

**MINUTES OF THE MEETING OF THE PLANNING SUB  
COMMITTEE HELD ON MONDAY, 3RD JUNE, 2019, 7.00 - 9.10 pm**

**PRESENT:**

**Councillors: Vincent Carroll (Chair), Gina Adamou (Vice-Chair),  
Dhiren Basu, John Bevan, Bob Hare, Dawn Barnes, Peter Mitchell,  
Viv Ross, Yvonne Say, Preston Tabois and Sarah Williams**

**322. FILMING AT MEETINGS**

Noted.

**323. PLANNING PROTOCOL**

Noted.

**324. APOLOGIES**

Apologies for absence were received from Councillors Cawley-Harrison and Hinchcliffe.

Councillors Barnes and Hare were in attendance as substitutes.

**325. URGENT BUSINESS**

None.

**326. DECLARATIONS OF INTEREST**

None.

**327. MINUTES**

*The minutes of the last meeting were not available for approval.*

**328. HGY/2019/1143 - 1-9 FORTIS GREEN ROAD N10 3HP**

*Clerks note – the Chair varied the order of the agenda to take agenda item 9 before agenda item 8. The minutes follow the order of the agenda.*

The Committee considered an application for alterations to existing ground floor shopfronts and excavation of basement level below; erection of three additional storeys on top of the existing ground floor to provide 6 self-contained flats (5x1bed & 1x 3bed).

Dean Hermitage, Head of Development Management and Enforcement Planning, advised the Committee that a supplementary document had been circulated, detailing two additional conditions.

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

Roanna Harlan addressed the Committee in objection to the application. Muswell Hill was one of very few neighbourhoods which had managed to maintain the character of the High Street. Businesses on the High Street would be wrecked if the application would be approved. The new retail units were smaller than the existing units, and would likely be unaffordable for independent businesses.

Marcia Silliton addressed the Committee in objection to the application. Closing the existing units whilst the development was built would not be sustainable for the small independent businesses currently located there. She urged the Council to refuse the application and to support small, local businesses.

Councillor Emery addressed the Committee in objection to the application. There were over 300 comments on the planning site, and only a handful were in support of the application. The bland façade of the building would allow a low bar to be set for development locally. The design of the building was not in keeping with other buildings on the street. Councillor Emery stated that he was disappointed that the applicant did not use the rejection of previous proposals to make a better application and requested that the Committee reject the application.

Councillor Hinchcliffe addressed the Committee in objection to the application. He considered that the new application had not gone far enough in allaying resident's concerns. The proposal was out of sync with the surrounding architecture, and could leave small, thriving businesses homeless. He requested that the Committee reject the application.

Claudia Mastrandrea and Keiran Rafferty, representatives for the applicant, addressed the Committee. The application sought to replace four commercial units and replace with new commercial units which would include basement space; and six flats above. The rent for the flats would be set at market rate. An open day had been held, with 2000 local households invited. Assurances have been provided to tenants that they would have first refusal on the new units. The new scheme reflected changes that had been made following public consultation. The new application was a contemporary reinterpretation of the existing buildings, and the amount of one bedroom flats was in keeping with the London Plan Policy. The retail units were slightly smaller at ground floor level, but each unit also had a basement level which could be used as retail space.

Officers responded to questions from the Committee:

- The CIL rate had increased after the application had been submitted, and would be corrected to reflect the new rate of £60m<sup>2</sup>.

The applicant and architect responded to questions from the Committee:

- The stepping in of the floors allowed for views of the church and cinema from further down the road.
- Consideration would be given to the use of the Council's Building Control service.

Councillor Barnes proposed that the application be rejected on the grounds that the application did not enhance the character and conservation of the Muswell Hill area. The bulk height and massing of the building was too great, and the design could be better. Councillor Ross seconded the motion.

Following a vote with three in favour and eight against, the motion to refuse fell.

