

**MINUTES OF THE MEETING OF THE PLANNING SUB  
COMMITTEE HELD ON THURSDAY, 9TH MAY, 2019, 7.00 - 10.10  
pm**

**PRESENT:**

**Councillors: Vincent Carroll (Chair), Reg Rice (Vice-Chair), John Bevan, Dhiren Basu, Luke Cawley-Harrison, Bob Hare, Peter Mitchell, Alessandra Rossetti, Yvonne Say and Sarah Williams**

**310. FILMING AT MEETINGS**

The Chair informed all present that the meeting would not be webcast as the machine was not working.

**311. PLANNING PROTOCOL**

Noted.

**312. APOLOGIES**

Apologies for absence were received from Councillors Hinchcliffe, Ross and Tabois.

Councillors Hare and Rossetti were in attendance as substitute members.

**313. URGENT BUSINESS**

None.

**314. DECLARATIONS OF INTEREST**

None.

**315. MINUTES**

**RESOLVED**

- That the minutes of the Planning Committee held on 11 March 2019 and 8 April 2019 be approved.

**316. HGY/2019/0362 LAND AT HARINGEY HEARTLANDS (CLARENDON GASWORKS)**

The Committee considered an application for approval of **Reserved Matters relating to layout, scale, appearance, landscaping and access**, associated with Buildings D1 and D2, forming Phase 1 of the Eastern Quarter and including the construction of

99 residential units, 439m<sup>2</sup> (GIA) of commercial floorspace and new landscaped public space pursuant to planning permission HGY/2017/3117 dated 19th April 2018.

The Planning Officer outlined the application, and along with officer and the applicants, responded to questions from the Committee:

- The outline planning permission was granted in April 2018.
- Page 29 stated 331sqm of communal space, but should refer to private space. There was 543sqm of communal space in the courtyard between the blocks.
- There would be a minimum of two car club spaces, but this could increase with demand. The s106 agreement ensured that residents would not be eligible to apply for resident parking permits.
- The gates at the north and south of the Moselle walk would be manually opened and closed by the estate management team according to daylight hours. The walk was overlooked by properties, so would have daytime surveillance and it would be lit by low level lighting at night.
- There were seven single aspect properties, which was a low number across the whole of the development.
- The hybrid application secured a number of conditions in relation to ecology in the area. There were matters which the applicant was still working on with the Council to ensure that they were robust for the lifetime of the development and beyond. The water feature had been approved as part of the hybrid application, and would provide clean water and amenity play space.

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

RESOLVED that the Committee grant planning permission and that the Head of Development Management or the Assistant Director of Planning be authorised to issue the planning permission and impose conditions and informatives.

### **Conditions**

1. **Compliance: Development in accordance with approved drawings and documents (LBH Development Management).**

The approved plans comprise drawing numbers and documents as attached in Appendix 1.

2. **Prior to occupation: Landscaping**

Prior to occupation of the residential accommodation hereby approved, details of the hard and soft landscaping provision including gates and fences within the private amenity areas and public spaces, as set out in the Design and Access Statement May 2019 – Rev A shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory development of the site.

3. **Compliance: Landscaping - Replacement of Trees and Plants (LBH Development Management)**

Any tree or plant on the development (including roof top amenity areas) which, within a period of five years of occupation of the approved development 1) dies

2) is removed 3) becomes damaged or 4) becomes diseased, shall be replaced in the next planting season with a similar size and species of tree or plant.

Reason: To protect the amenity of the locality.

## **Informatives**

### **Original Planning Permission**

The original planning permission HGY/2017/3117 still stands and all its conditions and informatives still apply, in particular materials, landscaping, bio-diversity play space, lighting, wheelchair units and SuDS conditions include ongoing requirements. This approval and that permission should be read together.

### **Working with the applicant (LBH Development Management)**

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) Order 2015 (as amended) to foster the delivery of sustainable development in a positive and proactive manner.

### **Designing out crime – certified products (Metropolitan Police)**

INFORMATIVE: In meeting the requirements of Approved Document Q pursuant to the building regulations, the applicant may wish to seek the advice of the Police Designing Out Crime Officers (DOCOs) concerning certified products. The services of the Police DOCOs are available free of charge and can be contacted via [docomailbox.ne@met.police.uk](mailto:docomailbox.ne@met.police.uk) or 0208 217 3813.

