

# **MINUTES OF MEETING Planning Sub Committee HELD ON Monday, 9th November, 2020, 7.00 - 10.15 pm**

## **PRESENT:**

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

### **460. FILMING AT MEETINGS**

The Chair advised that the meeting would be streamed live on the Council's website.

### **461. PLANNING PROTOCOL**

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

### **462. APOLOGIES**

Apologies for absence were received from Councillors Hinchcliffe and Stone.

### **463. URGENT BUSINESS**

None.

### **464. DECLARATIONS OF INTEREST**

Councillor Cawley-Harrison informed the Chair that he had submitted an objection to a previous application for land at the rear of 29 Haringey Park and had also spoken to the applicants, but advised that he would approach the application with an open mind.

### **465. MINUTES**

#### **RESOLVED**

- That the minutes of the Planning Committee held on 8 September 2020 and 12 October 2020 be approved as a correct record.

### **466. HGY/2020/1826 - LAND REAR OF 29 HARINGEY PARK N8 9JD**

The Committee considered an application for the construction of a 1 x 3 bedroom dwelling with associated access re-surfacing works and lighting.

Officers responded to questions from the Committee:

- In regard to the previous case – HGY 2017/2314 – two schemes had been put together as part of the appeal. Appeal A related to access being from the unnamed private road and Appeal B related to access being allowed between 29 Haringey Park and the public highway to the north. Appeal B was allowed on the basis that it was accessible from the main road. The difference between the extant permission (Appeal B) and the last application refused at the site was the basement. The impact assessment had been reviewed by the Council and was considered to be acceptable.
- In order to excavate the site, more vehicles would be moving to and from the site. This had been detailed in the Construction Management Plan which had been deemed acceptable by Officers.

Karen Morrison spoke in objection to the application. She had grave concerns on the physical impact on Abbots Terrace. The properties had no front gardens and residents could be put in danger when accessing their properties due to construction traffic. Excavating the site would cause significant removal of soil from the site. Impact on the appearance of the Conservation Area also needed to be considered.

Jacqueline Veater spoke in objection to the application. The Council had refused six applications for the site, and the current scheme should be refused as it could not provide safe access to the site. Ms Veater stated that the application was in contravention of Development Management Policies DM2 and DM7. Ms Veater informed the Committee that the applicants were not one of the owners of the private lane and the position in 2018 was to not grant permission to resurface the lane. The lane could not support a project of this size and so the application should be refused as the previous applications had been.

Councillor Palmer spoke in objection to the application. Previous reasons for refusals had focused on access and safety, and this application should be refused on the same basis. The use of Abbots Terrace would be prejudicial for residents. The narrowness of the lane was only suitable for light vans and cars, and not construction traffic. The applicant appeared to assume that they had permission to resurface and light the lane, however key stakeholders had not given permission for this. There was a lack of designated footway for pedestrians, and there were serious concerns that residents may end up footing the bill for any works carried out on the lane. Cllr Palmer concluded by stating that the site has had a detrimental impact on local residents over a decade of repeated applications.

Officers responded to questions from the Committee:

- Planning permission was not contingent on the ownership of the lane. Third parties were able to propose works to land which was not owned by them but permission would be required to take the works forward. If this was not in place then the applicant would not be able to live in the house once the build was complete. The applicants would have right of access to the site via the lane, but any works to resurface or install lighting would be subject to a third party agreement with the owners. The addendum provided further clarity to the s106 agreement in that no development could commence until permission had been provided to carry out works to the entire lane.

- Connections to sewerage or services was not a material planning consideration and would be an issue for the applicants to resolve if permission was granted.
- The lane was a shared surface with no separate pavement and road. There would be some disruption during construction, but as this was one dwelling it would be minimal.
- The report contained a condition on tree preservation (condition 7), but this could be amended to add “including off-site trees”, if the Committee were minded to do so.

The Applicant Party - Tom Lacey: Architect / Agent; Ally Carboni: Applicant, Andy Roberts: Transport Consultant – Lime Transport, David Marsden: Property Litigation Partner – Freeths, and Robert Bruce: Planning Legislation – Freeths - addressed the Committee. The development of the site had been a long process, and the team had worked hard with Haringey to develop an acceptable scheme for the site. The applicants had an agreement in principle with the owners of the lane to carry out works to the lane. The applicants were also prepared to pay for the long term maintenance of the lane. Resurfacing would take 1-2 weeks, and the lane would not be dug up for services to be run to the site as these would be run through the garden of 29 Haringey Park.

The applicants added that they had spoken with local police and community support officers, ward councillors and neighbours and informed the Committee that 30 local residents were in support of the application and asked that this be considered in balance with the objectors.

The development would generate a small number of additional vehicle movements, and the Construction Management Plan sets out the maximum size of vehicle to access the lane and for the use of traffic marshalls.

The applicants stated that if the application was to be granted, they would work with neighbours to ensure that the build was as safe and smooth process as possible

The applicant team responded along with officers to questions from the Committee:

- There would be no requirement for a crane on site as the works requirement to excavate the basement were minor.
- All known landowners had agreed in principle to the works being carried out on the lane.
- Lighting on the lane would be installed after Abbots Terrace, which already had lighting.
- The applicant had the right to connect services across the rear of 29 Haringey Park.
- A Basement Impact Assessment had been submitted to the Council.
- The CIL rate as set out on page 42 of the agenda pack was the correct level.

Mr Hermitage summed up the report and advised that the recommendation was to grant the application with the conditions and s106 agreements as set out in the report, and the additional wording for condition 7 “to include off-site trees”.

