

# **MINUTES OF THE MEETING OF THE PLANNING SUB COMMITTEE HELD ON MONDAY, 10TH OCTOBER, 2016, 7pm**

## **PRESENT:**

**Councillors: Natan Doron (Chair), Vincent Carroll (Vice-Chair), Dhiren Basu, David Beacham, John Bevan, Clive Carter, Toni Mallett, Jennifer Mann, Peter Mitchell, James Patterson and Ann Waters**

## **28. FILMING AT MEETINGS**

### **RESOLVED**

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

The Chair identified that item 7, 590-598 Green Lanes would be deferred to the next meeting on 3 November in light of concerns raised by a number of objectors that they had not received notification of the meeting.

The order of the agenda was varied to take item 9, White Hart Lane station first, followed by land to the rear of 3 New Road and 86 Victoria Road.

## **29. DECLARATIONS OF INTEREST**

Cllr Bevan identified that he had submitted a number of comments and observations on proposals for White Hart Lane station as a local ward councillor but confirmed that he still retained an open mind in determining the application.

Cllr Carroll stated that he had an interest with regards to item 10, 86 Victoria Road and as such would stand down from the Committee for the determination of that item.

## **30. MINUTES**

### **RESOLVED**

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

## **31. HAWES AND CURTIS WAREHOUSE, 590-598 GREEN LANES, LONDON N8 0RA**

This item was deferred to the meeting on 3 November.

## **32. WHITE HART LANE RAILWAY STATION WHITE HART LANE N17 8HH**

The Committee considered a report on the application to grant planning permission for works to extend the operational railway station at White Hart Lane, the creation of a new station entrance, ticket hall, station facilities and station forecourt, provision of a new pedestrian entrance from Penschurst Road, improved access and lift access from street level to platforms, including the erection of new platform canopies, the

demolition of the existing station entrance and 33 local authority owned garages, enhanced public realm and cycle parking facilities, improvements to the former station building plus associated works. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions and subject to a s106 Legal Agreement.

The planning officer gave a short presentation highlighting the key aspects of the report. The attention of the Committee was drawn to a tabled addendum setting out a number of amendments to proposed conditions and informatives.

An objector to the application addressed the Committee and outlined his concerns regarding the impact of the closure of two existing staircases within the station, resulting in a detour for passengers entering from the west side and to the detriment of local businesses operating near the stairs. These consequences were contrary to Network Rail's guidelines on station planning. A petition on this issue signed by 450 objectors had been submitted in 2014 as part of the High Road West consultation and had not been fully taken into account by the applicant, contrary to requirements in the Localism Act.

Representatives for the applicant addressed the Committee and outlined the benefits of the station reconfiguration including the significant investment in both transport and public realm improvements, creating greater footfall on Love Lane to reduce current anti-social behaviour issues, improved east-west permeability and step free platform access. On match day, the platform access changes would help reduce congestion and improve crowd management through the temporary closure of the Peshurst Road entrance, thereby funnelling passengers through one entrance and reducing queuing.

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

- Clarification was sought on the new roof construction. The applicant advised that the structure would have a 5% pitch to the middle with a central gutter but would appear flat from street view.
- Clarification was sought on the crowd modelling undertaken for match days particularly access routes for passengers entering from the north of the station. The applicant advised that the Peshurst Road entrance would be closed on match days to avoid crowds of pedestrian traffic on this road impacting on local residents.
- It was questioned whether refurbishment works would be undertaken to White Hart Lane road bridge as part of the project. Officers advised that improvements would be made under a Local Implementation Plan (LIP) public realm project running in parallel to the station project. The scoping of this project was being developed and details would be forwarded to Cllr Bevan **[action: MR]**
- The conservation officer's view of the scheme was requested. She identified in response that she had been heavily involved throughout the development of the plans and was very supportive of the well considered design. Additionally, the public realm improvements proposed would enhance the Conservation Area.

