

**MINUTES OF THE MEETING OF THE PLANNING SUB  
COMMITTEE HELD ON MONDAY, 13TH NOVEMBER, 2017, 7.00 -  
9.05 pm**

**PRESENT:**

**Councillors: Natan Doron (Chair), Dhiren Basu, David Beacham,  
John Bevan, Clive Carter, Jennifer Mann, James Patterson and  
Ann Waters**

**103. FILMING AT MEETINGS**

Noted.

**104. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Barbara Blake, Mallett and Mitchell.

**105. URGENT BUSINESS**

None.

**106. DECLARATIONS OF INTEREST**

Councillor Doron declared that he had met with local residents groups for both of the applications to provide advice on how the planning process worked.

Councillor Patterson declared that he had met with residents in his capacity as ward councillor in relation to the Yewtree application, to provide advice on how the planning process worked.

Councillor Beacham declared that he too had met with residents in his capacity as ward councillor in relation to the Yewtree application, to provide advice on how the planning process worked.

**107. PLANNING APPLICATIONS**

Noted.

**108. 70-72 SHEPHERDS HILL, N6 5RH**

The Committee considered an application for the demolition of existing building and redevelopment to provide 16 residential dwellings within a 5 storey building with associated landscaping, car parking and other associated works.

The Planning Officer gave a short presentation highlighting the key aspects of the report.

Stephen Jones addressed the Committee in objection to the application. He raised his concerns over the light impact on neighbouring properties and he was not clear on how the light study had been taken into consideration. The existing building had many features that could be restored, rather than demolishing the site. Mr Jones concluded by stating that he would be in support of the application if it provided more affordable housing, however given that the development would provide luxury flats and a small contribution of £300,000 towards affordable housing elsewhere, he requested that the Committee refuse the application.

Mark Afford addressed the Committee on behalf of the Crouch End Neighbourhood Forum in objection to the application. Shepherds Hill was included in the conservation area in 1994 to protect the remaining buildings in that area from demolition. He challenged the assertion that the existing building was a 'neutral development' and stated that there were a number of features of the building which provided a positive contribution to the conservation area. He disagreed that the new development would enhance the heritage benefit.

The Committee requested clarification from the Council's Conservation officer, Nairita Chakraborty, on the heritage status of the existing building. She informed the Committee that the appraisal written by the Conservation Area Advisory Committee had identified the building as heritage neutral, and whilst there were features of the building that could be described as having heritage value, on closer inspection it was clear that these features had been compromised following poor quality additions and conversions to the building. Therefore, the building remained as a neutral development.

Councillor Arthur addressed the Committee and raised a number of points, mainly that the lack of affordable housing did not make a positive contribution to the local area. He accepted that the applicant would be making a payment of £300k towards affordable housing, but this seemed to be too low.

Councillor Hare addressed the Committee, and referred to an earlier email that he had sent to the Chair to request that the application be deferred due to the late provision of a large amount of information. He added that the proposed building would not be of a high enough standard to positively contribute to the local area.

Ben Burgerman, Lawyer, advised that there was no automatic right to defer an application based on when reports had been submitted. He advised the Committee that they could rely on officers advice when considering any application.

The Committee raised a number of questions and issues, responses to which are summarised as follows:

- The viability assessment showed that if affordable housing were to be provided then the development would become unviable. To offset the lack of affordable housing the developer would make a financial contribution of £300k towards affordable housing elsewhere.
- There was no evidence to suggest that there would be any impact on neighbouring properties by flooding or subsidence.

- The late information referred to by Councillor Hare was in relation to a daylight and sunlight assessment which had been provided by the applicant in addition to what had already been submitted. The information provided concurred with the officer's opinion as set out in the report.

The Applicant's agent addressed the Committee, along with one of the applicants. The proposal had been brought by existing residents of the building, who felt that the only option for the property was to rebuild it. The applicants had experienced difficulties in insuring the building due to the damp and flooding issues. Alongside the £300k contribution towards affordable housing, the applicant was also contributing £550k of CIL funding.

Councillor Bevan requested that a condition be included regarding the installation of satellite dishes. This was agreed by the Committee.

The Chair moved that the application be granted and following a vote it was

## **RESOLVED**

- i) That the Committee GRANT planning permission and that the Head of Development Management is authorised to issue the planning permission and impose conditions and informatives subject to the signing of a section 106 Legal Agreement providing for the obligation set out in the Heads of Terms below.
- ii) That delegated authority be granted to the Head of Development Management or the Assistant Director Planning to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions as set out in this 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.
- iii) That the section 106 legal agreement referred to in resolution (i) above is to be completed no later than 15/12/2017 or within such extended time as the Head of Development Management or the Assistant Director Planning shall in her/his sole discretion allow; and
- iv) That, following completion of the agreement(s) referred to in resolution (i) within the time period provided for in resolution (ii) above, planning permission be granted in accordance with the Planning Application subject to the attachment of the conditions.

