

REPORT FOR CONSIDERATION AT PLANNING APPLICATION SUB-COMMITTEE

Reference No: HGY/2005/2060 **Ward:** Hornsey

Date received: 07/11/2005 **Last amended date:** 10TH Feb 2006

Drawing number of plans : Site Access Report: Planning Application
Supporting Statement: A1A;B;
9PWD/A1/5022/EX A; 9PWD/A1/5026/EX A : 9PWD/A1/5023/EX A;
9PWD/A1/5024/EX A; 9PWD/A1/5025/EX A. 9PWD/A1/5027/EX A; Plan
showing gate relocation. SKT1 Rev a: 9PWD/A1/02001/IN C;

Address: Hornsey Treatment Works, High Street N8

Proposal: Erection of pre-treatment building on disused filter bed comprising new main process building and chemical storage and dosing building associated plant and equipment and provision of new access road via New River Village and adjacent to the New River.

Existing Use: Treatment works **Proposed Use:** Treatment Works

Applicant: C/O Thames Water Property Thames Water Utilities Limited

Ownership: Thames Water

PLANNING DESIGNATIONS

2005 Area of Special Character
Conservation Area
ROAD - BOROUGH
Conservation Area
Area of Special Character
Ecological Corridor
EVS - Borough Grade 1
EVS - Metropolitan
Green Chain - Proposed
Metropolitan Open Land

Officer Contact: Frixos Kyriacou

RECOMMENDATION

1. To grant planning permission subject to a section 106 and agreement and planning conditions and subject to referral to the Greater London Authority who have 14 days in which to decide whether or not to direct refusal.

SITE AND SURROUNDINGS

The site is located adjacent to the south slopes of Alexandra Palace and Park and is bounded by the Park to the west and the railway line and New River to the east. To the south is Newland Road, which provides the existing access road, and further to the south are the residential properties of the Campsbourne Estate.

The application site consists of a reservoir to the north and six individual slow sand filter beds to the south. There are also a number of operational buildings and associated structures that are used in conjunction with the works. A distributor road runs around the site, which enables commercial vehicles to service the premises.

The site is considered to be a very sensitive site as it is located within Metropolitan Open Land and part of the site to the north including the reservoir is designated as an area of Ecological Borough Grade 1 status. The site is also located within the Hornsey Water Works and Filter Beds Conservation Area and on the boundary with the Alexandra Palace and Park Conservation Area, which is also designated as a Historic Park and an Area of Special Character.

The site holds a prominent position and is visible from many public positions and viewpoints. The adjoining area has recently undergone extensive redevelopment in the form of the New River Village.

The proposed access road for construction would utilise the existing facility used in the construction of the New River Village. The access for deliveries to the new treatment works would be through New River Village and across the New River and along the embankment crossing the Penstock footpath into the Thames Water Site. This would be a new access road.

PLANNING HISTORY

The main planning history relates to the redevelopment of the Hornsey Water Works where currently 626 new residential units are being developed.

In 1998- planning application HGY/1997/1980 was approved for the erection of new treatment plant and pumping station.

Condition 05 stated that all delivery, servicing and maintenance shall be from Newlands Road entrance and the south gate shall be used for maintenance access to the New River Water course.

In 2005 A similar application, but of a different design and access was refused for the following reasons:

01: Refuse Planning Permission for the following reasons:

The proposed development by reason of its design and scale would result in an unsatisfactory industrial standard design of poor design and quality architectural quality, and inappropriate materials detrimental to the appearance of the Metropolitan Open Land and the appearance of the Conservation Area contrary to the London Plan Policy 4B.1 Design Principles for a Compact City: OP 3.2 Metropolitan Open Land (MOL) and Alexandra Palace and Park: OP 3.5 Historic Parks, Gardens and Landscapes: and DES 1.2 Assessment of Design Quality (1) Fitting New Buildings into the Surrounding Area and DES 2.2 Preservation and Enhancement of Conservation Areas of the Unitary development Plan (1998) and Policies UD2 General Principles: OS1A Metropolitan Open Land: OS3 Alexandra Park and Palace: OS6 Historic Parks, Gardens, and Landscapes and CSV1A Development in Conservation Areas of the Revised Deposit Consultation Draft September 2004.

The proposed very special circumstances put forward are insufficient to outweigh the harm identified in reason for refusal 01: In addition insufficient information has been put forward regarding phase II of the proposals in order to allow a proper assessment of the long term impacts on the adjoining locality, Metropolitan Open Land and Conservation areas contrary to UDP Plan Policies OP 3.2 Metropolitan Open Land, DES 2.2 Preservation and Enhancement of Conservation Areas, and DES 1.9 Privacy and Amenity of Neighbours and Policies OS1A Metropolitan Open Land, OS3 Alexandra Park and Palace and CSV1A Development In Conservation Areas.