The Chair moved the recommendation of the report and it was

## RESOLVED

- That planning application HGY/2016/2573 be approved subject to conditions, subject to a s106 Legal Agreement and subject to the Council not being directed to refuse the application following referral to the Mayor and that the Head of Development Management be authorised to issue the planning permission and impose conditions and informatives
- That, following completion of the agreement(s) referred to above, planning permission be granted in accordance with the Planning Application subject to the attachment of the conditions and that delegated authority be granted to the Assistant Director to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions as set out in the officer report and to further delegate this power provided this authority shall be exercised in consultation with the Chairman (or in their absence the Vice-Chairman) of the Sub-Committee:

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 s91 TCPA 1990 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:

615-DR-A-2000, 615-DR-A-2001, 615-DR-A-2002, 615-DR-A-2003, 615-DR-A-2004, 615-DR-A-2005, 615-DR-A-2006, 615-DR-A-2010, 615-DR-A-2110, 615-DR-A-2111, 615-DR-A-2130, 615-DR-A-2301, 615-DR-A-2302, 615-DR-A-2401, 615-DR-A-2402, 615-DR-A-2403, 615-DR-A-2404, 615-DR-A-2800 & 615-DR-A-2801

Reason:

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

3. Samples of materials and a schedule of the exact product references to be used for the primary external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. The approved materials are then to be implemented as part of approved development.

Reason:

In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development in order that the local planning authority are satisfied with the appearance of the building hereby approved as the site is located in Conservation Area and to safeguard the visual amenity of the wider locality.

4. No above ground works 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 unless otherwise agreed in writing by 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 2015.

5. Prior to any works associated with the demolition or commencement of the development hereby granted a Demolition and Construction Management Plan and Construction Logistics Plan (CLP) must be submitted to and approved by the Council in consultation with Transport for London. The Demolition Management Plan and the Construction Management Plan shall include but not limited to:

- details of phasing and methodology to be used in the demolition process;
- the times during which works may be undertaken and the times during which deliveries may be made to the Site consistent with the Council's Environmental Code of Construction Practice;
- the routes which construction traffic shall be directed to use;
- any measures to deliver construction materials and remove construction waste by rail;
- any necessary temporary road closure orders or diversions on the highway network in the vicinity of the Site;
- details of the form siting and installation of temporary wayfinding signage to the Destinations;
- measures necessary to ensure the continued provision of bus and taxi services to White Hart Lane Station station;
- measures to ensure the safety of the public during the period in which works are being carried out on the Site including lighting in the streets surrounding the Site;
- measures to monitor construction traffic impacts generally;
- measures to mitigate against the effects of the Development works on the Site including the effects of dust noise and vibration on the amenity of occupiers in the vicinity of the Site including any infrastructure protection measures in respect of TfL's assets
- measures to be taken prior to road closures and construction
- details of such matters which are likely to cause nuisance during construction including noise, dust, smoke, road cleaning and any other matters relevant to this particular site.
- construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods.

The development shall only be implemented in accordance with the details as approved.

Reason:

To ensure there are appropriate safeguards during the demolition and construction process to allow the continued operation of the station interchange, the necessary safeguards for TfL infrastructure protection, to reduce congestion and mitigate any obstruction to the flow of traffic on the transportation network and to ensure that the construction does not prejudice the ability of neighbouring occupiers' reasonable enjoyment of their properties and with regard to Policy 7.15 of the London Plan 2015 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

6. Prior to the completion of construction activities, details of a signage strategy for the immediate vicinity of the station shall be submitted to and approved by Transport for London and the Local Planning Authority. The approved details shall be installed prior to the completion of the station works.

Reason:

To ensure the safe movement for passengers and members of the public have safe, legible routes to access the station.

7. Before development commences other than for investigative work a discovery strategy shall be submitted and approved by the LPA prior to the commencement of any works and the agreed strategy thereby implemented. Waste soils removed from site as a result of the redevelopment are to be sampled and analysed and disposed of in accordance with current regulations.

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.