### **Naming of new development (LBH Transportation)**

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

### **Party Wall Act (LBH Development Management)**

INFORMATIVE: 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.

### **Sprinkler installation (London Fire Brigade)**

INFORMATIVE: The authority strongly recommends that sprinklers are considered for new development and major alterations to existing premises particularly where the proposals relate to schools and care homes. Sprinklers systems installed in buildings can significantly reduce the damage caused by fire and the consequential costs 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 sprinklers systems in order to save money save property and protect the lives of the occupier. Please note that it is our policy to regularly advise our elected members about this issue.

### **Community Infrastructure Levy**

INFORMATIVE: Based on the information given on the plans, the Mayoral CIL charge will be £527,340 (8789sqm x £60 x 1) and the Haringey CIL charge will be £1,577,801.20 (8789sqm x £165 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.

### **317. HGY/2018/3145 FORMER BHS, 22-42 HIGH ROAD, WOOD GREEN**

Demolition of the existing buildings and redevelopment to provide part 3-8 storey buildings providing mixed use development, comprising residential accommodation, flexible retail units, flexible workspaces, a hotel, and a public courtyard, with associated site access, car and cycle parking, and landscaping works.

The Planning Officer outlined the application, and along with officer and the applicants, responded to questions from the Committee:

- The units were arranged as eight per core, per floor, with corridors on every other floor due to the scissor arrangement. All units were dual aspect, with the stairwells positioned in the middle of each floor so that people did not have to walk the whole length of the corridor.
- The design started from the creation of the public space, and a balance was struck between revamping the high street and the residential spaces. The high street façade had scale, depth and some colour. The rear aspect of the site picked out materials and design motifs of the Noel Park estate. The building line at the rear had been set back in order to allow for tree planting on the street.
- 45 units were set at Social Rented, and 29 at London Living Rent with no option to buy.
- An air quality assessment had been carried out, and the units were designed to take account of this.
- The social rented units were located at the front of the development, but were dual aspect so would have a secondary balcony at the rear. It was felt that the design of the units at the front were better than other units, and had better accessibility from the High Road, therefore on balance it was felt that these would be best used as the social rented element. The design process was started on a tenure blind basis.
- The applicants confirmed that they would agree to a condition relating to developing a playspace on Whymark Avenue.
- The restaurant at the rear of the the retail units would be accessed from the entrance of the high road. The courtyard would be gated and could be opened if required.
- There were 20 accessible units, and 14 disabled parking spaces. The Council would be implemented some on street disabled bays to address the shortfall.
- All units would be serviced by both Bury Road and the High Road. There would be a loading bay on each road. The applicant had carried out a service and delivery arrangement study and had found spare capacity on the High Road for servicing.
- Condition 12 addressed both hard and soft landscaping, with specifications of planting schemes. Officers agreed that some of the wording of the condition

could be changed to make it clearer that the condition covered soft landscaping and areas of planting. The applicant suggested that the wording of condition 11 could be added to condition 12.

The Chair moved that the application be granted.

Councillor Cawley-Harrison moved that the application be rejected as it failed on equality grounds by placing socially rented homes on the High Road, which would put people's health at risk. Councillor Bevan seconded the motion.

Officers informed the Committee that any issues which could be addressed by condition should not be used as grounds for refusal.

Following a vote, with four in favour and six against, the motion to refuse the application fell.

The Chair moved that the application be granted and following a vote with six in favour and four against it was

RESOLVED that

- i. Planning permission be granted, 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 obligation set out in the Heads of Terms below;
- ii. 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 09/08/2019 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.

### **Conditions**

1. The development hereby authorised must be begun not later than the expiration of 5 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. P\_901/C; 586502-101/B; 5865-20-001/N; 002/N; 003/N; 004/N; 005/N; 006/N; 007/N; 008/N; 009/E; 010/E; 011/E; 012/E; 017/F; 018/C; 019 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. Prior to first occupation, the units/layouts of the flexible retail spaces shall be submitted and approved by the Local Planning Authority and shall be retained as such thereafter unless otherwise approved in writing.

Reason: To ensure that an active frontage and viable quantum and scale and layout is retained for the proposed commercial uses in accordance with DM41 and DM42 of the Development Management Development Plan Document 2017.

4. The work space units facing onto the proposed courtyard shall be used only for purposes falling within Use Class B1 and the following uses within Use Class D1: clinics, health centres and non-residential education and training centres, and as no other use falling within D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended), unless otherwise agreed in writing in advance by the Local Planning Authority. Changes to the proposed uses shall only be permissible if supported appropriate evidence to demonstrate the uses indicated above are not viable.