The Chair moved that the application be granted, and following a vote with eight in favour, two against and one abstention, it was

## **RESOLVED**

- i. That the Committee resolve to GRANT planning permission and that the Head of Development Management or Assistant Director for Planning 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: 981.53 – 001; 981.53 – 002; 981.53 – 010; 981.53 – 012; 981.53 – 013; 981.53 – 020; 981.53 – 030; 981.53 – 031; 981.53 – 101; 981.53 – 102; 981.53 – 103; 981.53 – 103; 981.53 – 104; 981.53 – 200; 981.53 – 300; 981.53 – 301; 981.53 – 302; Parking Stress Survey Report – Revision A; L17/159/10 REV.B (Basement Impact Assessment); Design, Access and Heritage Statement dated March 2019. 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) Notwithstanding the description of the materials in the application, no development shall be commenced until samples / details of the external materials to be used in connection with the development hereby permitted have

been submitted to, approved in writing by and only be implemented in accordance with the requirements of the Local Planning Authority.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy 7.6 of the London Plan 2016, Policy SP11 of the Haringey Local Plan 2013 and Policy DM1 of The Development Management DPD 2017

- 4) No development shall take place until details of a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) is submitted to and approved in writing by the Local Planning Authority. In specific, the plans shall include details/ measures to address the following:
  - a) a programme of works with specific information on the timing of deliveries to the site to minimise disruption to traffic and pedestrians on Fortis Green Road
  - b) details of any vehicle holding area;
  - c) details of the vehicle call up procedure;
  - d) location of temporary hoarding, storage buildings, compounds, construction material and plant storage areas used during construction;
  - e) details of wheel washing and measures to prevent mud and dust on the highway during demolition and construction.

Thereafter, the approved plans shall be fully implemented and adhered to during the construction phase of the development.

Reason: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site.

- 5) No development shall take place until details of the type and location of secure and covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until a minimum of 9 cycle parking spaces (at least 7 for the flats and 2 for the retail units) for users of the development, have been installed in accordance with the approved details. Such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with Policies 6.1 and 6.9 of the London Plan 2016 and Policy SP7 of the Haringey Local Plan 2017.

- 6) The basement level of the approved development shall not be used in connection with the ground floor retail units until a suitable pumped device to protect the basement from sewer flooding has been installed and made available for use and shall be maintained as approved thereafter.

Reason: To reduce flood risk in accordance with the NPPF 2019.

- 7) The proposed development shall have a central dish/aerial system for receiving all broadcasts for all the residential units created, details of such a scheme shall

be submitted to and approved by the Local Planning Authority prior to the occupation of the property and the approved scheme shall be implemented and permanently retained thereafter.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy 7.6 of the London Plan 2016, Policy SP11 of the Haringey Local Plan 2013 and Policy DM1 of The Development Management DPD 2017.

- 8) No development shall take place until the following details have been submitted to and approved in writing by the local planning authority:
- i) plan, elevation and section drawings, including jambs, head and cill, of all new external windows and doors with typical glazing bar details, at a scale of 1:20;
  - ii) typical elevation detailing at a scale of 1:5;
  - iii) plan, elevation and section drawings of the new shopfronts at a scale of 1:20;

Thereafter the development shall only be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy 7.6 of the London Plan 2016, Policy SP11 of the Haringey Local Plan 2013 and Policy DM1 of The Development Management DPD 2017.

- 9) Prior to the occupation of the altered/ extended retail/ commercial floorspace the details of the use and operations of this floorspace shall be submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved detail.

Reason: In order to restrict the use of the premises to one compatible with the surrounding area because other uses within the same Use Class or another Use Class are not necessarily considered to be acceptable consistent with Policy DM1 of The Development Management DPD 2017.

#### Informatives:

INFORMATIVE: CIL Based on the information given on the plans, the Mayoral CIL charge will be £29,606 (605.8 sqm x £35 x 1.269) and the Haringey CIL charge will be £143,006.72 (496 sqm residential floorspace 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: Planning permission has been granted without prejudice to the need to get advertisement consent under the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

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: Other restrictions. The grant of a permission does not relieve the applicant/developer of the necessity of complying with any local Acts, Regulations, Building By-laws, private legislation, and general statutory provisions in force in the area or modify or affect any personal or restrictive covenants, easements etc., applying to or affecting either the land to which the permission relates or any other land or the rights or any person(s) or authority(s) entitled to benefit thereof or holding an interest in the property.

INFORMATIVE: If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. The developer should demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)

There are public sewers crossing or close to your development. If planning significant work near Thames Water sewers, it is important that you minimise the risk of damage. Thames Water need to check that your development doesn't limit repair or maintenance activities, or inhibit the services they provide in any other way. You are advised to read their guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

**329. HGY/2019/0984 - 76 WOODLAND GARDENS N10 3UB**

The Committee considered an application for the demolition of existing and construction of a new dwellinghouse.