No section 106 agreement exists to secure funding for landscape strategy to the boundaries with Alexandra Palace, to secure funding for a screening and integration strategy.

The proposals do not demonstrate how the development will meet any objectives of sustainable development and energy efficiency contrary to Revised UDP plan policy UD1A and the London Plan policy 2A.1

DETAILS OF PROPOSAL

This application was revised on the 10th February 2006 .The revision was to the access to the site.

Background (from applicant's statement)

Phase 1 works would comprise flocculation and clarification treatment

upstream of the existing slow sand filters at Hornsey WTW with the purpose of improving the robustness of the process against algae growth in Hornsey reservoir. This is necessary to mitigate against bromate contamination given that Upper Lea Valley water has historically been used to provide dilution during algal bloom events. The DWI undertaking requires Phase 1 to be complete by December 2006. Phase 1 works will protect Hornsey WTW from operational problems resulting from the occurrence of algal blooms but the upper Lea Valley water remains contaminated and this resource must therefore remain under-utilised. This is particularly problematic during drought conditions. Phase 2 works are required to ensure Hornsey WTW is capable of treating bromate contaminated water so that the Upper Lea Valley sources may be utilised to its maximum extent. Phase 2 must be complete by December 2008.'

The Buildings

Two buildings are proposed one to carry out the main filtration system and one to store the chemicals.

The Main Process Building.

The maximum dimensions of the building would be 55.4m in length, 44.3m in width and 15.8m in height. This building would be sited on the northern - eastern filter bed in close proximity to the boundary with Alexandra Park and to the adjoining Campsbourne PlayCentre.

The building would vary in height due to the height of the eaves, in some cases the eaves would be 6m in height such as adjoining the Campsbourne Playcentre.

The Chemical Storage and Dosing Building.

This building would measure 43.3m in length , 9.25m in width and a maximum of 10.85m in height. The building would house chemical storage tank and dosing equipment.

This building would be centrally located within the site, 65m from the playcentre and 60m to the main entrance.

A number of commonly used chemicals in the water industry would be stored here, Sulphuric acid (delivered as a liquid and used to lower the ph value of the raw water. Polyaluminium chloride delivered as a liquid to promote the coagulation and flocculation of suspended particles.

Sodium Hydroxide (caustic Soda) to make the water more alkaline and Sodium Chloride (salt) delivered as a powder and used to regenerate water softeners.

The applicants have confirmed there will be a second phase and this is apparent in the report supplied by Thames water. The Council have received

some details of the nature of this second phase, however at this stage the information supplied is that the second phase would involve some new buildings. There are three methods which can be used , Thames Water have not decided on which method to use. It is likely that phase II would involve similar vehicle movements and building size,

Access.

Access to the site for construction would be from the access currently used for the construction of New River Village. Once construction is completed for phase 1. A new access would be created along New River. It is envisaged that all chemical deliveries would be through New River Village and across the New River and along the embankment and across the Penstock footpath. The vehicles delivering the chemicals would be upto 16m in length. This access would involve the construction of 2 new bridges. This access would then have to be used for the construction of phase II .

CONSULTATION

It is noted that Thames Water met with the Campsbourne Residents Association and members of the Playcentre on the 20th September 2005.

Also a Development Control Forum took place on the 16th December 2005 :

Thames Water arranged a visit to two other operational water works which was attended by officers, residents and members.

On the 9th March 2006 Thames Water met with residents to explain their revised access arrangements.

The following consultation has taken place :
Local Residents :

Campsbourne Community Residents' Association
42-86 (c) Newland Road
1-8 (c) Honeymead
1-21 (c) Campsfield
1-17 Myddleton Road
1-33 (c) Newland House, Newland Road
1-19 (c) Goodwin Court
7-24 (c) Koblenz House
25- 79 (o) Boyton Road
Rhein House 1-16 (c) Boyton Road
1-4 Newland Road
161-175 (o) Nightingale Road
1-76 (c) Amazon Building
1-90 (c) Blake Building
1-49 (c) Danube Building

1-30 (c) Emerson Building
1-37 Mildura Court
St.Mary's Infant School
Royal Society For the Protection Of Birds

Environment Agency
GLA
Drinking Water Inspectorate
Conservation Officer
Building Control
Conservation Officers
Local councillors
Garden History Society
Hornsey CAAC
Mayor's Office
Alexandra Palace Manager
Alexandra Palace and Park Statutory Advisory Committee

Campsbourne Playscheme
Campsbourne Junior and Infant School

Site Notices & Newspaper Advert

RESPONSES

The following responses have been received:

Campsbourne Playcentre: (and users)Comments taken from first application:

1. 80 children attend daily , as well as morning playgroup for under 5
2. Children play outdoors- need reassurances that no leakages will occur from chemicals stored on the site.
3. Height of building is alarming it would double the size of the playgroup's structure.
4. Parents on holiday need further time for consultation.