Reason: In order to protect the character and appearance of the area and to protect the amenity of local residents in accordance with Policies DM1 and DM41 of the Development Management Development Plan Document 2017.

5. Prior to the commencement of the relevant part of the development, details of appropriately high quality and durable finishing materials to be used for the external surfaces of the development, including samples as appropriate, shall be submitted to and approved in writing by the Local Planning Authority. Samples shall include example bricks at a minimum, combined with a schedule of the exact product references for other materials, including details of any shutters to the commercial units. The development shall thereafter be completed in accordance with the approved details unless otherwise agreed.

Reason: In order to protect the character and appearance of the area and to protect the amenity of local residents in accordance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 2017.

6. The commercial units, including the ground floor restaurant within the hotel use, of the development hereby approved shall be open only between 07:00 and

01:00 and the external seating area associated with the commercial units shall not be used between the hours of 22:00 and 07:00 on any day of the week unless otherwise agreed in writing in advance by the Local Planning Authority.

Reason: In order to safeguard residential amenity in accordance with Policy DM1 of the Development Management Development Plan Document 2017.

7. All the residential units will be built to Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended) and at least 10% (12 units) shall be wheelchair accessible or easily adaptable for wheelchair use in accordance with Part M4(3) of the same Regulations, unless otherwise agreed in writing in advance with the Local Planning Authority.

Reason: To ensure that the proposed development meets the Council's Standards for the provision of wheelchair accessible dwellings in accordance with Local Plan 2017 Policy SP2 and London Plan 2016 Policy 3.8.

8. No activities within Use Classes A3 or C1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) shall commence until details of ventilation measures associated with the specific use concerned have been submitted to and approved in writing by the Local Planning Authority. The approved ventilation measures shall be installed and made operational before any A3 use commences and shall be so maintained in accordance with the approved details and to the satisfaction of the Council.

Reason: To safeguard residential amenity in accordance with Policy DM1 of the Development Management Development Plan Document 2017.

9. Prior to the commencement of development (except demolition works) details of all existing and proposed levels on site in relation to the adjoining properties be submitted to and approved by the Local Planning Authority.

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

10. The placement of a satellite dish or television antenna on any external surface of the development is precluded, with exception provided for a communal solution for the residential units details of which are to be submitted to the Local Planning Authority for its written approval prior to the first occupation of the development hereby approved. The provision shall be retained as installed thereafter.

Reason: To protect the visual amenity of the locality in accordance with Policy DM1 of the Development Management Development Plan Document 2017.

11. Prior to the commencement of any works to the relevant part of the development hereby approved full details of both hard and soft landscape works for the communal private areas and public courtyard within the development confines shall be submitted to and approved in writing by the Local Planning Authority and these works shall thereafter be carried out as approved. Details shall include:

- a) Hard surfacing and means of enclosure;
- b) Play space equipment details and layout;
- c) Planting plans (including details for trees and shrubs);
- d) Written specifications (including details of cultivation and other operations associated with plant and/or grass establishment);
- e) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
- f) Implementation and management programmes.

Reason: In order for the Local Planning Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area consistent with Policy 3.6 of the London Plan 2016, Policy SP11 of the Local Plan 2017, and Policies DM1 and DM2 of the Development Management Development Plan Document 2017.

12. Prior to first occupation of the development hereby approved details of all external lighting to building facades, street furniture, communal and public realm areas shall be submitted to and approved in writing by the Local Planning Authority. The agreed lighting scheme shall be installed as approved and retained as such thereafter.

Reason: To ensure the design quality of the development and to safeguard residential amenity in accordance with Policy DM1 of the Development Management Development Plan Document 2017.

13. Prior to first occupation of the development hereby approved an updated Air Quality Assessment, taking into account emissions from boilers and combustion plant, road transport sources and the 2017 data for monitoring sites within the London Borough of Haringey must be undertaken and submitted for approval.

Reason: To comply with Policy 7.14 of the London Plan 2016 and the Greater London Authority's Sustainable Design and Construction Supplementary Planning Guidance.

14. Before development commences, other than for investigative work and demolition:

- a) Using information obtained from the Geo-Environmental Assessment Report plus maps an intrusive site investigation, sampling and analysis shall be undertaken. 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 its 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 in consultation with the Environment Agency prior to that remediation being carried out on site;

- c) 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.

