

MINUTES OF MEETING

**Planning Sub Committee held on Thursday, 11th May, 2023, 7.00
- 8.30 pm**

PRESENT:

**Councillors: Barbara Blake (Chair), Reg Rice (Vice-Chair), John Bevan,
Cathy Brennan, Lester Buxton, Luke Cawley-Harrison, Ajda Ovat,
Matt White and Alexandra Worrell**

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

2. PLANNING PROTOCOL

The Chair referred to the planning protocol and this information was noted.

3. APOLOGIES

Apologies for absence were received from Councillors Bartlett and Dunstall.

4. URGENT BUSINESS

There were no items of urgent business.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. MINUTES

RESOLVED

To confirm and sign the minutes of the Planning Sub Committee held on 16 January 2023 and 6 February 2023 as a correct record.

7. PLANNING APPLICATIONS

The Chair referred to the note on planning applications and this information was noted.

8. HGY/2022/2731 - 44-46 HAMPSTEAD LANE, N6 4LL

Samuel Uff, Planning Officer, introduced the report for the demolition of existing dwellings and redevelopment to provide a 66-bed care home (Use Class C2);

associated basement; side / front lightwells with associated balustrades; subterranean and forecourt car parking; treatment room; detached substation; side access from Courtenay Avenue; removal 4 no. trees in rear; amended boundary treatment; and associated works.

Officers responded to questions from the Committee:

- There was no policy requirement for affordable housing provision within the care sector, as this was a different use class to conventional housing. The Planning Authority was therefore restricted in its' powers in terms of affordable housing for older people.
- The entrances to the site would have railings with hedgerows and planting, but with some permeability.
- The cost per bed within this development would be a determining factor in whether the Council would purchase a care package for a resident of the borough within this development, or place the resident out of the borough.

James Leof spoke in objection to the application on behalf of Compton Avenue Residents. Noted:

- The proposal did not comply with local policies – DM10 (unacceptable loss of family housing), DM15 (specialist forms of accommodation should be located near to good forms of transportation), SP12 and DM9 (loss of existing buildings in a Conservation Area), and SP1 (proposal should meet local development needs only).
- The proposed development was out of keeping with the residential character of the area, and there was a lack of local services, zero amenities and very poor public transport.
- There was limited parking in the local area, and an increase of 47 visitors to the site with only 7 spaces provided would impact hugely on the local area.

Matt Brewer spoke in objection to the application on behalf of the Courtenay Avenue Residents Association. Noted:

- There were significant issues with the proposal, and it did not comply with local planning policies.
- The site was located in a sensitive area, and the harmful impact of the demolition would be exacerbated by the overbearing scale of the proposed building.
- The scheme was at odds with the heritage context, character and appearance of the Conservation Area. There were no heritage benefits to outweigh the level of harm.

Shahabedin Jafari spoke in objection to the application. Noted:

- His property would be severely overlooked and overshadowed by the new development.
- No evidence had been provided in relation to a proper ground water flow assessment, and as Courtenay Avenue was on a deep slope, this could be a significant problem for the area.

The objectors responded to questions from the Committee:

- The new development would not outweigh the loss of two family dwellings in a Conservation Area. The need demonstrated in the application was for a borough-wide need, but this was in an area which should only provide significant development for local need.
- There was a hidden river which ran between the two roads – any recent basement developments had caused neighbouring gardens to flood, and remain flooded for some time afterwards.

The Applicant team - Stuart Minty, Agent (SM Planning) and Andy Goodchild (Project Architect) – addressed the Committee in support of the application. Noted:

- The new building would provide 66 units of accommodation, largely for older people with Alzheimer's, dementia and other neurological disorders.
- The footprint would be set back from the highway frontage, which would preserve the appearance of the building on its large plot. The scheme had been amended a number of times following feedback.
- There were no significant trees removed from the site and any trees removed would be replaced around the site.
- The applicant was fully committed to the Section 106 requirements.

The Applicants responded to questions from the Committee:

- Some of the bricks could be reused in the rebuild. It would not be possible to use the existing buildings as the existing layouts and ceiling heights were not suitable. The applicant also wanted to provide full height glazing, which would not fit with the existing façade.
- Four trees would be lost – one with moderate value, and three with low value. These would be removed in order to install the dementia friendly garden. Around 15 semi-mature trees would be replanted around the site. Condition 5, part j specified that any new trees should provide at least a net gain of tree canopy.
- Paragraph 6.8.1 of the report described the method of travel to work. It was anticipated that 40% of staff would drive to work, however these would be shift workers, so the Applicants were confident that the site could accommodate this level of parking.
- The operator of the facility currently operated 52 care homes nationally, so they understood the nature of the business well and would have a number of staff in place ready to work.
- There had been significantly fewer objections to this application than to the first application, and the Applicant felt that this was because they had used the feedback to address previous concerns raised.

Robbie McNaugher, Head of Development Management summed up the recommendations as set out in the report, and confirmed that there were no amendments or additions to these.