Campsbourne Community Residents Association and local residents Comments taken from first application.

1. Implications for health and safety. There is space on the site to locate the structure elsewhere on the site.
2. Clarification as to the types of the chemicals to be stored here:
Reassurance that there are no airborne particles or fumes from the chemical storage plant particularly during delivery.
3. Size of tankers between 5 and 23 tonne capacity: streets are narrow and are crowded/ schools on routes : high density residential development.

Clarification is required as to the exact number and size of the tankers, days and routes and the time of day.

4. Problems with access : walls have been demolished to a garden twice. Ideally gates should be widened or building demolished to widen access.
5. Object to the height of the building and massing of the building and would like to see further investigation into lowering of the roof line and sinking the building further into the ground to minimise the ridge line heights. Would set an unfortunate precedent for future developments on the site.
6. Materials ;steel grey roof looks like a factory and does not blend into the surrounding domestic architecture
7. No screening behind mature planting
8. Re-assurance that there will be no further development
9. Consultation was late and not wide enough
10. Re-locate building to back of the site nearest to the railway lines
11. Residents in Nightingale Lane object to the use of their road by large chemical tankers.

Hornsey Conservation Area Advisory Committee

Extremely concerned about this development of Metropolitan Open Land. It is hard to believe that the need for this for this plant was not envisaged when the adjacent land was sold for redevelopment.

Drinking Water Inspectorate: (DWI)

It confirms acceptance by the Secretary Of State to Thames Water undertaking to achieve compliance with the Bromate Parameter in water supplied by Hornsey Water Treatment Works as laid Down in the Water Supply (Water Quality) Regulations 2000.

' Where a Company encounters difficulties in meeting the conditions of an undertaking, or considers it should modify its proposed work, there is provision,..., for it to submit a new undertaking, if accepted by the Secretary of State... '

The letter states that such variations or new undertakings may be because of events not reasonably within its control.

Highways- No objection subject to a section 106 agreement and planning conditions.

Conservation Officer: No objection

Nature Conservation Officer:

I am concerned that the proposed route of the circa 3m wide access track, to the east of the New River, which is now proposed to be permanent, would destroy valuable habitat. This area of scrub and brambles supports mammals

and birds and there have been records of the scarce and declining lesser whitethroat in this area.

Any work must by law be carried out outside the bird nesting season (March to August). A survey of protected species should also be undertaken by a suitably qualified ecological consultant before works are undertaken – for example reptiles such as slow worms might be present here.

I would much prefer to see the route of the access track go along the west of the New River where there is already a roadway (new houses are being constructed along here). Is this really not possible? What volumes of traffic and times of the day for usage are envisaged once the initial works are completed?

If there is no option but impacting on the area of scrub, then I would prefer to see the access track located as close to the New River as possible, to minimise habitat loss in this area.

We should seek planning conditions such as planting with appropriate native trees and shrubs such as hawthorn in relevant areas. Bird and bat boxes could be placed on trees and buildings.

Work on the filter bed will need to avoid any adverse impacts on the adjoining Alexandra Park and Wood Green Reservoir Sites of Importance for Nature Conservation.

Alexandra Palace Management:

As you are already aware Alexandra Charitable Trust are in the process of carryout and Heritage Lottery Funded Landscape restoration project to improve the Palace surrounds and wider park. As part of this area we are improving the conservation area including new paths, improved habitat management and the construction of observation platform to enable park users to watch migrant waterfowl on the neighbouring reservoir/water treatment site.

Having considered the proposed construction of a pre-treatment building on a disused filter bed I would have to request that the new structure is screened by planting along the boundary with the park. At present there is some scrub and few small trees established along this section of boundary and there is space available for additional trees.

It would be preferable to make sure that there is sufficient space on the Water works side of the boundary for the tree planting as I would want to ensure that we negate any root damage claims related claims that may arise in the future.

I also notice from the application that there is specific mention of a chemical storage facility of some description. I would wish that this be located as far from the boundary as possible, preferably out of site.

Councillor Judy Bax and Councillor Quincy Prescott

Have made a number of concerns:

- Impact on residential amenity
- Impact on road safety
- Impact on health and safety
- Proximity of building to Playscheme
- Impact on MOL and Ecology Areas

Also they indicate their main issues for the community are the position of the buildings so close to the Playscheme:
The vehicular access and the impact on residents, ecology and conservation.
Also that alternative routes such as Bedford Road could offer better access arrangements.