8. No development shall be carried out until such time as the person carrying out the work is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: In order to ensure that the amenity of surrounding residents is safeguarded.

9. The demolition and construction works shall be carried out in accordance with the submitted Arboricultural Method Statement (AMS) and the protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Reason:

In order to ensure the safety and well being of the trees adjacent to the site during constructional works that are to remain after works are completed consistent with Policy 7.21 of the London Plan, Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

10. Local Labour shall be employed on the site in accordance with TfL's Strategic Labour Needs and Training Programme details of which should be supplied to the Council 3 months prior to works commencing on site.

Reason:

In order to ensure that the scheme provides employment opportunities within the Borough and for the local community.

11. Prior to installation, details of the Ultra Low NOx boilers for space heating and hot water should be forwarded to the Local Planning Authority and the approved details thereby implemented. The boilers to be provided for space heating and domestic hot water shall have dry NOx emissions not exceeding 20mg/kWh

Reason: To ensure control over NOx emissions.

12. Before development commences other than for investigative work:

a) Using this information from the Phase 1 Desktop Study a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced and a Phase II site investigation shall be carried out. 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.

b) 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 the remediation being carried out on site.

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 2015 and Saved Policy UD3 of the Haringey UDP.

13. 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.

14. No works shall be carried out on the site until a detailed Air Quality and Dust Management Plan (AQDMP), detailing the management of demolition and construction dust, has been submitted and approved by the LPA. The plan shall be in accordance with the GLA SPG 'Control of Dust and Emissions During Construction and Demolition' and shall also include a Dust Risk Assessment.

Reason: To Comply with Policy 7.14 of the London Plan

15. No works shall commence on the site until all plant and machinery to be used at the demolition and construction phases meets Stage IIIA of EU Directive 97/68/EC for both NOx and PM and all Non-Road Mobile Machinery (NRMM) and plant to be used on the site of net power between 37kW and 560 kW has been registered at <http://nrmm.london/>. Proof of registration must be submitted to the Local Planning Authority prior to the commencement of any works on site.

Reason: To protect local air quality and comply with Policy 7.14 of the London Plan and the GLA NRMM LEZ.

16. An inventory of all NRMM must be kept on site during the course of the demolitions, site preparation and construction phases. All machinery should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment. This

documentation should be made available to local authority officers as required until development completion.

Reason: To protect local air quality and comply with Policy 7.14 of the London Plan and the GLA NRMM LEZ.

17. No above ground works shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

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

18. Details of a scheme depicting those areas to be treated by of hard and soft landscaping shall be submitted to and, approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details and retained thereafter. Any trees which die within a period of 5 years from the completion of the development; are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity of the area

19. The existing architects or other such architects as approved in writing by the Local Authority acting reasonably 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.

**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 £26,411 (614 sqm x £35 x 1.229). 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 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 : 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.

### **33. LAND TO REAR OF 3 NEW ROAD N8 8TA**

The Committee considered a report on the application to grant planning permission for the demolition of the existing buildings on site and construction of 9 new residential homes (4 x houses and 5 x flats) and 446sq.m of office (Use Class B1a) floorspace in



a building extending to between 2 and 4 storeys in height and associated car parking, landscaping and infrastructure works. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions and 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:

- Vehicular access would be via the car park to Coulsden Court which would become a busy access road and likely suffer from unauthorised parking as onsite parking provision for the scheme was insufficient at only 4 spaces and in consideration that surrounding roads were already heavily parked. The car park also had a restrictive covenant in place prohibiting access for vehicles over 16 tonnes.
- Representatives from Metropolitan housing association which managed Coulsden Court proposed a number of additional conditions be imposed on the scheme including restrictions on unauthorised parking in Coulsden Court spaces, on deliveries etc.
- Concerns were raised over the waste management strategy for the scheme, with the current arrangements in place only being of an informal nature.
- Restrictions on noise and hours of operation of the commercial unit were requested and that local residents be consulted in the drafting of the Construction Management Plan.
- Intensification of the use of the site including a fourfold increase in the number of people currently located there would cause disturbance to neighbouring properties including from increased noise levels.
- A four storey building onsite would result in overlooking from the windows and balconies facing onto the car park as well as reduced privacy and light to neighbouring properties.
- The scale of the scheme was out of proportion to the current single storey building and for such a small site, with the applicant trying to cram in the maximum number of units.
- Traffic pressures in the area would increase.
- Current views to Alexandra Palace would be lost.
- Site security, health and safety and increased footfall were also identified as concerns.