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## **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: Sustainability Statement, Arboricultural Impact Assessment Report, Design and Access Statement, Energy Assessment, Flood Risk Assessment, Heritage Statement, Supporting Planning Statement, Statement of Community Involvement, GA001, GA002, GA003, GA 100, GA 101, GA 102, GA 103, GA 104, GA 110, GA 111, GA 120, GA 121, GA 122, GA 123, GA 124, GA 200, GA 201, GA 202, GA 203, GA 204, GA 205, GA 206, GA 300, GA 400, GA 401, GA 402, GA 403, GA 404, GA 500, GA 501, GA 502, GA 503, GA 504 & GA 505

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

## CONSERVATION

3. No demolition works of the development hereby approved shall commence until a minimum of Level 3 recording of 70-72 Shepherd's Hill as per Historic England's guidance to 'Understanding Historic Buildings: A guide to good recording practice' has been submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure that the original structure is recorded appears on Council's records.

4. Details of all materials including fenestration, bricks, mortar and cladding shall be submitted to and approved by the Local Planning Authority before the relevant part of the work is begun. The development shall be implemented in accordance with the approved details or samples of materials.

Reason: In order to safeguard the special architectural or historic interest of the building consistent with Policy 7.8 of the London Plan 2016, Policy SP12 of the Haringey Local Plan 2017 and Policy DM9 of The Development Management DPD 2017.

5. 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.

## TRANSPORT

6. 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 (including 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. 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.

7. 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.

8. Details of a scheme for the storage and collection of refuse and recycling 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 Development Management DPD Policy DM31 and Policy 5.17 of the London Plan 2015.

#### THAMES WATER

9. No 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: To ensure the piling does not impact on ground water, and 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.

#### CARBON MANAGEMENT

10. Applicant must deliver the energy efficiency standards (the Be Lean) as set out in the Energy Assessment, by Eight Associates, Issue Number 3, Dated 27/05/2016 (Ref: 1472-Energy Assessment-1605-27om.docx) The development shall then be constructed and deliver the U-values set out in this document, achieving the agreed carbon reduction of 9.3% beyond BR 2013. Confirmation that these energy efficiency standards and carbon reduction targets have been achieved must be submitted to the local authority no less than 6 months prior to practical completion of the development. This report will show emissions figures at design stage to demonstrate building regulations compliance, and then report against the constructed building. The applicant must allow for site access if required to verify measures have been installed. If the targets are not 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

11. The applicant/developer are required to deliver the standards (the Be Clean) as set out in the Energy Assessment, by Eight Associates, Issue Number 3, Dated 27/05/2016 (Ref: 1472-Energy Assessment-1605-27om.docx) The details of the CHP system shall include:
  - a) location of the energy centre;
  - b) specification of equipment;
  - c) flue arrangement;
  - d) operation/management strategy; and
  - e) the method of how the facility and infrastructure shall be designed to allow for the future connection to any neighbouring heating network (including the proposed connectivity location, punch points through structure and route of the link)

Once these details are approved the Council should be notified if the applicant alters any of the measures and standards set out in the submitted strategy (as referenced above). Any alterations should be presented with justification and new standards for approval by the Council. The Combined Heat and Power facility and infrastructure shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.

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

12. All gas boilers installed across the development to have a minimum SEDBUK rating of 90%. The applicant will demonstrate compliance by supplying installation specification at least 3 months' post construction. Once installed they shall be operated and maintained as such thereafter.

Reason: To ensure the facility and associated infrastructure are provided and so that it is designed in a manner which allows for the future connection to a district system in line with London Plan policy 5.7 and local plan SP:04 and DM 22.

13. The applicant/developer are required to install the renewable energy technology (PV Solar Panels) as set out in the Energy Assessment, by Eight Associates, Issue Number 3, Dated 27/05/2016 (Ref: 1472-Energy Assessment-1605-27om.docx). The applicant will deliver no less than 90m<sup>2</sup> of solar PV panels, with a system capacity of 18.24 kWp and an estimated to generation capacity of 15,752 kWh/yr. 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. The Council should be notified if the applicant alters any of the measures and standards set out in the submitted strategy (as referenced above). Any alterations should be presented with justification and new standards for approval by the Council. The equipment shall be maintained as such thereafter. Confirmation of the area of PV, location and kWp output 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.