Lynne Featherstone MP also raised concerns regarding the access arrangements and the impact on the playscheme.

The GLA- (**See Appendix 1 for Mayor's report Note that this report deals with original access as envisaged through Newlands Road**)(It is understood from the GLA that the revised scheme will go before the Mayor on the 22nd March 2006.

GLA's Conclusion:

Very special circumstances have been demonstrated to justify the inappropriate development on MOL and the approach is supported from a water supply perspective. However the scheme should contribute to the objectives for Green Belt (where they are relevant to this MOL site) The revised design is a significant improvement compared to the previous scheme and is of sufficient quality. The proposal incorporates energy efficiency measures, but does not incorporate any renewable energy. As this is technically feasible a proportion of renewable energy should be incorporated into the scheme before it is referred back to the Mayor.

New River Village Residents Association: (signed by 45 residents)

Fear of noise and dust pollution:
Noise and dust disruption at NRV if lorries are permitted use of NRV site roads to access the construction site:
Chemical spillage.
Noise pollution.
Support Campsbourne Estate Residents worried about impact on Nursery.

A further letter and petition signed by 100 residents has been. The letter makes the following objections.

Pre-treatment works buildings – scale & design

The scale and design of the building/s currently proposed for construction by Thames Water on Metropolitan open land will detrimentally affect sightlines from Alexandra Palace, the view of local residents who live adjacent to the site and will mean large-scale construction in a place that is currently reasonably tranquil and serves as habitat to a range of birds (including swans) and wildlife. The proposed access route will also impact negatively on key local pedestrian routes, namely the Penstock path (well used by both pedestrians and cyclists) and the New River Path.

Noise/Dust/Traffic disruption for residents

In the revised planning application it is proposed access (for delivery tankers, and, probably during 'phase 2', for construction vehicles) come through the New River Village development. Residents (tenants and lessees) fear that this will mean severe disruption for them, in the form of noise, dust, heavy traffic and possible chemical spillage pollution. We already live on a construction site. We do not want more construction works on our doorstep for the foreseeable future.

Affect on new public park and landscaped area

The development was (and continues to be) sold to buyers by developers St James as a desirable, peaceful and 'lifestyle' complex that will (eventually) include a 'vertical park' running alongside the New River, to be of community benefit to the area and provide a new green space for all Haringey residents to enjoy. The proposal - to permit articulated lorries (those involved in the construction process and those used to deliver chemicals to the plant) to run along a (new) road parallel to the length of the New River and also to construct two new bridges in order to facilitate the lorries' crossing the river - completely destroys the concept of a public park that was surely originally intended to be for use by children, families and local residents in peace and safety.

Road damage

Thames Water is proposing (probably during 'Phase 2' of the work proposed) to gain access from the High Street into the private road which is New River Avenue. Such access will inevitably lead to damage to the road's surface (it was never designed for such heavy-duty use as construction traffic and, indeed, St James' contractors are not permitted to use it for this purpose at the present time). Leaseholders, in the future, may then well end up being asked to foot the cost of repairs through their service charge bills. Access via New River Avenue by heavy vehicles could mean endangerment of children, the elderly and vulnerable people who may be going about their business on, or close by to, New River Avenue (especially when the vertical park and associated landscaping/boardwalk are in place).

Discussions not disclosed

Thames Water has been aware of the problem with bromate pollution in the ground water since (at least) 2000. When NRV residents bought their flats in 2004 and later, no mention was made either by St James (the developer) or Thames Water of the proposal to build a major pre-treatment facility on the nearby filter beds and certainly no suggestion that access to the site should be through the NRV complex itself.

Absence of information about Phase 2

Phase 1 of Thames Water's proposal could serve to set a precedent whereby more vehicles will require access during Phase 2 of the works (it is not clear what Phase 2 will involve by way of construction or associated traffic). More information is needed about Phase 2 works. Assurances are also needed that Thames Water does not intend to add even more phases to its plans in the future.

Newlands Rd/Nightingale Lane access not the solution either

From a social and environmental viewpoint the Thames Water application is indefensible. Another solution needs to be found (and it should not be to revert to the previous proposal of Thames Water's lorries accessing the site via Newlands Road/Nightingale Lane, as this too is a totally unacceptable proposal, for the reasons already voiced by residents living in that vicinity - such as the fact that there is a nursery located very close to the site). It is understood that the quality of the water being treated in our area needs improving, but the means by which Thames Water makes this happen should not be to the sacrifice and long term detriment of NRV and Haringey residents' quality of life.

On behalf of all NRV residents and the wider Haringey community, we ask that officers do not recommend this application and that the committee makes a decision against it when it is put forward for consideration.