- 15. Prior to installation, details of the Ultra-Low NOx boilers for space heating and domestic hot water should be forwarded to the Local Planning Authority for its written approval. The boilers to be provided for space heating and domestic hot water shall have dry NOx emissions not exceeding 40 mg/kWh.

Reason: To comply with Policy 7.14 of the London Plan 2016 and the Greater London Authority's Sustainable Design and Construction Supplementary Planning Guidance document.

- 16. 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 and including a Dust Risk Assessment, has been submitted and approved in writing by the Local Planning Authority. The plan shall be in accordance with the Greater London Authority's Dust and Emissions Control Supplementary Planning Guidance document (July 2014).

Reason: To comply with Policy 7.14 of the London Plan 2016.

- 17. Prior to the commencement of the development, evidence of site registration at nrmm.london to allow continuing details of Non-Road Mobile Machinery (NRMM) and plant of net power between 37kW and 560 kW to be uploaded during the construction phase of the development shall be submitted to and approved by the Local Planning Authority in writing.

Reason: To protect local air quality.

- 18. All plant and machinery to be used during the demolition and construction phases of the development shall meet Stage IIIA of EU Directive 97/68/ EC for both NOx and PM emissions.

Reason: To protect local air quality.

- 19. No infiltration of surface water drainage into the ground is permitted other than with the prior written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no

resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

20. Piling, deep foundations and other groundworks (investigation boreholes, tunnel shafts, ground source heating and cooling systems) requiring penetrative methods shall not be carried out other than with the advance written consent of the Local Planning Authority. 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 water infrastructure, and the programme for works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water and the Environment Agency. The development shall be carried out in accordance with the approved details.

Reason: To ensure that any proposed piling, deep foundations or other groundworks using penetrative methods does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment and appropriate mitigation measures should be submitted with consideration of the Environment Agency guidance. The proposed works also have the potential to impact on local underground water utility infrastructure.

21. A scheme for managing any boreholes installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works, other than for investigative work and demolition. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 170 of the National Planning Policy Framework.

22. The waste storage and recycling facilities shall be installed in accordance with the following details:

- Separated and appropriately-sized general waste and recycling areas;
- Provision of 44 x 1100L bins for refuse and recycling and 9 x 240L food waste bins for the proposed flats;
- Gradient between the refuse store and the public footway shall be less than 1:20;

- Positioning of dropped kerbs to facilitate waste store access for servicing staff;
- All domestic and workspace collection from Bury Road;
- All retail collection from High Road
- Access code / key provided to Council for accessing bin stores;
- Separate commercial and business waste storage.

No alterations to this provision shall occur without the prior written consent of the Local Planning Authority.

Reason: In order to protect the amenities of the locality and to comply with Policy 5.17 of the London Plan 2016 and DM4 of the Development Management Development Plan Document 2017.

23. Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use and thereafter all features are to be permanently retained. The applicant shall seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs) for each building or phase of the development and accreditation must be achieved according to current and relevant Secured by Design guidelines at the time of above grade works of each building or phase of said development. The development shall only be carried out in accordance with the approved details.

Reason: In accordance with the requirements of Policy DM2 of the Development Management Development Plan Document 2017.

24. The development hereby permitted shall not be commenced until detailed design and method statements for demolition, all of the foundations, ground floor structures, or for any structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority, in consultation with London Underground. The submitted information shall:

- Provide details on all structures;
- Provide load calculations;
- Accommodate the location of the existing London Underground structures and tunnels;
- Accommodate the proposed location of the Crossrail 2 structures, including temporary works;
- Accommodate ground movement arising from the construction thereof; and
- Mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements unless otherwise agreed, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied. All

structures and works comprised within the development hereby permitted which are required by this condition and shall be completed, in their entirety, before any part of the building[s] hereby permitted is/are occupied. No alteration to these aspects of the development shall take place without the approval of the Local Planning Authority in consultation with Crossrail 2.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2016 Table 6.1, draft London Plan Policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance document (2012).

25. No properties shall be occupied until written confirmation has been provided to the Local Planning Authority to demonstrate that either:
- (a) All water network upgrades required to accommodate the additional flows from the development have been completed; or
  - (b) A housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with that plan.

Reason: The development may lead to no or low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

26. No construction shall take place within 5 metres of the water main. Information detailing how the developer intends to divert the asset / align the development (if required), so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works have the potential to impact on local underground water utility infrastructure.