Reason: To comply with London Plan Policy 5.7. and local plan policy SP:04

14. The applicant/developer are required to deliver a sustainability assessment for the residential portion of the application achieving rating of Home Quality mark level 4 for all units on the site. The units must be constructed in accordance with the details required to achieve Home Quality mark level 4 and shall be maintained as such thereafter. A post construction certificate shall then be issued by an independent certification body, confirming this standard has been achieved. This must be submitted to the local authority at least 6 months of completion on site for approval. In the event that the development fails to achieve the agreed rating for the whole development, a full schedule and costings of remedial works required to achieve this rating shall be submitted for our written approval with 2 months of the submission of the post construction certificate. Thereafter the schedule of remedial works must be implemented on site within 3 months of the local authority's approval of the schedule, or the full costs and management fees given to the Council for offsite remedial actions.

Reasons: In the interest of addressing climate change and to secure sustainable development in accordance with London Plan (2011) polices 5.1, 5.2,5.3 and 5.9 and policy SP:04 of the Local Plan.

15. The results of dynamic thermal modelling (under London's future temperature projections) for all internal spaces must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site and shall be operational prior to the first occupation of the development hereby approved. Details in this strategy will include measures that address the following:

- the standard and the impact of the solar control glazing;
- that the space for pipe work is designed in to the building to allow the retrofitting of cooling and ventilation equipment
- that all CHP pipework is appropriately insulated
- what passive design features have been included
- what mitigation strategies are included to overcome any overheating risk

This model and report should include details of the design measures incorporated within the scheme (including details of the feasibility of using external solar shading and of maximising passive ventilation) to ensure adaptation to higher temperatures are included. Air Conditioning will not be supported unless exceptional justification is given. Once approved the development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.

REASON: London Plan Policy 5.9 and local policy SP:04 and in the interest of adapting to climate change and to secure sustainable development.

## TREES

16. 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, a Tree Protection method statement incorporating a solid barrier protecting the stem of the trees and hand dug excavations 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 maintained until all equipment, machinery and surplus materials have been removed from the site.

Reason: In order to ensure the safety and wellbeing 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 2016, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

17. All works should be undertaken by qualified and experienced tree work contractors and be in accordance with BS 3998:2010 Recommendations for Tree Work. All construction works within root protection areas or that may impact on them, must be carried out under the supervision of the Consultant Arboriculturist.

Reason: To protect the amenity value of the trees consistent with Policy DM1 of The Development Management DPD 2017.

## DRAINAGE

18. No development shall commence until 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.



## QUALITY REVIEW PANEL

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 DM1 of the Development Management DPD 2017.

20. Prior to the installation of any microwave antenna / satellite dish on the dwellings hereby approved details of its siting and appearance shall be submitted to, and approved in writing by the Local Planning Authority, and thereafter implemented only in accordance with the agreed details.

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

### **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 £71,597 (1612 sqm x £35 x 1.269) and the Haringey CIL charge will be £464,772 (1612sqm x £265 x 1.088). 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. An informative will be attached advising the applicant of this charge.

**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: 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: Reinstatement of redundant crossovers, any street furniture, amendments to parking bays or CPZ changes, or other work required on public Highways to facilitate the proposed development, will require a separate application to the Highway Authority subsequent to the planning application.

INFORMATIVE: If this planning application is approved, highways licences, and/or temporary Traffic Orders may be required, such as: crane licence, hoarding licence, on-street parking suspensions etc. The applicant must check and apply direct to the Highway Authority.

INFORMATIVE: This permission is subject to a S106 Agreement pertaining to an affordable housing contribution; highways works; travel plan; resident permit restriction; carbon reduction; construction skills /training and a viability review.