Cllr Connor addressed the Committee as a local ward councillor and raised the following points:

- The scheme would have a detrimental impact on the Conservation Area and greater regard should have been given to the conservation officer's reservations about the scheme in this regard.
- The density of the scheme was too high and would result in poor living standards for future residents.
- There would be a reduction in light received to neighbouring properties and the communal gardens.

- The application did not address the issue of the restricted covenant on Coulsden Court car park.
- The four parking spaces proposed was insufficient for the number of residential units plus the demand associated with the commercial unit and on street parking was an existing problem in the area.

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

- Assurances were sought in response to concerns raised by the objectors regarding overlooking and loss of privacy. Officers advised that measures to mitigate this included the use of louvred screens, opaque glazing and the careful positioning of windows to avoid direct overlooking.
- Clarification was sought on parking provision onsite and in the vicinity. The transport officer advised that four spaces would be provided onsite. A robust parking stress survey had been carried out which identified sufficient on street parking space provision within a 200m radius of the site. It was advised that restrictions were not currently in place on future occupiers obtaining CPZ parking permits.
- The conservation officer was asked to expand on her views of the scheme. She advised in response that her primary concern was over scale and massing due to the backland nature of the site. Although it was identified that some harm would be caused to the Conservation Area, on balance this was judged to be less than substantial and additionally there would be no loss of historic fabric from the demolition of the existing building on site.
- It was questioned whether an informative could be added to encourage the applicant to liaise with Metropolitan Housing regarding resolving the concerns around the Coulsden Court car park. Officers agreed to add this.

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

- New homes and commercial space would be provided on an underutilised plot.
- Consultation had been undertaken with officers and local people and amendments made to the scheme in response to comments received.
- The Quality Review Panel supported the scheme as an exemplar development.
- Good dialogue had been established and would continue with Metropolitan Housing including car park access arrangements.
- Future employees of the commercial unit would not have access to the car gates and therefore be unable to park onsite. The unit would be in B1 use which was appropriate for a residential area.
- Concerns regarding noise and disruption to neighbours were addressed under conditions 3 and 7.
- Daylight and sunlight surveys had been undertaken and the results considered acceptable.
- Windows to the elevation facing 1 New Road would be fixed shut and of obscured glazing.
- The current building onsite was unsightly and the new scheme would constitute an improvement with the use of high quality materials, new boundaries and planting. There would only be constrained views of the scheme from the public realm.

The Committee expressed concern over proposals for exterior timber cladding owing to the tendency for it to deteriorate in appearance over time. The applicant advised that only small elements were planned to the bays of the houses and a high quality impregnated timber used to reduce potential discolouration. Officers added that they had raised this issue at an earlier stage with the applicant but were satisfied on the maintenance of a good appearance due to the quality of design and conditions in place.

In response to questions, it was advised that the flats would be accessed from New Road and the commercial unit would be of two storeys with a small mezzanine.