The Chair moved that the application be granted and following a vote with 8 in favour and 1 abstention it was

#### RESOLVED

- i. That planning permission be granted and that the Head of Development Management or Assistant Director for Planning, Building Standards and Sustainability be authorised to issue the planning permission and impose conditions and informatives and signing of a section 106 Legal Agreement providing for the obligations set out in the Heads of Terms below.
- ii. That delegated authority be granted to the Head of Development Management or the Assistant Director for 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 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 **31 January 2021** 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.
- 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.

#### **467. HGY/2020/1972 - 2 CHESNUT ROAD, N17 9EN**

The Committee considered an application for a S73 Minor material amendment for variation of condition 1 (approved plans) of the S73 planning permission HGY/2017/1008 in order to substitute the drawing numbers and variation of condition 6 (Student accommodation) of the original permission HGY/2013/0155 to allow Co-living (as well as student accommodation) for a temporary period of 3 years.

Officers responded to questions from the Committee:

- The management plan for the building would be amended to allow all residents of the building to access all of the amenities.
- The amount of blue badge bays would remain the same (3).
- The London Plan policy states that tenancies can be no less than three months, however the applicant had indicated that the tenancies would be for a minimum of six months.
- There would be an onsite manager to deal with any issues or queries from residents.
- There was not much guidance in the way of size standards. The Care Quality Commission standards for care homes was 12m<sup>2</sup> and the average student

- accommodation was 13m<sup>2</sup>. These rooms were bigger at 16m<sup>2</sup>. All residents would have access to all communal spaces in the building.
- Non-students would be required to pay Council Tax – how this was levied was outside of planning considerations.

Councillor Gordon addressed the Committee in objection to the application. The applicant was requesting a change of use which changed the business plan from the original one of student accommodation. This could not be considered as a material planning consideration. Councillor Gordon felt approving this application would establish standards for co-living and felt that it would be better for the Council to take the opportunity to create a policy to provide better standards. The standards on the application should not be adopted for key workers.

Councillor Carroll spoke in objection to the application. He advised of previous approaches by the applicants to Ward Councillors in respect of providing co-living, which were not considered to be an appropriate use of the building by Ward Councillors. Councillor Carroll felt that to grant temporary permission would only lead to an application for permanent permission in the future. The student accommodation sector was still viable. The letter provided in the addendum gave a vague promise of commitment to leasing rooms and the Committee should not make a decision based on this.

Councillor Brabazon spoke in objection to the application. A key issue was that, due to the lack of policy, to approve this application would set a precedent for future applications. Councillor Brabazon referred the Committee to a similar application in Wandsworth which was rejected as it was considered to fall short of acceptable standards, based on room sizes of 16-24m<sup>2</sup>.

Dean Hermitage advised that it was not the role of the Committee to take into account private business interests of applicants. The Committee needed to consider the local area and the impact of any application.

Rob Krzyszowski advised that a decision must be made in accordance with adopted plans. The new London Plan had not been formally adopted but was a significant material consideration as it contains a policy on co-living. Guidance had not yet been produced on spaces standards, but to approve this application would not set a precedent for any future applications or the new Local Plan.

Matt Humphreys, Planning Advisor to the applicant, addressed the Committee. The application sought temporary flexible permission to use the building for student accommodation and co-living. The building was brand new and until March 2020 had seen 90% occupancy. In the last six months, occupancy had averaged 20-25%, due to many universities switching to online learning, and many students remaining at home. This application would provide an opportunity for people in housing need. Co-living was supported by the draft London Plan policy H16, which was expected to be adopted within the coming months.

The applicant had been in discussion with North Middlesex hospital who had indicated an immediate requirement for 15 rooms. A draft management plan had been submitted to control occupancy and ensure responsible and respectful behaviour from residents. To reject the application would result in a brand new, high quality building standing idle.

Mr Humphreys responded to questions from the Committee:

- The hospital had indicated that they would like students and professional staff to live in one building rather than being spread out over the borough.
- It was likely that the applicants had explored rent reductions for students, however there was a reduced demand from this sector.

Dean Hermitage advised that the recommendation was to grant the application subject to the legal agreements and conditions as set out in the report.

Councillor Adamou moved to reject the application. This was seconded by Councillor Mitchell on the grounds that the room sizes were too small, the amount of communal space was not satisfactory and the ratio of rooms to shared kitchen / living areas was too high.

Following a vote, with eight in favour of rejection and one against it was

**RESOLVED that the application be rejected.**

**468. PRE/2020/0205 - REAR OF 132 STATION ROAD N22 7SX**

*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 construction of 6 dwellings set in landscaped area and creation of community wildlife garden, following the demolition of existing structures.

The Committee commented on the proposal:

- It was unclear how issues raised in previous refusals had been addressed.
- Concerns were raised on daylight/sunlight provision given that the properties were largely single aspect.
- Pre-app advice was that parking needed to be addressed, and it was unrealistic to not have parking for six family sized properties.
- Councillor Cawley-Harrison commented that it was refreshing to have a design that was different from the usual applications submitted.
- Concerns were raised on the use of white bricks / render and the difficulties with greening.

The applicant advised that the new proposal was based on a bigger site, and the recording studio was now included in the development. The scheme had passed daylight and sunlight tests. It was felt that this development would provide the perfect opportunity for a car-free development due to the abundance of public transport and

local amenities. The applicant would work with officers to explore the best option for the finish of the buildings.

Members requested a proper site visit before the application was considered by the Committee.

**469. UPDATE ON MAJOR PROPOSALS**

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

**470. APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

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

**471. NEW ITEMS OF URGENT BUSINESS**

None.

**472. DATE OF NEXT MEETING**

7 December 2020

CHAIR: Councillor Sarah Williams

Signed by Chair .....

Date .....