The Chair moved that the report be granted and following a vote with 9 in favour, 0 against and 0 abstentions it was

RESOLVED

1. To GRANT planning permission and that the Head of Development Management 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.
2. That delegated authority be granted to the Head of Development Management or the Assistant Director Planning, Building Standards & 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.
3. That the section 106 legal agreement referred to in resolution (1) above is to be completed no later than 24/05/23 or within such extended time as the Head of Development Management or the Assistant Director Planning, Building Standards & Sustainability shall in her/his sole discretion allow; and
4. That, following completion of the agreement(s) referred to in resolution (1) within the time period provided for in resolution (3) above, planning permission be granted in accordance with the Planning Application subject to the attachment of the conditions.

Summary Lists of Conditions, Informatives and Heads of Terms

1. Three years
2. Drawings
3. Materials
4. Boundary treatment and access control
5. Landscaping
6. Lighting
7. Site levels
8. Archaeological investigation
9. Secure by design accreditation
10. Secure by design certification
11. Land Contamination
12. Unexpected Contamination
13. NRMM
14. Demolition/Construction Environmental Management Plan
15. Construction Ecological Management Plan
16. Landscape Ecological Management and Maintenance Plan
17. Bird nesting protection
18. Arboricultural Method Statements
19. Tree Protection Plan

20. Landscape Plan and aftercare programme
21. Energy strategy
22. Sustainability strategy
23. Overheating
24. Living roof
25. BREEAM Certification
26. Qualified professionals (Basement development)
27. Movement monitoring (Basement development)
28. Construction Management Plan (Basement development)
29. Car Parking
30. Cycle Parking
31. Construction Logistics Plan
32. Internal layout – Stirling accreditation
33. Obscure glazing
34. Restriction to use class
35. Use of treatment Room
36. Treatment room hours of operation
37. Reservation system for visitors
38. Kitchen extract
39. Restriction to telecommunications apparatus
40. Satellite antenna
41. Fire safety
42. Plant noise
43. Piling Method Statement
44. Surface Water Drainage Condition
45. Sewage infrastructure
46. Details of generator room

Informatives

- 1) Co-operation
- 2) Hours of construction
- 3) Party Wall Act
- 4) Street Numbering
- 5) Sprinklers
- 6) Asbestos
- 7) Refuse contract
- 8) Secure by design
- 9) Archaeology
- 10) Thames Water underground assets
- 11) Water pressure
- 12) Ramps

Section 106 Heads of Terms:

1. NHS financial contribution of £152,283 to support local NHS resources.
2. Private healthcare arrangement offered to residents.

3. Site wide management plan
 - Treatment room – shell and core fit out;
 - Use to be determined in consultation with NHS and Haringey Council;
 - Use will only be permitted for 1 external appointment at a time.

4. Priority use for Haringey residents
 - Locally advertised;
 - Fast track to top of waiting list.

5. Carbon
 - Be Seen commitment to uploading energy data
 - Energy Plan and Sustainability Review
 - Offset Contribution of £63,327 (plus 10% management fee).

6. Travel Plan & Monitoring Contribution
 - Tube drop off and pick up;
 - Monitoring of travel plan contribution of £2,000 per year for a period of 5 years.

7. Employment Initiative – participation and financial contribution towards Local Training and Employment Plan
 - Provision of a named Employment Initiatives Co-Ordinator;
 - Notify the Council of any on-site vacancies during and following construction;
 - 20% of the on-site workforce to be Haringey residents during and following construction;
 - 5% of the on-site workforce to be Haringey resident trainees during and following construction;
 - Provide apprenticeships at one per £3m development cost (max. 10% of total staff);
 - Provide a support fee of £1,500 per apprenticeship towards recruitment costs.

8. Monitoring Contribution
 - 5% of total value of contributions (not including monitoring);
 - £500 per non-financial contribution;
 - Total monitoring contribution to not exceed £50,000

The above obligations are considered to meet the requirements of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (as amended).

5. That, in the absence of the agreement referred to in resolution (1) above being completed within the time period provided for in resolution (3) above, the planning permission be refused for the following reasons:
 - a. The proposed development, in the absence of a legal agreement securing 1) NHS financial contribution. 2) Site wide management plan for the C2 operation and ancillary treatment room and 3) Priority for Haringey admissions, would give rise to local stress on services. As such, the proposal is contrary to London Plan policy H13, policies SP14

and SP16 of Haringey's Local Plan 2017 and Development Management DPD Policies DM15.

- b. The proposed development, in the absence of a legal agreement securing implementation of a travel plan and monitoring fee 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 T1, Development Management DPD Policies DM31, DM32, DM48 and Highgate Neighbourhood Plan Policies TR3 and TR4.
- c. 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.
- d. The proposed development, in the absence of a legal agreement securing sufficient energy efficiency measures and financial contribution towards carbon offsetting, would result in an unacceptable level of carbon dioxide emissions. As such, the proposal would be contrary to Policies SI 2 of the London Plan 2021, Local Plan 2017 Policy SP4 and Policy DM21 of the Development Management Development Plan Document 2017.

6. In the event that the Planning Application is refused for the reasons set out in resolution (5) 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.

9. UPDATE ON MAJOR PROPOSALS

There were no queries on the report. The Chair noted that any queries could be directed to the Head of Development Management.

RESOLVED

To note the report.

10. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

11. DATE OF NEXT MEETING

It was noted that the date of the next meeting was 5 June 2023.

CHAIR: Councillor Barbara Blake

Signed by Chair

Date