

MINUTES OF MEETING PLANNING SUB COMMITTEE HELD ON THURSDAY, 9TH JULY, 2020, 7.00 - 10.35 PM

PRESENT:

Councillors: John Bevan, Luke Cawley-Harrison, Justin Hinchcliffe, Peter Mitchell, Viv Ross, Yvonne Say, Preston Tabois and Sarah Williams (Chair)

422. FILMING AT MEETINGS

Clerks note: As the Vice-Chair was not present at the meeting, the Clerk asked for nominations for a Chair of the meeting.

Councillor Mitchell nominated Councillor Williams. This was seconded by Councillor Bevan, and approved by the remainder of the Committee.

Councillor Williams in the Chair

Members noted that the meeting was being streamed live on the Council's website.

423. APOLOGIES

Apologies for absence were received from Councillors Adamou and Basu.

424. URGENT BUSINESS

There was no urgent business.

425. DECLARATIONS OF INTEREST

There were no declarations of interest.

426. MINUTES

Clerk's note: the minutes of the last meeting were not available for approval.

427. HGY/2020/0795 FORMER PETROL FILLING STATION, 76-84 MAYES ROAD, N22

The Committee considered an application for the redevelopment of the site to provide a single building of between 4 and 9 storeys in height, comprising 75 residential units (C3) and 953 sqm of flexible commercial floorspace (Use Classes A1-A5, B1 and B8), with associated cycle parking, plant, refuse and recycling provision, landscaping and all necessary ancillary and enabling works.

Officers responded to questions from the Committee:

- The Council's position was to keep all of the Council units together rather than separate them, as this made it easier to manage the properties.
- Service charges were driven by how the management of the properties were arranged and would depend on which services were provided.
- Access for services would be provided via Caxton Road.
- There would be three blue badge spaces available, two of which would include electric charging points.
- All properties would be accessed by both lifts and stairs.

Paul Burnham spoke in objection to the application. He commented that it was unacceptable that the number of affordable rent properties had been reduced by four, and replaced by shared ownership properties. He felt that none of the development complied with any planning policies, none of which gave any support to tenure segregation. He added that it was important to maximise integration of housing tenures, and asked the Committee to reject the application.

Natasha Sivandan spoke in objection to the application. She also referred to the number of shared ownership properties, and commented that this was not affordable for most in housing need. Ms Sivandan made reference to her submission in the agenda pack, and her statement that there had been no Equalities Impact Assessment carried out. Ms Sivandan considered that the development was in breach of the Equality Act 2010 as it did not meet local need, and was indirectly discriminatory on the grounds of race and / or religion in relation to family sized accommodation. The provision of homes with wheelchair access in just block A was also considered to be indirectly discriminatory. Ms Sivandan request the Committee reject the application as it did not meet local needs and was in breach of the Equality Act.

Officers responded to questions from the Committee:

- Individual planning applications were not subject to Equalities Impact Assessments (EQIAs). All applications had to confirm to the Local Plan and Housing Policies which themselves had been subject to EQIAs. There was case law (Harris v London Borough of Haringey 2010) relating to a development which required an EQIA, but this was due to the demolition of buildings belonging to a particular group. This development was for a vacant site, so the case law was not relevant to this application.
- In response to Mr Burnham's submission, the number of affordable rent properties had increased since the agenda had been published and the development would now provide 15 Low Cost Rented homes (all London Affordable Rent) and 10 Intermediate homes.

Luke Cadman (Applicant) addressed the Committee. This application was for the development of a brownfield site and would include residential, retail and employment space. The development would deliver a high quality, well designed building. There would be no 'poor doors', and all residents would access the development through the same communal entrance where post boxes would be situated.

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

- The properties would be heated by communal boilers.
- There were a number of operators which would work in the retail spaces, and it was proposed that the retail unit would be stepped back to provide more pavement space.
- The development overprovided on child's play space which would make it an attractive development for young families. All play space on the development would be accessible to all residents.
- All properties would be dual aspect.

Dean Hermitage, Head of Development Management, informed the Committee that there were some minor amendments as outlined in the published addendum.

Councillor Bevan moved that the application be rejected on the grounds that the design was not good, the views to the East of the development were unacceptable, and the development was out of keeping with the character of the local area. Councillor Tabois seconded the motion.

The Chair moved the vote to reject the application and with two in favour and seven against, the vote to reject the application was not carried.

Councillor Cawley-Harrison moved that a condition be added that the two disabled parking spaces with electric charging points should not be restricted to electric cars only. Mr Hermitage advised that this could be added.