We also ask that the planning committee and Haringey council planning officers encourage Thames Water to *explore alternative options* in relation to the proposed location of the pre-treatment plant and the access route. This includes entering into discussions with the owners/managers of the nearby railway in order to explore possible access from the north of the site, near the railway track.

Objections raised in individual letters:

- 1.transit of dangerous chemicals
- 2.Impact on Campsbourne School
- 3.An unsightly industrial site next to Alexandra Palace
- 4.Access via Nightingale Lane unrealistic always been from Hornsey High Street
5. Problems with fire access
- 6.Impact on children
- 7.Details on Phase II vague
- 8.Health and Safety
- 9.Impact on MOL,visual.
- 10.Heavy vehicles accessing NRV
- 11.Smells
- 12.New river Village not complete
13. Proposed landscaping for NRV would be destroyed.
- 14 Impact on lay out of New River Village
- 15.Other access points such as the industrial site and existing construction site access should be explored.

The Environment Agency have raised no objection but have requested the following conditions:

1. Development shall not commence until an assessment has been undertaken of the impacts of this proposed development upon the structural integrity of the Moselle Brook which crosses from east to west beneath the proposed road crossing. For these proposals to be acceptable, it shall be demonstrated that the culvert is of a good enough condition to support a new road and passage of vehicles, also that the crossing has been designed so that no additional load shall be placed shall be placed upon the culvert's wall.
2. Condition relating to contamination
3. Condition relating to surface and foul water drainage system
4. No soakaways shall be constructed in contaminated land
5. A buffer zone of 5m to be established alongside the reservoir
6. landscape management plan
7. Planting
8. No light spillage

RELEVANT PLANNING POLICY

Adopted Unitary Development Plan: (1998)

Open Space and the Natural Environment :

Strategic Policies: OP1-OP5

OP 1.1 PROTECTION OF URBAN OPEN SPACE
 OP 1.5 GREEN CHAINS
 OP 1.6 TREE PROTECTION, TREE MASSESS AND SPINES
 OP 3.2 METROPOLITAN OPEN LAND
 Alexandra Palace and Park
 OP 3.5 HISTORIC PARKS, GARDENS, AND LANDSCAPES
 OP 4.1 PROTECTION OF ECOLOGICALLY VALUABLE SITES AND
 ECOLOGICAL CORRIDORS
 OP 5.4 ENHANCING THE WATER ENVIRONMENT
 OP 5.5 PRTECTING THE WATER ENVIRONMENT
 OP 5.6 WORKS AFFECTING WATER COURSES
 OP 3.5 HISTORIC PARKS, GARDENS AND LANDSCAPES.

Transport

TSP 1.3 TRANSPORT AND DESIGN
 TSP 2.1 SAFE MOVEMENT
 TSP 2.2 PEDESTRIAN ROUTES
 TSP 2.3 PEDESTRIAN AN VEHICLE CONFLICTS
 TSP 5.1 ROAD SCHEMES
 TSP 7.6 MEANS OF ACCESS AND CROSSOVERS

Design and Conversation

DES 1.2 ASSESSMENT OF DESIGN QUALITY (1): FITTING NEW BUILDINGS INTO THE SURROUNDING AREA
DES 1.3 ASSESSMENT OF DESIGN QUALITY (2) : ENCLOSURE, HEIGHT AND SCALE
DES 1.8 LANDSCAPING AND TREES IN DEVELOPMENT SCHEMES
DES 1.9 PRIVACY AND AMENITY OF NEIGHBOURS
DES 2.2 PRESERVATION AND ENHANCEMENT OF CONSERVATION AREAS
DES 2.6 MATERIALS

RIM 3.2 POLLUTION AND NUISANCE FROM NEW DEVELOPMENT

Haringey Unitary Development Plan Revised Deposit Consultation Draft September 2004

UD1A SUSTAINABLE DESIGN AND CONSTRUCTION
UD 2 GENERAL PRINCIPLES
UD8 NEW DEVELOPMENT LOCATION AND ACCESSIBILITY
UD 10 PLANNING OBLIGATIONS
UD 11 LOCATIONS FOR TALL BUILDINGS
ENV 3 ENHANCING AND PROTECTING THE WATER ENVIRONMENT
ENV4 WORKS AFFECTING WATER COURSES
ENV 5 POLLUTION
ENV6 ENERGY EFFICIENCY
ENV7A DEVELOPMENT AT OR NEAR PREMISES INVOLVING USE OR STORAGE OF HAZARDOUS SUBSTANCES
OS1A METROPOLITAN OPEN LAND
OS3 ALEXANDRA PARK AND PALACE
OS5 ECOLOGICALLY VALUABLE SITES AND THEIR CORRIDORS
OS6 HISTORIC PARKS, GARDENS, AND LANDSCAPES
OS9 OTHER OPEN SPACE
OS 15 GREEN CHAINS
OS16 TREE PROTECTION, TREE MASSES AND SPINES
CSVIA DEVELOPMENT IN CONSERVATION AREAS

