

## **MINUTES OF MEETING Planning Sub Committee HELD ON Tuesday, 8th September, 2020, 7.00 - 10.05 pm**

### **PRESENT:**

**Councillors: Sarah Williams (Chair), Gina Adamou (Vice-Chair), Dhiren Basu, John Bevan, Luke Cawley-Harrison, Peter Mitchell, Viv Ross, Yvonne Say and Reg Rice**

#### **434. FILMING AT MEETINGS**

The Chair advised that the meeting was being streamed live on the Council's website.

#### **435. PLANNING PROTOCOL**

Members and speakers were requested to note the information set out at item two on the agenda.

#### **436. APOLOGIES**

The Chair advised the Committee that Councillor Rice was in attendance as a substitute for the vacant Labour seat on the Committee.

#### **437. URGENT BUSINESS**

None.

#### **438. DECLARATIONS OF INTEREST**

Councillor Yvonne Say advised that she had seen the Partridge Way proposals in her capacity as Ward Councillor.

#### **439. MINUTES**

##### **RESOLVED**

- That the minutes of the Planning Committee held on 8 June 2020 be approved.
- That the minutes of the Planning Committee held on 9 July 2020 be approved, subject to the addition of a declaration of interest made by Councillor Viv Ross in that he was a member of the Canal and River Trust (in respect of item 8 - HGY/2020/0847 Lock Keepers Cottages, Ferry Lane, N17 9NE)

#### **440. HGY/2018/3205 - FORMER NEWSTEAD NURSING HOME DENEWOOD ROAD N6 4AL**

The Committee considered an application for the demolition of existing building and erection of three buildings between two and three storeys in heights to provide 13

residential dwellings, private and communal amenity space and other associated development.

Officers responded to questions from the Committee:

- There were no single aspect units.
- Units 6, 7 & 12 were fully part N4 compliant, but all remaining units would be wheelchair adaptable.
- The Local Plan set a preference for onsite affordable housing, but supported exceptions in some circumstances. This site was exceptional in that the units were of high value with high service charges and there would not be a large amount of units available to any Housing Providers. Therefore a contribution of £287k to provide offsite affordable housing was acceptable for this application.

David Richmond spoke in objection to the application. He addressed the Committee as Chair of the Highgate Society planning and environment committee, a qualified architect, and on behalf of the Conservation Area Advisory Committee (CAAC). The CAAC was strongly opposed to the development as the density and character was considered to be completely at odds with the neighbouring area. Mr Richmond referred to an appeal decision in 2006 to refuse an application for a 1<sup>st</sup> floor extension to the nursing home, where two of the reasons for refusal were overlooking and the threat posed to mature trees. This application has first floor windows and terraces looking directly down into windows and gardens of Courtyard House, and on the north elevation, directly into the private rear garden of Broadlands Lodge. The plans showed a number of bricked up windows, and Mr Richmond questioned how long it would take for a non-material amendment application to be lodged to open these up, causing further overlooking of neighbouring properties. Mr Richmond also raised concerns in regard to the basement, which would surely cause damage to the mature trees on site. Mr Richmond also questioned the sustainability of the site and referred to the comments of the Carbon Management Team which noted that the scheme fell short of the net-zero target and asked how such a scheme could be put forward for approval. Mr Richmond concluded by questioning the inclusion of chimneys, which seemed to have been added for no known purpose.

Stewart Goldberg spoke in objection to the application. He also referred the Committee to previous applications at the site, one of which was refused at appeal stage. The new scheme comprised of three blocks of flats, with one of Highgate's largest basements. The construction of the basement was sure to damage adjacent properties. Mr Goldberg questioned why it was acceptable for there to be no fire brigade access to block three. Mr Goldberg added that he felt that the proposed application was a fait accompli, and that residents' concerns were being ignored. There had been no attempt to reduce the scale of the application despite objection letters being submitted by local residents. Mr Goldberg requested that the application be refused.