The Chair moved the vote to approve the application and with six in favour and three against, it was

RESOLVED that

- i) Planning permission be GRANTED and that the Head of Development Management or the Assistant Director Planning 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 obligations set out in the Heads of Terms.
- 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) The section 106 legal agreement referred to in resolution (i) above is to be completed no later than 30 September 2020 or within such extended time as the Head of Development Management or the Assistant Director Planning shall in her/his sole discretion allow.

- iv) 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 listed in full at Appendix 1.
- (v) 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:
 - (i) In the absence of a legal agreement securing 1) the provision of on-site affordable housing and 2) viability review mechanism, the scheme would fail to foster mixed and balanced neighbourhoods where people choose to live, and which meet the housing aspirations of Haringey's residents. As such, the proposal is contrary to London Plan Policies 3.9, 3.11 and 3.12, Local Plan Strategic Policy SP2, and Development Management DPD Policies DM11, DM13 and DM48.
 - (ii) In the absence of legal agreement securing 1) parking management plan, residential and commercial Travel Plans, Traffic Management Order (TMO) amendments and a Construction Management and Logistics Plan (CMLP) and 2) financial contributions toward travel plan monitoring, car club funding, sustainable and active travel and parking control measures, the proposal would have an unacceptable impact on the safe operation of the highway network, and give rise to overspill parking impacts and unsustainable modes of travel. As such, the proposal is contrary to London Plan policies 6.9, 6.11 and 6.13, Local Plan Strategic Policy SP7 and Development Management DPD Policies DM31, DM32 and DM48.
 - (iii) In the absence of a legal agreement securing a carbon offset payment and updated energy plan, the proposal would fail to mitigate the impacts of climate change. As such, the proposal is unsustainable and contrary to London Plan Policy 5.2, Strategic Policy SP4 and Development Management DPD Policies DM21, DM22 and DM48
 - (iv) In the absence of a legal agreement securing a financial contribution towards child play space, the proposal would fail to deliver an acceptable level of play and informal recreation based on the expected child population generated by the scheme. As such, the proposal is contrary to London Plan policy 3.6, the Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG and Local Plan Strategic Policy SP13.
 - (v) In the absence of a legal agreement securing a financial contribution towards construction training and local labour initiatives, the proposal would fail to deliver an acceptable level of support towards local residents accessing the new job opportunities in the construction phase of the scheme. As such, the proposal is contrary to Haringey's Planning Obligations SPD 20184.

- (i) In the absence of a legal agreement securing the developer's participation in the Considerate Constructor Scheme, the development would fail to mitigate the impacts of construction and impinge the amenity of adjoining occupiers. As such, the proposal is contrary to London Plan Policies 5.3 and 7.15, Local Plan Strategic Policy SP11 and Development Management DPD Policies DM1 and DM48.
- (vi) In the event that the Planning Application is refused for the reasons set out in resolution (v) above, the Head of Development Management or the Assistant Director Planning (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;
 - (ii) The further application for planning permission is submitted to and approved by the Head of Development Management or 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 (i) above to secure the obligations specified therein.

428. HGY/2020/0847 LOCK KEEPERS COTTAGES, FERRY LANE, N17 9NE

The Committee considered an application for the redevelopment of the site comprising the demolition of existing buildings and the erection of a new building ranging in height from 3 to 6 storeys to accommodate 13 residential units (Use Class C3), employment floorspace (Use Class B1a) at upper ground and first floor level and retail / café floorspace (Use Class A1 / A3) at lower ground floor level, along with associated landscaping and public realm improvements, cycle parking provision, plant and storage and other associated works.

Officers responded to questions from the Committee:

- A development which was not viable for the provision of social housing did not mean that it was not viable to build at all. When considering the viability of a development for social housing, there had to be regard to a minimum level of profit for the developer.
- Page 6, paragraph of the 6.2 addendum report noted that bat surveys had recently completed and no bat activity had been found. However, bat boxes and other measures would be incorporated into the development.

Laurie Elks spoke in objection to the application. He felt that the River Lea area was becoming more and more enclosed by developments – Hale Village and Hale Wharf were high buildings next to this development. The Area Action Plan set out that the Lockkeepers cottages should be developed as part of a comprehensive proposal – Mr Elks added that any development on the site should enhance the character of the

area. Mr Elks referred to the comments of the Parks Authority that the development was too much and requested that the Committee reject the application.

Councillor Gordon spoke in objection to the application. She referred the Committee to the large number of local residents who had objected to the application. There were too many high-rise towers in the area and local residents needed some open space. Cllr Gordon referred to the sale of properties in Hale Wharf, which were advertised for sale in China and stated that these were built for investments and not for local residents. She requested that further thought be given to the development to provide a better proposal.