The Chair moved the recommendation of the report and it was

## **RESOLVED**

- That planning application HGY/2016/1562 be approved subject to conditions and subject to a s106 Legal Agreement and that the Head of Development Management be authorised to issue the planning permission and impose conditions and informatives subject to the signing of a section 106 Legal Agreement providing for the obligations set out in the Heads of Terms.
  - That the s106 legal agreement referred to above be completed no later than 15.11.2016 or within such extended time as the Head of Development Management or the Assistant Director Planning shall in her/his sole discretion allow.
  - That following completion of the agreement(s) referred to above within the stated time period, planning permission be granted in accordance with the Planning Application subject to the attachment of the conditions; and that delegated authority be granted to the Head of Development Management to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions as set out in the report and to further delegate this power provided this authority shall be exercised in consultation with the Chairman (or in their absence the Vice-Chairman) of the Sub-Committee.
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 s91 TCPA 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:  
HW361 E001, HW361 E002, HW361 E300, HW361 E301, HW361 E302, HW361 E303, HW361 P001 Rev A, HW361 P002 RevA, HW361 P100 Rev A, HW361 P101 Rev A, HW361 P102 Rev A, HW361 P103 Rev A, HW361 P104 Rev A, HW361 P200 Rev A, HW361 P201 Rev A, HW361 P300 RevA, & HW361 P301 RevA.  
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 month (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 in and 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 as per approval. 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 as per approval.

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 2015 and Saved Policy UD3 of the Haringey UDP.

6. 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.

7. 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 GLA's SPG "The Control of Dust and Emissions During Construction and Demolition". In addition either the site or the Demolition Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.

Reason: In order to protect amenity of surrounding residents and the wider locality and to comply with the London Plan 2015 Policy 7.14.

8. 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.

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.

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 2015, emerging Policy DM21 of the DM,DMP (pre-submission version January 2016), and Policies SP0 and SP4 of the Local Plan 2013.

10. Details of a scheme for the storage and collection of refuse and recycling from the hereby approved commercial unit as well as delivery and servicing arrangements 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 UDP 2006 and Policy 5.17 of the London Plan 2015.

11. No development shall take place until a detailed surface water drainage scheme for the 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 40% 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 and retained thereafter for the lifetime of the development.  
Reason: In order to ensure that the mechanism for the detailed drainage proposals to be approved as the scheme is developed.

12. No construction works (excluding demolition) shall commence until further details of the design methodology, implementation, maintenance and management of the sustainable drainage scheme have been submitted & approved in writing by the Local planning Authority. Details shall include:-  
(a) Further details of the proposed pumps and backup system.  
(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 and emerging Policy DM25 of the DM,DMP (pre-submission version January 2016).

13. Details of a scheme depicting those areas to be treated by of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details and retained thereafter. Any trees which die within a period of 5 years from the completion of the development; are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity of the area.

14. Details of the cycle parking facilities, as shown on the approved plans, shall be submitted to and approved by the Local Planning Authority prior to implementation of above ground works. These cycle parking facilities shall be provided prior to first occupation of the dwellings hereby approved and permanently retained thereafter to the satisfaction of the Local Planning

Authority.

Reason: To promote sustainable modes of transport in accordance with Policies 6.1 and 6.9 of the London Plan 2015 and Policy SP7 of the Haringey Local Plan 2013.

15. Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the premises shall be used as a B1 business use only and shall not be used for any other purpose unless approval is obtained from the local planning authority.  
Reason: In order to restrict the use of the premises to one compatible with the surrounding area because other uses within the same Use Class or another Use Class are not necessarily considered to be acceptable consistent with Saved Policy UD3 of the Haringey UDP 2006.
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting that Order, no roof extensions, rear extensions, etc. shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.  
Reason: To safeguard the visual amenities of the area and to prevent overdevelopment of the site by controlling proposed extensions and alterations consistent with Policy 7.4 of the London Plan 2015 and Saved Policy UD3 of the Haringey UDP 2006.
17. All residential units within the proposed development shall be designed to Part M4 (2) 'accessible and adaptable dwellings' of the Building Regulations 2015 (formerly Lifetime Homes Standard) unless otherwise agreed in writing with the Local Planning Authority.  
Reason: To ensure that the proposed development meets the Council's Standards in relation to the provision of wheelchair accessible homes and to comply with Haringey Local Plan 2013 Policy SP2 and the London Plan 2015 Policy 3.8.
18. The development must deliver the Energy measures as set out in the document entitled - The Energy Strategy for Land to the Rear of 3 New Road, London N8 8TA (Version C) dated 18th July 2016, by Energist.  
Reason: To comply with London Plan Policy 5.2. and local plan policy SP04
19. You must deliver the Energy measures as set out in the document entitled - The Energy Strategy for Land to the Rear of 3 New Road, London N8 8TA (Version C) dated 18th July 2016, by Energist, unless alternative energy measures are proposed which shall have first been submitted to and approved in writing by the Local Planning Authority.  
The development shall then be constructed in strict accordance of the details so approved, and shall achieve the agreed carbon reduction of 35% beyond Building Regulations 2013. The equipment and materials related to energy shall be maintained as such thereafter. Confirmation of this must be submitted to the local authority at least 6 months of completion on site for approval and the applicant must allow for site access if required to verify delivery.