27. Prior to the commencement of any restaurant use or ancillary restaurant use of the hotel fat traps shall be installed in all establishments.

Reason: The proposed works have the potential to impact on local watercourses and cause drainage blockages.

28. Prior to the commencement of the relevant part of the development hereby approved details of the front garden layout for the houses fronting onto Bury Road shall be provided to the Local Planning Authority for its written approval.

Reason: To comply with the requirements of Policies DM1 and DM2 of the Development Management Development Plan Document 2017.

29. Prior to the first occupation hereby approved the exact type and arrangement of cycle parking to be provided shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with Transport for London. Either a minimum 5% of cycle spaces suitable for enlarged cycles shall be provided, and the type of stand proposed must be clarified, OR an additional 24 long stay cycle spaces shall be provided to accord with the Draft London Plan standards. The recommendations and requirements of the London Cycle Design Standards guidance document shall be followed. The approved plans shall be retained as agreed thereafter.

Reason: In accordance with Policy 6.3 of the London Plan 2016.

30. Prior to the first occupation of the development hereby approved a Delivery and Service Plan shall be submitted to the Local Planning Authority for its written approval, in consultation with Transport for London, details of which must include servicing arrangements for both the residential and commercial units including details of parcel management arrangements. All retail servicing shall be from High Road only.

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

31. The applicant is required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the Local Planning Authority's written approval, in consultation with Transport for London, at least eight weeks prior to any work commencing on site. The Plans should provide details on how construction work (including demolition) would be undertaken in a manner so that disruption to traffic and pedestrians on roads around the site is minimised. In addition, construction vehicle movements should be 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.

32. Prior to the first occupation of the development hereby approved a provision of 20% of the total number of car parking spaces shall be provided with active electric charging points, with a further 80% passive provision for future conversion and a management plan setting how occupiers can activate the further charging points will be accessed and purchased.

Reason: To comply with the Further Alteration to the London Plan, and reduce carbon emission in line with the Council's Local Plan Policy SP4.

33. Prior to the first occupation of the development hereby approved a Parking Management Plan including details on the allocation and management of the on-site car parking spaces including the wheelchair accessible car parking spaces to the front of the building and the commercial car parking spaces shall be

submitted to and approved in writing by the Local Planning Authority. The residential car parking spaces must be allocated in order of the following priorities regardless of tenure (Private/ affordable):

- Parking for the disable residential units 5% of the total number of units proposed (10/13)- wheel chair accessible car parking spaces)
- A minimum of 1-wheel chair accessible car parking space for the commercial element of the development.
- Family sized units 3+ bed units
- Two bed 4 four person units
- Two bed 3 person units
- One-bed and units.

Reason: To ensure that the allocation of the off street car parking spaces is in line with the Council's development management DMPD Policy DM 32 which seeks to priorities parking to family sized units.

34. Noise arising from the use of any plant or any associated equipment shall be set at 5dB below the existing background noise level (LA90 15mins) when measured (LAeq 15 mins) 1 metre external from the nearest residential or noise sensitive premises. The applicant shall also ensure that vibration/ structure borne noise derived from the use of any plant equipment does not cause noise nuisance within any residential or noise sensitive premises. An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 and any mitigation measures necessary to achieve the required noise level shall be submitted to the Local Authority Planning Authority in writing, for approval. The plant and relevant mitigation measures, if required, shall be installed and maintained in accordance with the approved details.

Reason: To ensure high quality residential development and protect the amenity of the locality

35. The Acoustic Planning Report (Section 4) predicts that with the installation of the specified glazing and inclusive of a fully or partially mechanically ventilated system the following internal noise levels in accordance with BS8233:2014 below will be achieved within the proposed residential units (with the windows closed);

<b>Time</b>	<b>Area</b>	<b>Maximum Noise level</b>
Daytime Noise 7am – 11pm	Living Rooms and Bedrooms	<b>35dB(A)</b>
	Dining Room/Areas	<b>40dB(A)</b>
Night Time Noise 11pm – 7am	Bedrooms	<b>30dB(A)</b>

A test shall be carried out prior to the discharge of this condition to show that the required noise levels have been met and the results submitted to the Local Planning Authority for its written approval.