Councillor Morris spoke in objection to the application. She considered the size of the basement to be excessive and too close to neighbouring buildings. It had been six years since any affordable housing had been provided in the area and this

development would not change this. Councillor Morris referred to the efforts of other Councils to reduce car ownership and stated that this development seemed to encourage car ownership with 17 parking spaces and the ability for residents to apply for parking permits. Councillor Morris considered that the cost of the development was too high environmentally, and to neighbouring properties.

Officers responded to questions from the Committee:

- Fire Brigade access was dealt with by Building Control. Page 116 contained the response from the London Fire Brigade where it stated that subject to compliance with an access statement they would be satisfied. This was not a material planning consideration and was something that was dealt with by Building Control.
- Conditions 16 & 17 in the addendum addressed the basement design and had been updated to ensure that no effects beyond category 1 (very slight) on the Burland Scale. Definitions of category 1 damage included fine cracks which could easily be treated during normal decoration, an isolated small fracture in a building, or cracks in external brickwork visible on inspection.
- The planning history was set out in paragraph 3.3 of the report. There was one previous application in 2005 which pre-dated all current government advice, the Local Plan, the London Plan and the Highgate Neighbourhood Plan. The previous application related to an extension on the care home and so the decision of the Inspector did not relate to this application.
- The parking provision onsite was in excess of what would be considered sufficient, although there was no restriction on local residents applying for on-street permits. Members could request a condition to not allow residents to apply for a permit, but this was not recommended by officers.
- There was one disabled parking bay, but it would be possible to convert other spaces in the car park as required.
- The units were carefully designed to avoid having windows close to boundaries. Facades with windows would be 10m from the boundary and neighbouring properties an additional 10m from that.
- The 'blind' windows were a decorative brick infill to provide interest to the façade – there would be nothing to stop an application to amend these, however this did not mean that any subsequent applications would be approved.

Ben Kelway, on behalf of the Applicant, addressed the Committee. The development was a product of a lengthy design and development process to redevelopment a vacant derelict site. The development would provide high quality residential units supported by both policy and officers report.

The scheme would enhance the Highgate Conservation Area. 12 of the 13 apartments would be 2-3 bed homes, and all homes would exceed the minimum requirements for space standards. A generous financial contribution would be made in both CIL and s106 monies.

The basement area covered half of the site area and was set away from most neighbouring properties, the closest one being 4m away. Project Managers had

extensive experience of basements and the impact assessment showed that the soil and ground conditions were good.

Mr Kelway and the applicant team responded along with officers to questions from the Committee:

- The Council's Building Control team would be used.
- 8 of the units had separate kitchens and 5 had large open plan kitchen / living areas.
- The developers would liaise closely with Haringey employment teams to ensure that at least 20% of onsite workers were Haringey residents.
- The basement would accommodate the parking levels proposed as well as cycling and waste storage. It was not proposed to introduce any main living spaces or habitable rooms.
- The addendum report showed a higher CIL figure because the original calculation was based on the discount given on floorspace as it the building had been occupied within 3 years. This was no longer the case, so the discount no longer applied.
- Party wall agreements would be provided to neighbouring properties, and the applicants would have an obligation to cover the costs of any repair works if they were required.
- Dean Hermitage advised that the Council were in control of where contributions would be spent, and if there were suitable schemes in the Highgate area they could be considered for CIL distribution.

Mr Hermitage summed up the report and advised that the recommendation was to grant the application subject to the s106 agreement, the conditions and informatives set out in the report and addendum, an additional condition to include electric vehicle charging points and an additional s106 requirement to restrict parking permit to visitor permits only.

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

## RESOLVED

- i. That the Committee GRANT planning permission and that the Head of Development Management or Assistant Director for Planning, Building Standards and Sustainability 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, Building Standards and Sustainability 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 Chair (or in their absence the Vice-Chair) of the Sub-Committee.