Should the agreed target not be able to be achieved on site through energy measures as set out in the afore mentioned strategy, then any shortfall should be offset at the cost of £2,700 per tonne of carbon plus a 10% management fee.

Reason: To comply with London Plan Policy 5.2. and local plan policy SP:04

20. Details of the proposed Green Roof(s) shall be submitted to, and approved in writing by, the Local Planning Authority before any above ground development is commenced.

Reason:

In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed roof 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.

21. Full detail of proposed louvred screens and opaque glazing hereby approved shall be submitted and approved by the local planning authority prior to occupation of all units.

Reason: To ensure no significant impact to the amenity of neighbouring properties in accordance with saved Unitary Development Plan Policy UD3 General Principles.

22. The proposed development shall have a central dish/aerial system for receiving all broadcasts for all the residential units created, details of such a scheme shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property and the approved scheme shall be implemented and permanently retained thereafter.

Reason: In order to protect the visual amenities of the neighbourhood

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.

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: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

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 : Community Infrastructure Levy**

The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayor's CIL charge will be £41,380.43 (962m<sup>2</sup> x £35 as up-rated for inflation x 1.229) and the Haringey CIL charge will be £268,696.22 (962m<sup>2</sup> x £265 as up-rated for inflation x 1.054). 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.

**INFORMATIVE:** The new development will require numbering. The applicant should contact the Local Land Charges team 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.

#### **34. 86 VICTORIA ROAD N4 3SW**

[Cllr Carroll stood down from the Committee for the determination of this item and took no part in discussions].

The Committee considered a report on the application to grant planning permission for the demolition of the existing buildings and redevelopment to provide 9 residential units (Class C3) with associated access, parking and amenity space provision. 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 s106 Legal Agreement.

The planning officer gave a short presentation highlighting the key aspects of the report. The attention of the Committee was drawn to a tabled addendum setting out a number of new and amended conditions.

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

- Over 60 objections to the scheme had been submitted by local residents
- The site was only vacant as the current tenants had been evicted.
- The scheme would compromise the amenity of nearby residents including from overlooking and a loss of privacy. An independent architect commissioned had identified that the development would result in overlooking and breached 20m separation distances to neighbouring properties. The proposed reduction to the

height of the car park wall would further exacerbate the overlooking issue as well as creating a hazardous drop.

- The scheme would cause noise and light pollution including from the proposed balconies and basement light wells.
- The application contained 38 breaches of planning policy and would set a dangerous precedent for future developments in the area.
- The building would constitute a significant increase in massing, height and scale compared to the primarily single storey building currently onsite and would be overbearing, particularly to residents of Mount Pleasant Crescent. The scheme was similar in terms of bulk and height to a previous application rejected in 2008 on the grounds of its harmful impact on amenity.
- The scheme was bulky as a consequence of the applicant squeezing in too many units and was out of proportion to the local area which consisted predominantly of smaller scale buildings.
- The scheme would cause conservation harm due to its proximity to two locally listed terraces of houses. Concerns were raised that the conservation officer had not visited the site and her conclusions too brief for example in making no reference to nearby heritage assets such as Grade 2 Listed Stapleton Hall. Housing need and the PTAL of the site appeared to have been the drivers of the development to the detriment of the heritage impact and as such the application was contrary to policy DM7.
- The application was out of line with an objective under the Council's development management charter to confidently address feedback from local consultation.