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

David Godden addressed the Committee in objection to the application. He considered that the proposed design was not good enough, with an odd mix of architectural styles and too few traditional features. Over 270 objections had been made to the application, along with a petition of 180 signatures. At the appeal, the point had been made that any new houses should remain in-keeping with the Edwardian features of the road. The demolishment of one half of a semi detached house was not the right thing to do. Mr Godden had suggested six changes to the proposal, and these had been rejected by the applicant.

Farrol Goldblatt addressed the Committee in objection to the application. He lived in the adjoining property. Whilst he supported the principle of development, recycling and regeneration of buildings, he supported Mr Godden's comments in relation to this application. The rear elevation would have a significant impact on the amenity of immediate neighbours, and the significant amount of glazing was incompatible with the architectural styles in the area. The new application was contrary to the conclusions made by the Planning Inspector, and therefore should be deferred for changes to be made or refused.

Councillor Ogiehor addressed the Committee in objection to the application. It had been a year since the application had been rejected by the Planning Committee on the ground that the proposal was contrary to design policy, as agreed by the Planning Inspector on appeal. Since the decision made by the Planning Inspector, Cllr Ogiehor had met with the applicant, architect and residents to speak a proposal which would be amenable to all. Whilst there had been some changes made, Cllr Ogiehor disagreed with officers that the new design addressed the concerns raised at appeal. Cllr Ogiehor agreed with residents that the new decision would only meet the points raised by the Inspector if additional changes were made: 1<sup>st</sup> floor hallway to be reduced in size to match no.78 and redesigned to ensure that it was in-keeping with other windows, and adding a sill detail; glazing bars to be added to all upper sash timber windows in the front elevation; brick arch details to be added to 1<sup>st</sup> floor hallway, 1<sup>st</sup> floor master bedroom and ground floor windows; and the front door should be widened and placed in a more central position. Cllr Ogiehor requested that the Committee reject the application and ask the applicant to resubmit with the suggestions made.

Isabelle Evans, applicant, addressed the Committee. She had met with seven neighbours to discuss the plans, and despite a constructive discussion, residents have refused to acknowledge the meeting. A pre-application meeting had been held with Council officers to ensure that each of the Planning Inspector's comments had been addressed. Ms Evans considered that she had done everything she could to work with local residents and the Council on this application.

Officers responded to questions from the Committee:

- There was no proposal to change the clinker wall. The Committee could choose to impose a condition although this would not be recommended, as any homeowner in the street could choose to remove their own clinker walls without planning permission.
- The Design Officer considered the application to be a contemporary interpretation of the original property, and it was their view that the application had achieved a design that was in harmony with existing houses in the street.
- Paragraphs 6.12, 6.13 and 6.14 outlined the Inspectors argument for refusal, and Officers comments on this. It was considered by Officers that the application had been altered enough to demonstrate compliance with the Council's design policy.
- The issues relating to bulk and massing had been addressed, and the bulk of the house was akin to the original house, with a rear extension added.

The applicant and architect responded to questions from the Committee:

- The design of the glazing at the rear of the property had been simplified, and most of the glazing was now on the ground floor, opening on to the garden.
- The windows at the front of the house were designed to give views of Alexandra Palace. There had been no issues raised in relation to the gable windows at previous applications, and so no changes had been made.
- The applicant had met with the Planning Service and attended pre-application meetings to discuss each comment made by the Inspector to ensure that each one was addressed. The design of the front door had been amended, the window sizes at the front were identical to existing windows. The fine detail was missing, however it was the applicant's choice to not replicate the façade, and they disagreed that this was the only approach for the road.

The Chair moved that the application be granted. Councillor Williams moved that the application be rejected on the grounds of design, in that the glazing to the front of the house paid little regard to the rest of the road and consideration needed to be given to the effect of this glazing. There was a lack of detail in the design, and the overall effect was of a flat fronted property which did not provide interest, unlike neighbouring properties. The Chair seconded the motion to reject the application.

Following a vote with ten in favour and one against it was

**RESOLVED that the application be refused.**

### **330. UPDATE ON MAJOR PROPOSALS**

**RESOLVED that the report be noted.**

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

**RESOLVED that the report be noted.**

### **332. NEW ITEMS OF URGENT BUSINESS**



None.

**333. DATE OF NEXT MEETING**

8 July 2019

CHAIR: Councillor Vincent Carroll

Signed by Chair .....

Date .....