Reason: To ensure high quality residential development

36. Prior to the commencement of the above ground works, details of a sound insulation scheme to be installed between the commercial premises on the ground floor and residential premises on the first floor shall be submitted in writing to and for approval by the Local Planning Authority. The scheme shall be installed as approved prior to any commercial occupation of the site and shall be maintained thereafter.

Reason: To protect the amenity of the locality.

37. The building design shall ensure that the re-radiated noise is attenuated to 10dB below the recommended internal noise criteria outlined in BS8233:2014 for residential units and 5dB in commercial /retail premises.

Reason: To protect the amenity of the locality.

38. Prior to commencement of the development (except demolition works) hereby approved a management and maintenance plan for the proposed drainage system(s) (detailing future responsibilities for the lifetime of the development) and final detailed drawings of the proposed system(s), shall be submitted to the Local Planning Authority for its written approval. The system(s) shall be installed and managed as approved and retained as such thereafter.

Reason: To ensure adequate site drainage and minimise risk of flooding.

39. Details of the construction standard for the proposed energy network and its ongoing operation shall be submitted to the Local Planning Authority prior to any works commencing on site (except demolition works). These details shall include:-

- a) Confirmation that the heat network serves all domestic and non-domestic units on the site and provides all hot water and space heating loads.
- b) Confirmation that the site wide heating and hot water network has been designed and shall be constructed following the CIBSE / ADE Heat Networks Code of Practice;
- c) Confirmation that the operator of the heating and hot water network shall achieve the standards set out in the Heat Trust Scheme (an equivalent industry approved, auditable and accountable customer protection scheme can be suggested), and that the developer will sign up to this standard to ensure that users have transparency of costs for customer protection. These standards shall then be continued for the life of the heating and hot water network on the site, unless a regulatory scheme takes its place; and
- d) Details of the connection strategy for the development to Wood Green DEN. This shall enable the Wood Green DEN to deliver the sites hot water demands and include routes for key pipework from the site energy centre to the highway, punch points through structural walls or foundations, space for heat exchangers and any other relevant information.

Reason: To ensure the facility and associated infrastructure are provided in line with London Plan 2016 Policy 5.7, Local Plan 2017 SP4 and Development Management Development Plan Document 2017 Policy DM22.

40. The development shall deliver the sustainability measures as set out in the Energy & Sustainability Report by Mendick Waring Limited, Revision P2, dated September 2018 unless otherwise agreed.

The retail part of the development shall then be constructed in strict accordance of the details so approved, and shall use best endeavours to achieve the agreed rating of "Very Good" under BREEAM New Construction (2018) and shall be maintained as such thereafter. A post construction certificate or evidence issued by an independent certification body confirming this standard has been achieved must be submitted to the Local Planning Authority at least 6 months prior to first occupation for its written approval.

In the event that the development fails to achieve the agreed rating for the development, a full schedule and costings of remedial works required to achieve this rating shall be submitted for the Local Planning Authority's written approval within two 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 Planning 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 2016 Policies 5.1, 5.2, 5.3 and 5.9 and Policy SP4 of the Local Plan 2017.

41. Prior to commencement of any above ground works the applicant will undertake an Overheating Study with a London weather pattern dynamic thermal model for the residential units (TM59) using London future weather patterns (TM49). Future weather scenarios - 2020 and 2050 (high emissions scenario) shall be modelled. 5% of units must be modelled and these shall be the units most likely to overheat (i.e. those in the south-west corner). If the units do overheat in the current scenarios (2020), passive design measures and technologies shall be installed to remove this risk. If the units only overheat in the future weather patterns (2050), a strategy shall be designed as to how measures can easily be retrofitted when the weather patterns lead increase to temperatures. This is of particular importance on this site, due to local noise and air quality pollution sources which may limit openable windows. Such measures agreed shall be operational prior to the first occupation of the relevant part of the development hereby approved and shall be maintained as such thereafter unless otherwise approved in writing.

Reason: To ensure the design of places and spaces avoid overheating and excessive heat generation, and to reduce overheating due to the impacts of climate change, in line with London Plan 2016 Policy 5.9.