- iii. That the section 106 legal agreement referred to in resolution (i) above is to be completed no later than 16/09/2020 or within such extended time as the Head of Development Management or the Assistant Director Planning, Building Standards and Sustainability 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 (iii) above, planning permission be granted in accordance with the Planning Application subject to the attachment of the conditions.
- v. That, in the absence of the agreement referred to in resolution (i) above being completed within the time period provided for in resolution (iii) above, the planning permission be refused for the following reasons:
  - 1. The proposed development, in the absence of a legal agreement securing the provision of early and late stage financial viability reviews, would fail to ensure that affordable housing delivery has been maximised within the Borough and would set an undesirable precedent for future similar planning applications. As such, the proposal is contrary to Policy SP2 of the Council's Local Plan 2017, Policy SC1 of the Highgate Neighbourhood Plan, Policy 3.12 of the London Plan 2016, emerging Policy H5 of the draft London Plan and the Mayor of London's Affordable Housing and Viability Supplementary Planning Guidance document.
  - 2. The proposed development, in the absence of a legal agreement to work with the Council's Employment and Skills team and to provide other employment initiatives would fail to support local employment, regeneration and address local unemployment by facilitating training opportunities for the local population. As such, the proposal is contrary to Policy SP9 of Haringey's Local Plan 2017.
  - 3. 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 Policies 5.2, 5.3 and 5.7 of the London Plan 2016, Local Plan 2017 Policy SP4 and Policy DM21 of the Development Management Development Plan Document 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.

**441. PRE/2020/0011 - OPEN LAND AND GARAGES, REMINGTON ROAD, LONDON, N15 6SS**

The Committee considered the pre-application briefing for the development of open land and garages for c45 residential units (houses and flats - all Council rent) and associated landscaping, public realm improvements, play space, cycling and refuse stores.

The Committee commented on the proposal:

- Site visits would be useful before pre-application presentations.
- The following conditions should be included on the main application: feedback to be taken from residents after moving in and no satellite dishes to be permitted.
- A car-free development could cause conflict with current residents.
- There was no uniformity across the design of the development.
- Green space was a necessity due to the proximity to Seven Sisters Road.
- The road should either be a road or a pedestrianised street, not a shared street due to safety. There seemed to be no reason for cars to drive around the suggested area, so it should be pedestrianised.
- The townhouses looked like mini versions of the blocks, but this did not work and consideration should be given to changes in the design to allow them to stand out.
- The 'blended street' could not be considered a play space and given the number of 3 and 4 bedroom units, play space was required onsite.

**442. PRE/2020/0124 - PARTRIDGE WAY, LONDON N22 8DW**

*Clerks note – the Chair suspended Standing Orders at 21.50 to allow the meeting to continue past 22.00 for the consideration of this item.*

The Committee considered the pre-application briefing for the demolition of the existing garages and redevelopment of the site to provide a nine storey building comprising of 14 x 1 bedroom flats and 9 x 2 bedroom flats (all for Council rent), with amenity space, associated bin stores, cycle stores and disabled and visitor parking, and provision of play space and landscape improvements in the vicinity of the site.

The Committee commented on the proposal:

- The block was too tall for the area, just because there were tall blocks next to the development did not mean that another one was acceptable.
- The design was disappointing.
- The courtyard would become an unusable space, or a dumping ground for the properties.

Officers commented that the courtyard would be well-lit and secured, and that the one bedroom units would appeal to downsizers wanting to give up bigger family units in exchange for a smaller high quality unit.

**443. UPDATE ON MAJOR PROPOSALS**

The Chair requested that any questions on the report be sent directly to Dean Hermitage, Head of Development Management.

**444. APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

The Chair requested that any questions on the report be sent directly to Dean Hermitage, Head of Development Management.

**445. NEW ITEMS OF URGENT BUSINESS**

None.

**446. DATE OF NEXT MEETING**

12 October 2020

CHAIR: Councillor Sarah Williams

Signed by Chair .....

Date .....