Tom Cole, Planning Consultant, addressed the Committee. The site was a mixed-use development, which was wholly in accordance with planning policy. The development would create c.60 jobs, new offices for Lea Valley Estates, as well as providing employment, training and apprenticeships for Haringey residents.

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

- Deliveries would be directed to the concierge at Hale Village, who would then deliver to the development.
- Waste would be collected by Hale Village as part of the ongoing management of the development.
- The development was six storeys in height and did not encroach on the park or the waterway.
- The viability assessment set out that the development was unable to form any contribution to affordable housing either on or off site.

The Chair moved the vote to approve the application and with four in favour, four against and one abstention, the Chair used her casting vote and it was

RESOLVED that

- i) Planning permission be GRANTED and that the Head of Development Management or Assistant Director of Planning 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 obligations set out in the Heads of Terms below.
- ii) The section 106 legal agreement referred to in resolution (i) above is to be completed no later than 30th July 2020 or within such extended time as the Head of Development Management or the Assistant Director of Planning shall in her/his sole discretion allow; and
- iii) Following completion of the agreement(s) referred to in resolution (i) within the time period provided for in resolution (ii) above, planning permission shall be granted in accordance with the Planning Application subject to the attachment of the conditions; and

- iv) Delegated authority be granted to the Assistant Director of Planning/Head of Development Management 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.

- v) 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. 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 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.
 - 4. The proposed development, in the absence of a legal agreement to secure an appropriate financial contribution towards the Paddock, would fail to meet the development requirements of Site Allocation TH9 and would fail to provide sufficient mitigation for the ecological impact of the development. As such, the proposal would be contrary to Policy SP13 of the Local Plan 2017, Policy 7.19 of the London Plan 2016 and the development guidelines of Site Allocation TH9 of the Tottenham Area Action Plan.

- 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 the 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.

429. HGY/2020/0158 300-306 WEST GREEN ROAD N15 3QR

Clerk's note: The Chair suspended Standing Orders at 21.45 to allow the Committee to continue past 22.00 for the consideration of HGY/2020/0158 300-306 West Green Road N15 3QR

The Committee considered an application for the demolition of existing buildings and erection of a five-storey building (plus basement) comprising of a retail unit at ground and basement levels and nineteen residential units above; and associated landscaping and the provision of an outdoor children's play area.

Officers responded to questions from the Committee:

- The development would generate some traffic, but there was already some existing commercial use in the area. In assessing the increase, it was felt that that it was not substantial enough to warrant refusal of the application.
- The balconies on the street frontage would have a single-glazed screen which could be closed off in winter. The balconies would not be hugely visible from the street, so clutter would not be seen.
- The shutters on the plans were not shown as external shutters, therefore shutter boxes would need to be added to the permission (and could be done by way of an informative).

Tom Kirk spoke in objection to the application. He, along with other residents in Strawbridge Court felt that the application should be rejected. Each property in Strawbridge Court would have windows which would face onto the new development. All properties in Strawbridge Court bar one were single aspect, and the new development would cause residents to feel that they were living in a goldfish bowl. The current retail units had not been used for 2.5 years, so the traffic assessment could not be based on the current retail use.

Dean Hermitage, Head of Development Management, advised that there was 20.1 metres between the flank of the proposed building and Strawbridge Court. A typical street width was 20 metres.

Chris Jones, Planning Consultant, addressed the Committee. The application had been assessed by the Quality Review Panel and at pre-application stage. The development would provide additional public realm and landscaping, as well as incorporating an increase in dwellings and a retail unit. The daylight and sunlight assessment showed no negative impact on Strawbridge Court.

Councillor Tabois proposed that the application move to a vote and this was seconded by Councillor Bevan.

Councillor Cawley-Harrison moved to refuse on the grounds of design, density significantly being above the matrix, overlooking and privacy particularly in regard to the Strawbridge Court residents and the penthouse units, and the single aspect units from both buildings. This was seconded by Councillor Hinchcliffe.

The Chair moved the vote to refuse the application and with five in favour, three against and one abstention, it was

RESOLVED that the application be refused on the grounds of design, density significantly being above the matrix, overlooking and privacy particularly in regard to the Strawbridge Court residents and the penthouse units, and the single aspect units from both buildings.

430. UPDATE ON MAJOR PROPOSALS

This item was not considered due to the late time of the meeting. Members were encouraged to email any questions directly to officers.

431. APPLICATIONS DETERMINED UNDER DELEGATED POWERS

This item was not considered due to the late time of the meeting. Members were encouraged to email any questions directly to officers.

432. NEW ITEMS OF URGENT BUSINESS

None.

433. DATE OF NEXT MEETING

8 September 2020

CHAIR: Councillor Sarah Williams

Signed by Chair

Date

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