Cllrs Gallagher and Hearn addressed the Committee in their capacity as local ward councillors and raised the following points:

- The development would cause harm to residential amenity and the Stroud Green Conservation Area
- Too many units would be crammed onsite resulting in unacceptable living conditions for future residents including a lack of outlook from screened balconies and the basement bedrooms, the living/kitchen room to unit 4 failing to comply with BRE standard in terms of daylight and many of the other rooms were barely above the minimum daylight/sunlight standards.
- The Council should be focussed on bringing forward high quality developments not those that only just met minimum design standards and were borderline policy compliant.
- Significant objections had been raised including by local residents, ward councillors and MP. The concerns raised by local residents regarding overlooking, overbearing, loss of amenity, damage to the Conservation Area and noise and light pollution from the development were reiterated.
- The layout of the scheme was unsuitable and unworkable due to the density, necessitating the use of obscured glass and resulting in dimly lit rooms with a lack of outlook, particularly in the basement.
- Health and safety concerns were raised around the works proposed to the car park wall.

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

- The Council's policy position regarding the development of backland sites was questioned. Officers advised that emerging Local Plan policies set out a position

regarding the development of backland and infill sites and that the application was in compliance with this as a comprehensive redevelopment of a vacant brownfield site.

- Concerns were raised over the loss of employment land from the current use of the site. Officers responded that on balance it was considered that residential use was an acceptable alternative use for the site located as it was within a residential area.
- Clarification was sought on concerns regarding light levels to the basement rooms. In response, it was advised that a daylight survey demonstrated that the basement would meet BRE standards save for one room in one of the units but which did exceed the British Standard for Daylight and as such was considered acceptable.
- It was questioned why the density of the scheme was low compared to the recommended standard for this part of London. Officers advised that the density of the scheme was within London Plan guidelines and sat well within the context of the area.
- Assurances were sought on concerns raised about the lack of outlook to the basement rooms. Officers outlined the differences between the daylight and outlook assessments undertaken, the results of which were both considered to be acceptable.
- An explanation was sought on why an affordable housing contribution was not associated with the scheme. Officers outlined in response the current legal position on affordable housing contributions for developments of fewer than 10 units and which rendered it unlawful to impose a tariff. It was advised however that should the development be subdivided or extended in the future to increase the number of units or the floorspace over 1000sqm, a contribution would be secured via the s106 legal agreement.
- Clarification was sought over how closely the current application resembled the previously refused scheme. Officers advised that the current scheme had a different roof form and therefore had improved massing and outlook in comparison to the refused application.
- Clarification was sought on overlooking distances to neighbouring properties. Officers advised that the Council did not have a specific policy position on this, with applications determined on their own merits. 20m was often used as rule of thumb but it was recognised that this was often unachievable in London.
- Further assurance was sought over the impact of the scheme on the Conservation Area. The conservation officer advised that although she had been unable to visit the site in person, it had been comprehensively assessed on a heritage basis using computer software. The scheme was only two storeys in height, would be an improvement on the current building on site and overall an enhancement to the setting of the heritage assets. The design maintained an ancillary scale to Mount Pleasant Crescent and Stapleton Hall Road and was considered appropriate for the site. The site was also a fair distance from the listed building on Stapleton Hall Road.

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

- The scheme had been revised a number of times in response to comments received from officers and local residents during the two year consultation process.
- Much needed new homes would be provided on a brownfield site that would be brought back into use.

- The conservation officer had the view that the application would enhance the Conservation Area, with the currently derelict site being unsightly and a security risk.
- Clarification was provided that the tenants previously onsite had not been evicted but had moved to purpose built premises.
- The scheme design was sympathetic, would have no adverse impact on neighbouring properties and was of an appropriate scale being only 2sqm larger than the current building onsite.
- The scheme exceeded all building design standards.