### **Section 106 Heads of Terms:**

- 1) An **affordable housing contribution** of £300,000
  - 2) **Highway** - A S.278 to be agreed and secured with the council for works related to the construction of proposed changes to public highway, vehicle and pedestrian.
  - 3) **A residential travel plan** - As part of the detailed travel plan the following measures must be included in order to maximise the use of public transport:
    - a) The developer must appoint a travel plan co-ordinator, working in collaboration with the Facility Management Team to monitor the travel plan initiatives annually.
    - b) Provision of welcome induction packs containing public transport and cycling/walking information like available bus/rail/tube services, map and time-tables to all new residents.
    - c) The applicants are required to pay a sum of, £3,000 (three thousand pounds) per travel plan for monitoring of the travel plan initiatives.
  - 4) **Establishment or operation of a car club scheme** - The developer must offer free membership to all residents of the development for at least the first 2 years, and provide £50 (fifty pounds in credit for each member of the car club), per year for two years evidence of which must be submitted to the Transportation planning team.
  - 5) **On-street parking permits** - Residents restricted from purchasing the on-street parking permits.
  - 6) **Carbon Reduction** - A sum of £37,233.00 (upon commencement) to deliver carbon reduction projects across the borough of Haringey.
  - 7) **Construction training / local labour initiatives** Participation in Construction Training and Local Labour Initiatives.
  - 8) **Viability review mechanism** should the proposal not be implemented within 18 months of the date of decision.
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v) That, in the absence of the agreement referred to in resolution (2.1) above being completed within the time period provided for in resolution (2.2) above, the planning permission be refused for the following reasons:

1. In the absence of Section 278 Agreement for highways works, the proposal would have an unacceptable impact on the highway and fail to provide a sustainable mode of travel. As such, the proposal would be contrary to Local Plan policy SP7 and London Plan policies 6.9, 6.11 and 6.13.
2. In the absence of the provision of a residential travel plan, the proposal would have an unacceptable impact on the highway and fail to provide a

sustainable mode of travel. As such, the proposal would be contrary to Local Plan policy SP7 and London Plan policies 6.9, 6.11 and 6.13.

3. In the absence of participation in car club membership, the proposal would have an unacceptable impact on the highway and fail to provide a sustainable mode of travel. As such, the proposal would be contrary to Local Plan policy SP7, and London Plan policies 6.9, 6.11 and 6.13.
  4. In the absence of on-street parking permit restrictions, the proposal would have an unacceptable impact on the highway and fail to provide a sustainable mode of travel. As such, the proposal would be contrary to Local Plan policy SP7 and London Plan policies 6.9, 6.11 and 6.13.
  5. In the absence of a financial contribution towards carbon management, the proposal would fail to address climate change and secure a sustainable development. As such, the proposal would be contrary to Local Plan policies SP4, London Plan policies 5.1, 5.2, 5.3 and 5.7 and DM policy DM21.
  6. In the absence of an agreement to work with Construction Training and Local Labour Initiatives, the proposal would fail to support local employment, regeneration and address local unemployment by facilitating training opportunities for the local population contrary to Local Plan Policies SP8 and SP9.
- vi) In the event that the Planning Application is refused for the reasons set out in resolution (v) above, the Head of Development Management (in consultation with the Chair of Planning sub-committee) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:
- (i) There has not been any material change in circumstances in the relevant planning considerations, and
  - (ii) The further application for planning permission is submitted to and approved by the Assistant Director within a period of not more than 12 months from the date of the said refusal, and
  - (iii) The relevant parties shall have previously entered into the agreement contemplated in resolution (1) above to secure the obligations specified therein.

#### **109. LAND AT REAR OF YEW TREE CLOSE, N22 7UY**

The Committee considered an application for the erection of 4 detached houses with basements and provision of off-street parking.

The Planning Officer gave a short presentation highlighting the key aspects of the report.

Gordon Best addressed the Committee in objection to the application. There were a number of serious flaws with the application, namely that there was no safe access or egress from the site via Yewtree Close. Part of the development included land which belonged to Mr Best and this inaccuracy had implications for safe vehicle movement within the development. There were safety issues to anyone crossing the entrance to Yewtree Close and vehicles moving in and out of the site, as the road was not easily visible from Alexandra Park Road. This was particularly concerning due to the close proximity of two schools.

Robert Bell addressed the Committee in objection to the application. This application had been submitted on two previous occasions and had been refused. The current application showed not material change from the previous two proposals. The building height was not appropriate for the setting, and would cause a material loss of amenity to neighbouring properties.

Following a query from the Committee, Ben Burgerman, Lawyer, explained that the ownership of land was not a material planning consideration.

The Committee raised a number of questions and issues, responses to which are summarised as follows:

- There were two houses already on Yewtree Close, with existing access. Following traffic analysis, it was expected that the new development would result in 4 additional car movements. There had been no collisions at the access point in the past 5 years, and it was not considered to have any visibility concerns.
- An objection had been received from the headteacher of a nearby school, and this had been included with the public objections.
- The swept path analysis was provided by the applicant and demonstrated that if Veolia were not to provide refuse collection then a private company could be used. However, it was very unlikely that Veolia would not provide refuse collection.