London Plan -

Policy 3D.9 METROPOLITAN OPEN LAND
Policy 3D.12 BIODIVERSITY ,HABITAT, AND NATURE CONSERVATION.
Policy 4A.11 WATER SUPPLIES
Policy 4A .12 WATER QUALITY
Policy 4A.14 REDUCING NOISE

ANALYSIS/ASSESSMENT OF THE APPLICATION

The main issues to be covered in this report are as follows:

In relation to the buildings:

1. Inappropriate Development in the Metropolitan and whether there are any very special circumstances which should allow this development. (The needs of the water industry)
2. The impact on the two conservation areas: Hornsey Filter Beds and Alexandra Palace and Park. In terms of appearance, mass bulk and scale.
3. Impact on the Historic Park.
4. Impact on the amenity of local residents : (1) visual (2) noise (3) smell
5. Impact on the Nursery
6. Impact of Site of Ecological Interest

In relation to the Access Road:

- 1 .Impact on amenities of residents of New River Village
- 2 Impact on the Site of Nature Conservation
3. Impact on New River and Footpaths
4. Highway and Pedestrian Safety

METROPOLITAN OPEN LAND. (MOL)

The London Plan section 3.249 states ' MOL will be protected as a permanent feature and afforded the same protection as the Green Belt. Planning Policy Guidance Note 2 on Green Belts provides the tests for development in the Green Belt.

The first issue is whether the development is appropriate or inappropriate development in the Green Belt. PPG2- section 3.4 states that new buildings inside a Green Belt is inappropriate unless it is for the following purposes.

1 Essential facilities for outdoor sport and outdoor recreation, for cemeteries ***and other uses which preserve the openness of the Green Belt.***

It is considered the current reservoir and Thames Water site falls within this category. It is a predominantly open site with ancillary buildings.

Section 3.5 of PPG2 gives examples of the essential facilities, such as **small** changing facilities or **small** stables.

The proposed main treatment building would have dimensions of 44m in length and 55m in width. The building would have a maximum height of 15.8m , but this would vary significantly with some of the building being only 6m to the eaves and at other points 13.45m to the eaves. The main chemical building would be 9.2 m in width and 43m in length 5.69m to the eaves and 10m to the ridge.

Taking into account the size of the building , it is considered such proposals would amount to inappropriate development in the Metropolitan Open Land for which Very Special Circumstances must be demonstrated in order to justify inappropriate development.

Very Special Circumstances.

It is now necessary to examine the very special circumstances put forward by the applicants.

Need for Water Treatment Plant

Water does have to be treated either at source or at some point in its distribution network. If the treatment works were in Hertfordshire this area is predominantly Green Belt and similar inappropriate development issues would arise.

The source of the bromate contamination has been traced by the Environment Agency and Three Valleys Water to a chemical factory at Sandridge, to the north of St.Albans. The responsibility for the contamination is uncertain and the legal responsibility has not been clearly defined. It is understood remedial measures at source will take many years and it is clear that more immediate actions are needed to manage the bromate concentrations in water sources and supplies.

Thames Water has implemented a system to manage abstractions in order to control bromate concentrations at Hornsey. To date bromate has not been detected in the North London Artificial Recharge (NLARs) boreholes, located upstream of Hornsey. In the short term the company is planning to use the NLARs sources as a means of reducing abstraction from the contaminated wells and providing additional dilution.

Thames Water argue that this is not a complete or sustainable solution. In order to sustain the output from Hornsey the larger, more highly contaminated, sources must be used when the use of River Lea water is restricted due to high algal loading.

Contamination of raw waters with bromate is highly unusual. Other options have been considered, however the proposals are considered the only practical method of dealing with the contamination.

Thames Water have chosen this disused filterbed as when the plant was upgraded during 2000-2003, the six slow sand filters that were closest to the disinfection plant were chosen for refurbishment. This provided sufficient filtration area to produce the required flow of water and minimise the length of pipelines required.

Most of the pipe work required for the slow sand filters is buried below the roads on the site. If the pre-treatment building was constructed on another slow sand filter bed many of the existing connections would need to be replaced and the disused filter would have to be refurbished. This option was rejected by Thames Water because it would lead to the closure of the existing Water Treatment Works and because of excessive costs.

The Drinking Water Inspectorate on the 19th July 2005 confirmed the Secretary of State's acceptance of Thames Water's undertaking to achieve compliance with the Bromate parameter in water supplied by Hornsey Water Treatment Works.