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

- In response to a question, the applicant advised that the basement element served to reduce the scale of the scheme and the impact on neighbouring properties.
- Further assurances were sought on concerns raised by objectors that the new residential units would be substandard. The applicant advised that the units all exceeded minimum standards including London Plan room and amenity space guidance and would provide acceptable living conditions.
- Assurances were sought on the accuracy of the sunlight and daylight surveys undertaken. The applicant advised that these had been undertaken using laser scanning, with a tolerance of just 3mm.
- Further clarification was sought on proposals for the reduction in height of the retaining wall in the car park and the potential for this to pose a health and safety risk. The applicant advised that this measure was to further improve living conditions to the basement accommodation although it was emphasised that the units would still comply with BRE daylight standards even if the wall was retained at its current height. Officers advised that a condition could be added related to this wall to require some form of boundary treatment to be installed such as a grill to protect any drop to the basement light wells.
- Further details were sought on claims made that the scheme would improve daylight to neighbouring properties. The applicant advised that the current structures on site were of a greater scale and located closer to neighbouring boundaries than the proposed scheme.
- Further assurances were sought over the quality of light received to the new units in consideration of proposals for obscured glazing to windows and balconies and the lack of direct light to the basement bedrooms. The applicant advised that only the parts of the balconies that were overlooked would be obscured. Assurances were also provided that daylight assessments were undertaken based on a level 850mm from the floor as opposed to standing head height and that even on these terms, the basement rooms were assessed as being acceptable in terms of daylight.

The Chair moved the recommendation of the report and at a vote, the recommendation fell.

The Chair invited the Committee to put forward alternative motions. The legal officer reminded the Committee that any refusal needed to be on material planning grounds and be capable of being sustained at appeal to avoid the potential for the award of costs against the Council.

Cllrs Mallett and Mitchell put forward a motion to reject the application on the following grounds: one of the ground floor living rooms in one of the units did not comply with BRE standards; harm caused to the Conservation Area; the living conditions for future residents; harm from overlooking and to the residential amenity of surrounding occupiers; the scheme did not comply with policy DM1 as it did not relate positively to neighbouring structures to create a harmonious whole and did not make a positive contribution to a place improving the character and quality of an area; the application did not confidently address feedback from local consultation and was contrary to DM7 regarding backland sites in not relating appropriately and sensitively to the surrounding area as well as the established street scene. At a vote, the motion was carried and it was agreed to delegate to officers the exact drafting of the refusal based on the points outlined above.

#### **RESOLVED**

- That planning application HGY/2015/3288 be refused inline with the reasons outlined above and that delegation be given to officers in the drafting of the wording of the refusal.

### **35. UPDATE ON MAJOR PROPOSALS**

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

The Committee raised the following points:

#### **500 White Hart Lane**

Officers agreed to check whether affordable housing pepper potting could be achieved by core and access routes to the site from surrounding Council estates could be dealt with at reserved matters stage or whether it had been covered under the original outline permission [**action: EW**]

#### **Highgate train depot**

Concerns were raised about the appearance of the prominent industrial fencing. Officers advised that boundary treatments on railway operational land were usually completed under permitted development rights but agreed to look into this issue [**action: EW**]

#### **St Ann's hospital development**

In response to a request for an update, officers advised that at the current time the Trust had not put the site on the market or discharged pre-commencement conditions.

#### **Hale Wharf**

Officers agreed to review the disparate descriptions provided within the chart [**action: EW**].

### **36. APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

The Committee considered a report setting out decisions on planning applications taken under delegated powers for the period 22 August to 23 September 2016.

Cllr Carter gave officers advanced warning that he would be asking a question at the next meeting once the 22 Sheldon Avenue air conditioning units application decision was reported.

**RESOLVED**

- That the report be noted.

**37. DATE OF NEXT MEETING**

Special Planning Committee 1 November.

CHAIR: Councillor Natan Doron

Signed by Chair .....

Date .....