

**MINUTES OF THE MEETING OF THE PLANNING SUB
COMMITTEE HELD ON MONDAY, 8TH OCTOBER, 2018, 7.00 -
9.15 pm**

PRESENT:

**Councillors: Vincent Carroll (Chair), Reg Rice (Vice-Chair), John Bevan,
Luke Cawley-Harrison, Justin Hinchcliffe, Sarah James, Peter Mitchell,
Viv Ross, Yvonne Say, Preston Tabois and Sarah Williams**

231. FILMING AT MEETINGS

Noted.

232. PLANNING PROTOCOL

Noted.

233. APOLOGIES

None.

234. URGENT BUSINESS

None.

235. DECLARATIONS OF INTEREST

None.

236. MINUTES

RESOLVED

- That the minutes of the Planning Committee held on 10 September 2018 be approved.

237. HGY/2018/1472 44-46 HIGH ROAD

The Committee considered an application for: Demolition of the existing building and erection of 3-9 storey buildings providing residential accommodation (Use Class C3) and retail use (Use Classes A1-A4) plus associated site access, car and cycle parking, landscaping works and ancillary development.

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

Officers and the Applicant responded to questions from the Committee:

- It was not unusual for developments close to good public transport links to have majority one or two bed dwellings. However, since the application had been lodged, it had been amended to increase the two bed dwellings and decrease the one beds.
- It was proposed that the retail units would be split and marketed as smaller units to address the changing demands for retail space.
- The three bed houses had private amenity space, with an internal courtyard on the first floor. These courtyards contained rooflights to provide daylight to the kitchen / living spaces below. This was an increasingly common solution to dense housing areas. These houses would also be exempt from paying service charges as they did not share the communal facilities of the flats.
- There were only two rooms in the whole development which would not achieve BRE standards for daylight levels.
- A review mechanism had been built in to ensure that any extra profit made would be split between the Council and the developer.
- It was unfair to describe the communal courtyard area as a canyon. The area received lots of daylight and sunlight, which had been tested to BRE standards. The minimum space required for child play space was 260sqm, and the space provided by the courtyard was 480sqm.
- There had been no objections raised in relation to air pollution.
- The density was higher than the London Plan guidelines, however the Committee needed to be mindful that the development was in a metropolitan area within walking distance of two tube stations and buses.
- The second Quality Review Panel meeting were supportive of the proposals and were broadly happy with the high road frontage. The flats from the podium upwards were set back from the high road, which ensured that the building was not in one block.
- There was one flat which did not meet the minimum requirements for sunlight, however it still received more than the recommended daylight levels.
- BRE standards recommend that amenity space received 2 hours of sunlight in 50% of the area on Spring Equinox – the plans showed that the communal amenity space would receive considerably more than the minimum recommendation.

Councillor Rice moved that the application be rejected on the grounds that it failed to provide significant affordable housing. Councillor Bevan seconded the motion, but added that it should also be refused on the grounds that the application failed to address the concerns raised by the Quality Review Panel.

The Chair moved that the application be refused, and following a vote with seven in favour and four against, it was

RESOLVED that the application be refused.

238. HGY/2018/0187 THE GOODS YARD

The Committee considered an application for: Hybrid Application with matters of layout, scale, appearance, landscaping and access within the site reserved for residential-led mixed use redevelopment to comprise the demolition of existing buildings/structures and associated site clearance and erection of new buildings/structures and basement to provide residential units, employment (B1 Use), retail (A1 Use), leisure (A3 and D2 Uses) and community (D1 Use) uses, with associated access, parking (including basement parking) and servicing space, infrastructure, public realm works and ancillary development. Change of use of No. 52 White Hart Lane (Station Master's House) from C3 use to A3 use.

The Chair asked members if there were any late declarations of interest to make. Councillor Bevan confirmed that he had responded to the consultation and raised concerns, however he stated that he would consider the application with an open mind.

The Planning Officer gave a short presentation highlighting the key aspects of the report and set out the background to the non-determination appeal.

A representative of the Peacock Industrial Estate addressed the Committee. Regeneration was welcomed in the area, but not at the expense of the existing tenants of the industrial estate. He requested that the applicants provide a boundary wall so that the area was protected, and that compulsory purchase orders would not be made.

Richard Serra, Head of Planning for Tottenham Hotspur agreed to consider the request for a boundary wall, and informed the Committee that Compulsory Purchase Orders were not for consideration by the Committee.