It therefore appears that the water treatment plant would be essential to ensure that clean water is maintained for this part of London. There does appear to be very special circumstances why these buildings should take place in order to maintain an adequate and safe water supply.

The Greater London Authority have confirmed that in their view very special circumstances justify development on Metropolitan Open Land.

The introduction of this plant within the MOL would be inappropriate but the very special circumstances of the Water Industry are considered should carry significant weight. Very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. It is therefore necessary to consider other considerations and assess whether the very special circumstances are sufficient to outweigh any other harm identified.

URBAN DESIGN

The Mayor's Office has given some strong guidance on this issue reference is made to the London Plan chapter 4B-'Designs on London' states that good design is central to all the objectives of the plan. The Mayor also cites PPS1 and a key principle of that document states that " Design which fails to take the opportunities available for improving the character and quality of area should not be accepted "

In relation to this revised design the GLA have stated " The proposal is a vast improvement over the previous design. The layout of the building is broadly the same, as this is dictated by the equipment it houses. However, the applicant has introduced new materials for the façade (red ceramic tiles, yellow eternit cladding, blue and grey metal cladding and cream brickwork around the base) and replaced the single flat/pitched flat roof with three curved standing seam metal roofs. These design changes give the building a uniqueness and distinctiveness appropriate to its location in MOL and opposite the listed building at Alexandra Palace."

The design of the buildings with the curved profile roofs is certainly an improvement on the refused proposals. The choice of the materials and particularly the colours of the panels of the buildings will be important considerations. It is considered that a light grey/blue could help blend the building with its water side surroundings.

IMPACT ON THE CONSERVATION AREAS.

The site lies within the **Hornsey Filter Beds Conservation Area** and adjoins the Alexandra Park and Palace Conservation Area.

In relation to the Filter Beds, the main issue is the introduction of the two buildings which are of considerably size. The introduction of such buildings would have a significant visual impact on the character of the conservation area which is predominantly open and void of any significant buildings.

However, the buildings have now had a significant alteration to their design and as the site is within operational land, the development of the water filter beds is difficult to resist. It is now considered due to the more appropriate design that the buildings are of sufficient quality to preserve the appearance of the conservation area.

In relation to the **Alexandra Palace and Park Conservation Area** the main treatment building would be located close to the boundary with the Conservation Area. The building would be seen from the Park though there is some screening along the boundary. The building would also been seen from wider views on the upper slopes and from the Palace itself. It is therefore considered necessary to enter into a section 106 agreement requiring a contribution towards a landscape strategy for screening the building. Alexandra Palace and Thames water have reached agreement on a landscape strategy for the boundary with Alexandra Palace

The Palace and Park is also listed as a **Historic Park** and the Filter beds have formed part of the wider setting it is therefore considered essential that a landscape strategy within the Park is closely considered.

IMPACT ON ADJOINING RESIDENTIAL OCCUPIERS BUILDING:

Visual Impact

The building in parts would be 15m in height it would be more than 65m from the nearest residential property.. Some views would be gained from the public footpath which surround the site to the south and from the upper floors of houses and flats further to the south.

On balance the visual impact of the proposals would not be unduly dominating when viewed from the adjoining residential properties.

Noise

In order to ensure that the noise levels from the proposed operations do not exceed existing background levels a planning condition has been included in

the recommendation in the event that the Committee are minded to approve the Planning application.

Visits to similar facilities in Chingford revealed the noise levels outside the building were not significant.

Smells:

No significant odours were identified at the similar facility at Chingford.

The Nursery

A high degree of concern has been expressed by the nursery and parents regarding the proximity of the building and any threat from chemicals.

In relation to the building, the elevation facing the nursery the building at eaves level would be 6.2m, the maximum height of 15.8m would be a further 16m away from the nursery. The building would rise in height the further it moves away from the nursery. Good screening exists between the nursery and the proposed site of the building. It is considered in visual terms the building would not unduly dominate the nursery.

The building is located to the north-east of the nursery and therefore there would be no overshadowing of the property..

The chemical building is located over 23m from the nursery, The storage of chemicals is generally governed by other agencies and not directly by the planning system. However the applicants has provided details of the safety measures.

As the building would be located close to the nursery, the nursery may wish to landscape its boundaries or re-arrange its outside play areas. If members are minded to approve a sum of £7,500 has been negotiated for this purpose.

Impact on Adjoining Ecological Areas:

The application site lies outside but is situated in close proximity to the Wood Green Reservoirs which is a Grade 1 Site of Borough Importance and Alexandra Park is Grade II.

The development itself would be located on an existing filter bed which is predominantly hardstanding. There would be no loss of natural habitat however subject to suitable noise insulation and a management plan to cover the construction phase.

