estate. The Head of Development Management agreed to discuss with Cllr Carter his outstanding questions regarding the estate outside of the meeting.

**7. DATE OF NEXT MEETING**

28 January 2016.

CHAIR: Councillor Peray Ahmet

Signed by Chair .....

Date .....