Officers and the Applicants responded to questions from the Committee:

- The Applicant explained that they had attempted to engage with the Planning Service, but had not been successful in identifying the missing planning obligations.
- Officers did not feel it was the case that the Applicant did not want to deliver, but rather that they had a different view on what was deliverable.
- The Committee were advised that regarding employment re-provision, that they should only consider land which was on the Applicant's site, and not adjoining properties.

Councillor Williams moved that the Committee accept the recommendations set out by officers in the report.

Following a vote, with ten for, zero against, and one abstention, it was

RESOLVED

- i) That should the development proposed in the subject of the report have been determined by the Planning Sub Committee, the Committee would have resolved to REFUSE hybrid planning permission for the following reasons:
- 1) In the absence of a full viability appraisal, the ability of the development to deliver the maximum reasonable amount and type of affordable housing, and to meet the requirements of Policy NT5, is unable to be determined. The proposal therefore fails to provide its contribution to the estate renewal required in NT5 and fails to meet the housing aspirations of Haringey's residents. The development proposal is contrary to the revised NPPF, London Plan Policies 3.9, 3.11 and 3.12, Draft London Plan Policies H5 and H6, Policy SP2, Policies DM 11 and DM 13, and Policies AAP3 and NT5.
 - 2) In the absence of a S106 agreement securing proportionate planning obligations, the development proposal makes an insufficient contribution to infrastructure and other obligations, including those specifically required by the High Road West Master Plan Framework and Site Allocation NT5. This insufficient contribution jeopardizes the viability and deliverability of the NT5 site. The development proposal is contrary to the revised NPPF, London Plan Policy 8.2, Draft London Plan Policy DF1, Strategic Policies SP16 and SP17, Policy DM48 and Policies AA1, AAP11 and NT5.
 - 3) The proposed access from White Hart Lane will give rise to a development that fails to improve connectivity and permeability for pedestrians and cyclists. The development fails to enhance White Hart Lane Station as a transport interchange. The development makes an insufficient contribution to place making and legible, pedestrian-focused Healthy Streets. The proposal is contrary to the revised NPPF, London Plan Policies 6.9 and 6.10, Draft London Plan Policy T1, Policy SP7 and Policies DM31, AAP7 and NT5.
 - 4) In the absence of a planning obligations agreement, the planning balance between harm to heritage assets and public benefit is not able to be determined and the less than substantial planning harm to heritage assets has been given appropriate weight. The development proposal is therefore contrary to the revised NPPF, London Plan Policy 7.9, Draft London Plan Policy HC1, Policy SP12, Policies AAP5, DM9 and NT5.
- ii) That authorisation be delegated to the Head of Development Management and/or Assistant Director - Planning to:
- 1) Refer this report to the Mayor for information
 - 2) Continue to defend the Council's position at appeal "including negotiation and approval of any planning obligation and conditions, and complete (if applicable) the planning obligation."
 - 3) Engage with the applicant to agree a Statement of Common Ground (SoCG) prior to the Planning Inquiry.

Summary of Reasons for the Recommendation

- The provision of a mixed use scheme comprising housing and commercial uses is acceptable in principle however concerns remain around the outline nature of the proposal and its comprehensiveness in relation to the site allocation NT5 and the High Road West Master Plan Framework (HRWMF).
- The access to the site is unacceptable and will undermine the public realm and the Council's regeneration objectives for White Hart Lane. Balancing planning harm against amenity impacts is not possible in the absence of a planning obligations agreement, as the benefits of the scheme to the wider locality cannot be quantified.
- The lack of re-provision of social housing is not acceptable. In addition, the applicant has failed to consider the early phasing of the site as set out in the HRWMF in articulating the affordable position. This demonstrates a lack of comprehensiveness. The development proposal undermines affordable housing delivery in the locality.
- In the absence of securing planning obligations, a range of conventional planning issues remain unaddressed and would result in harm. The proposal would result in 'less than substantial harm' to heritage assets which is not outweighed by public benefits without such obligations.

239. UPDATE ON MAJOR PROPOSALS

RESOLVED that the report be noted.

240. APPLICATIONS DETERMINED UNDER DELEGATED POWERS

RESOLVED that the report be noted.

241. NEW ITEMS OF URGENT BUSINESS

None.

242. DATE OF NEXT MEETING

12 November 2018

CHAIR: Councillor Vincent Carroll

Signed by Chair

Date

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