42. Prior to commencement of any works to the relevant part of the development hereby approved details of the living roof shall be submitted to the Local Planning Authority for its written approval. Details shall include the following:

- A roof(s) plan identifying where the living roofs will be located;
- Confirmation that the substrate depth range of between 100mm and 150mm across all the roof(s);
- Details on the diversity of substrate depths across the roof to provide contours of substrate. This could include substrate mounds in areas with the greatest structural support to provide a variation in habitat;
- Details on the diversity of substrate types and sizes;
- Details on bare areas of substrate to allow for self-colonisation of local windblown seeds and invertebrates;
- Details on the range of native species of wildflowers and herbs planted to benefit native wildlife. The living roof will not rely on one species of plant life such as Sedum (which are not native);
- Details of the location of log piles / flat stones for invertebrates;

The living roof(s) will not be used for amenity or sitting out space of any kind. Access will only be permitted for maintenance, repair or escape in an emergency. The living roof shall then be carried out strictly in accordance with the details approved by the Local Planning Authority and shall be maintained as such thereafter.

Reason: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity and supports the water retention on site during rainfall. In accordance with Policies 5.3, 5.9 and 5.11 of the London Plan 2016 and Local Plan 2017 Policies SP5 and SP13.

43. No development shall commence until a Tree Protection Plan has been submitted to the Local Planning Authority for its written approval demonstrating a protection methodology for street tree(s) during construction that shall incorporate the installation of appropriately sized and located wooden hoardings secured to the ground to protect the trees from impact damage. Once approved the development shall be constructed in accordance with the approved details.

Reason: In order to ensure the safety and well-being of the trees on the site during construction works that are to remain after building works are completed in accordance with Policy 7.21 of the London Plan 2016 and Policy SP11 of the Local Plan 2017.

44. Prior to commencement of above ground works any works to the relevant part of the development hereby approved details shall be submitted to and approved by the Local Planning Authority for a Solar PV strategy (including a map with the area, capacity and location of renewables) and will set out how the development will maximise opportunities for renewable energy generation and work towards the delivery of the policy.

Reason: To ensure sustainable development and to comply with London Plan Policies 5.1, 5.2 and 5.3 and Policy SP4 of the Local Plan 2017

45. Prior to commencement of the relevant part of the development, details of the courtyard security gates shall be provided to the Local Planning Authority for its written approval.

Reason: For security of existing and future occupants within the area and for the avoidance of anti-social behaviour.

46. The security gates to both entrances to the public courtyard hereby approved will be shall be open only between 07:00 and 22:00 on any day of the week unless otherwise agreed in writing in advance by the Local Planning Authority.

Reason: To retain an open courtyard whilst passive surveillance can help regulate the area and secure the area at all other times.

47. Prior to the first occupation of the residential units, hereby approved base build blinds shall be installed in all units. Details of such blinds shall be submitted to and approved in writing by the Local Planning Authority and shall be retained as such unless otherwise agreed in writing.

Reason: To encourage uniformity in design and avoid overheating.

## **Informatives**

- 1) Positive / proactive manner  
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.

- 2) CIL liable  
Based on the information submitted with the application, the Mayoral CIL charge would be £974,460 (16,244sqm x £60) and the Haringey CIL charge would be £2,479,038 (12,097sqm x £165 x 1.242).

This is based on the following figures derived from the applicant's CIL form:

- Existing floor space demolished – 13,028sqm;
- New residential floor space – 12,097sqm;
- New commercial floor space – 8,392sqm;
- Net additional floor space – 16,244sqm;

- 3) S106  
This permission is governed by a S106 agreement pertaining to Crossrail 2 Safeguarding, Affordable Housing, Public Realm works, energy centre connection, carbon offset contribution, highways/transport contributions, considerate contractors, local labour and training, child playspace contribution, shell and core fit out and monitoring fees.

- 4) 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.
- 5) Street numbering  
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.
- 6) Asbestos  
Prior to demolition 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.
- 7) Hours of construction  
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.

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

- 1) Crossrail final sign off of conditions:
  - No development unless either:
    - TfL consent;
    - Crossrail does not come forward or re-aligns;
    - The need for protection can be designed out
  - Subject to confirmation from Crossrail the Secretary of State for Transport will be asked to resolve any disputes
- 2) Affordable Housing Provision
  - 40% affordable by habitable room
  - 64% social rent (with no sale) and 36% intermediate rent (London Living Rent)
  - Occupier no option to buy Affordable / Intermediate rented
  - LBH first option to purchase social rented affordable purchase
- 3) Public Realm and Highway Improvements on Bury Road
  - Highway improvements including road crossing measures, reinstatement of a redundant access, pedestrian and cycle improvements and provision of three accessible parking spaces
  - Financial contribution
- 4) Energy Statement Update and Review