Councillor McShane addressed the Committee in her capacity as ward councillor and spoke in objection to the application. The application was out of character for the area, and there were concerns for the safety of students crossing Yewtree Close particularly with the increase in vehicles during the building stage and afterwards. She requested that the Committee refuse the application.

The Applicant's agent addressed the Committee. He advised that the applicant had been developing the application since 2015, and there had been 2 refusals, and 2 appeals dismissed. This new application addressed previous issues, and had been prepared in consultation with the Planning Authority. The access and egress arrangements did not prejudice existing road conditions. As stated by the Local Authority lawyer, the ownership of land was immaterial, however, the applicant did not require a turning area over the disputed land.

Councillor Bevan requested that a condition be included relating to the installation of satellite dishes. The Committee agreed with this.

The Chair moved that the application be granted, and following a vote it was

## **RESOLVED**

That the Committee GRANT planning permission and that the Head of Development Management is authorised to issue the planning permission and impose conditions and informatives.

## **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 approved plans comprise drawing nos. (433115-1, 12 Rev C, 13, 14, 15, 17 Rev B and 9310-002 Rev B). The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

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

- 3) Samples of materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

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

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme). Such an approved scheme of planting, seeding or turfing comprised in the approved details of landscaping shall be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner). Any trees or plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be retained thereafter.

Reason: In order for the Local Planning Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area.

- 5) Details of the proposed boundary treatment shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The approved boundary treatment shall thereafter be installed and retained in perpetuity prior to occupation of the new residential units.

Reason: In order for the Local Planning Authority to assess the acceptability of the boundary details and in the interest of the visual amenity of the area and residential amenities of neighbouring occupiers.

- 6) The servicing of the site shall be in accordance with the refuse management plan titled 'Waste Concern' dated March 2017 and swept path analysis ref. 9310-002 Rev B.

Reason: Any larger vehicles in size are unable to enter and leave the site in forward gear which will prejudice road users and pedestrians using the junction at Yewtree Close and Alexandra Park Road.

- 7) No development shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed to supervise the construction works throughout their duration and their appointment confirmed in writing to the Local Planning Authority. In the event that the appointed engineer ceases to perform that role for whatever reason before the construction works are completed those works will cease until a replacement chartered engineer of the afore-described qualification has been appointed to supervise their completion and their appointment confirmed in writing to the Local Planning Authority. At no time shall any construction work take place unless an engineer is at that time currently appointed and their appointment has been notified to this Authority in accordance with this condition.

Reason: The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring residential properties.

- 8) Fencing for the protection of the trees shown to be retained shall be erected in accordance with tree reports ref. MUKL\_YTC\_AIA\_001 and MUKL\_YTC\_AIA\_001\_ADD before any materials, equipment or machinery are brought onto the site for the purposes of the development. The fencing shall be retained in position until the development is complete, and nothing shall be placed within the fencing, nor shall any ground levels within the fencing be altered, nor shall any excavation within the fencing be made, without the prior written consent of the Local Planning Authority.

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.

- 9) The residential units hereby approved 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 accessible and adaptable homes.

- 10) Before the first occupation of the dwelling on 'Plot 2' hereby permitted, the first and second floor windows in the side flank elevation as shown on drawing no. 433115-14 shall be fitted with obscured glazing and any part of the windows that is less than 1.7 metres above the floor of the rooms in which they are installed shall be non-opening and fixed shut. The windows shall be permanently retained in that condition thereafter.

Reason: To avoid overlooking into the adjoining properties.

- 11) Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 or any Order revoking or re-enacting that Order, no extensions or outbuildings shall be built and no new window or door openings inserted into any elevation of the buildings (other than that development expressly authorised by this planning permission).

Reason: To safeguard the amenities of neighbouring occupiers and the general locality.

- 12) Prior to the installation of any microwave antenna / satellite dish on the dwellings hereby approved details of its siting and appearance shall be submitted to, and approved in writing by the Local Planning Authority, and thereafter implemented only in accordance with the agreed details.



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

## 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: 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: CIL : Based on the information given on the plans, the Mayoral CIL charge will be £29,180.66 (657sqm x £35 x 1.269) and the Haringey CIL charge will be £189,426.24 (657sqm x £265 x 1.088). 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: 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.

**110. UPDATE ON MAJOR PROPOSALS**

**RESOLVED that the report be noted.**

**111. NEW ITEMS OF URGENT BUSINESS**

None.

**112. DATE OF NEXT MEETING**

28 November 2017.

CHAIR: Councillor Natan Doron

Signed by Chair .....

Date .....