- Assessment of the development's potential to integrate CHP
  - Review of submitted Energy Statement prior to commencement
  - Provision of financial contribution towards carbon offsetting of £276,372
  - Sustainability review before occupation (plus any additional carbon offset if required)
- 5) Energy Centre
- Best endeavours to connect to Wood Green DEN energy centre
- 6) Considerate Contractor Scheme Registration
- 7) Sustainable Transport Initiatives
- Travel Plans provided for the residential and commercial uses
  - Appointment of a travel plan co-ordinator
  - Financial contributions towards travel plan monitoring (£2,000 per plan)
  - Car club membership or bicycle purchase contributions for occupiers including enhanced provision for family dwellings
  - Traffic Management Order amendment (£4,000)
  - Controlled Parking Zone contribution (£15,000) towards design and consultation for implementation of parking management measures
  - Other initiatives
- 8) Car Parking Management Plan
- Measures to include parking space unit allocations, details of vehicle circulatory movements, occupancy level monitoring and off-street permit allocation
  - Parking priority plan
  - Potential inclusion of a parking space for the commercial unit
  - 20% active and 80% passive electric vehicle charging point provision, plus details of the threshold required for conversion from passive
  - Monitoring (£3,000)
- 9) Employment Initiatives – Local Training and Employment Plan
- 20% of the on-site workforce to be Haringey residents
  - 5% of the on-site workforce to be Haringey resident trainees
  - Provide apprenticeships at one per £3m development cost (max. 10% of total staff)
  - Support fee of £1,500 per apprenticeship for recruitment
  - Provision of a named contact to facilitate the above
  - Local business preference within workspace units
- 10) Child Play Space Off-Site Contribution
- £28,918 off site provision
- 11) Shell and core fit out

- The courtyard workspace units will be fit out to shell and core with a landlord contribution to the fit out once a tenant has been secured.

## 12) Monitoring Contribution

- 5% of total value of contributions (max. £50,000)
- v. That, in the absence of the agreement referred to in resolution (i) above being completed within the time period provided for in resolution (ii) above, the planning permission be refused for the following reasons:
1. In the absence of a legal agreement securing the provision of onsite affordable housing, and in the absence of a legal agreement to review the provision of affordable housing in 18 months, the scheme would fail to foster balanced neighbourhoods where people choose to live, and which meet the housing aspirations of Haringey's residents. As such, the proposal is contrary to Policy 3.12 of the London Plan 2016, Policy SP2 of the Local Plan 2017, and Policy DM13 of the Development Management, DPD 2017.
  2. The proposed development, in the absence of a legal agreement to secure planning obligation to ensure that the site as Designated Crossrail 2 Safeguarding were complied with and not contravened, to jeopardise future transport connectivity within the locality and wider setting. As such, the proposal would be contrary to NPPF guidance, Policies 2.8, 2.10, 2.11, 2.18, 6.1, 6.2, 6.4 and 6.5 of the London Plan 2016, Policy SP7 of the Local Plan 2017 and Policy DM31 of the Development Management, DPD 2017.
  3. The proposed development, in the absence of a legal agreement to secure planning obligations for mitigation measures to promote sustainable transport and address parking pressures, would significantly exacerbate pressure for on-street parking spaces in general safety along the neighbouring highway and would be detrimental to the amenity of local residents. As such the proposal is considered contrary to the requirements of Policy 6.13 of the London Plan 2016, Policy 7.9 of the Local Plan 2017, Policy DM31 of the Development Management DPD.
  4. The proposed development, in the absence of a legal agreement to work with the Haringey Employment Delivery Partnership, would fail to support local employment, regeneration and address local unemployment by facilitating training opportunities for the local population. As such, the proposal would be contrary to Policies SP8 and SP9 of the Local Plan 2017.
  5. The proposed development, in the absence of a legal agreement securing sufficient energy efficiency measures and/or financial contribution towards carbon offsetting, would result in an unacceptable level of carbon dioxide emissions. As such, the proposal would be contrary to Policy 5.2 of the London Plan 2016 and Policy SP4 of the Local Plan 2017.

- 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.

**318. UPDATE ON MAJOR PROPOSALS**

**RESOLVED that the report be noted.**

**319. APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

**RESOLVED that the report be noted.**

**320. NEW ITEMS OF URGENT BUSINESS**

None.

**321. DATE OF NEXT MEETING**

3 June 2019.

CHAIR: Councillor Vincent Carroll

Signed by Chair .....

Date .....