ACCESS ROAD THROUGH NEW RIVER VILLAGE .

The applicants revised their planning application to access the site through New River Avenue. The introduction of the access road through new River Village and across the New River along the Green Chain is considered to

represent a disadvantage of the development proposals Two bridge crossings would be required one at New River Village and another North of the Penstock footpath.

IMPACT ON THE AMENITIES OF NEW RIVER VILLAGE.

Visual Impact:

The visual impact of the new access road which would be sited opposite the first residential block of flats would be significant, a new bridge would be provided together with a new hardsurfaced road along the embankment. The plans for the New River Village envisaged the embankment being a landscaped route. Indeed objections have been received from residents who purchase their properties because of the views of the landscaped River.

The introduction of the bridge and road would reduce the amount of landscaping for this route.

There is no doubt the introduction of the road instead of the proposed grass verges and tree planting would reduce the attractiveness of the visual amenity to residents in New River Village. In addition the site of large vehicles moving along the Green chain is a significant disadvantage of the proposals.

Noise and Disturbance:

Once or twice a day there would be some noise from vehicles entering the site and passing over the bridge. However as this would be only for such a limited period it would be difficult to demonstrate sufficient harm from this noise and disturbance to warrant refusal of planning permission.

Proposed Green Chain/Ecological Area: (see comments from Nature Conservation Officer)

The introduction of the access road cannot be seen to comply with the policies relating the Green Chains and Ecology.

The Nature Conservation Officer would prefer the access to be on the western side of the New River. However this would have implications for future residents of the New River Village and disrupt further the proposed broadwalk down the New River. The Nature Conservation Officer has also outlined a number of ecological concerns which would partly be dealt with by planning condition.

The impact on the nature conservation aspects of the Green Chain would be negative aspect of the proposals. Currently from site visits it is clear that walkers use the existing New River walk and the introduction of the access road would make this path less attractive to walkers.

The applicants have produced an ecological study the conclusions are outlined below

The construction of the access route to Hornsey Water Treatment Works may potentially impact upon reptiles, particularly slow worms and grass snakes, and common species of breeding birds due to removal of approximately 0.1 hectares of semi-natural scrub and rank grassland habitat. Reptiles and breeding birds are protected under UK legislation, and therefore where bird nesting habitat or reptile habitat are proposed to be removed, mitigation is required to ensure works can proceed lawfully. The habitat of breeding birds and reptiles is however, not protected, and therefore mitigation is intended to avoid the killing or injury of reptiles and the killing, injury, damage or destruction of breeding birds, their eggs, dependant young and nests.

Mitigation, based on the precautionary approach which assumes the habitat would be used by reptiles and breeding birds, has therefore been formulated to ensure the access track has a minimal/negligible impact on breeding birds and reptiles.

The new access route within the corridor may include the removal of potential reptile and breeding bird habitat along the section of land which follows the eastern bank of the New River. This may potentially fragment the reptile population and have an adverse impact on the sustainability of any reptile population present. In order to ensure continuity of the green corridor and the associated reptile habitats, we have recommended that the final design and positioning of the access route allow for the retention of a linear strip of semi-natural scrub and rank grassland habitat to the east of the access track. A minimum one metre width of habitat should be retained, however the maximum amount of habitat should be retained, whilst permitting the safe construction and use of the track.

In order to avoid potentially disturbing breeding birds and damaging active nests, all scrub clearance work should be undertaken between September and February (inclusive), when birds are generally not breeding. Where this is not possible, the habitat should be surveyed prior to clearance to ensure no nesting birds are present.

If nests are found, works will have to be suspended until the young have fledged and the nest is no longer active.

In order to avoid potentially harming slow worms and grass snakes which may utilise the rank grassland and scrub habitats, the habitat should be cleared by experienced ecologists outside the hibernation period (to avoid potentially disturbing hibernating animals). To avoid nesting birds and hibernating reptiles, vegetation clearance is likely to be carried out in early September. Potential hibernacula should be removed in spring/summer and replaced in suitable habitats which are unaffected by the proposed access track. All hibernacula and terrestrial habitats should be removed by hand by experienced ecologists/herpetologists to avoid potentially killing or injuring reptiles during the habitat clearance.

If all mitigation recommendations are followed, the access track can be facilitated with minimal ecological impact on protected and notable species of birds, mammals, reptiles and amphibians.

As the access road is not required immediately it should be possible to implement all these mitigation measures.

Delivery Traffic

The applicants have stated that in terms of tanker movements, there will be one delivery per day. It is proposed to use a new access through New River Village. The path of the access would enter the New River Village, and then cross the new river via a new bridge adjacent to the first residential block of the New River Village. The access road would then continue along the river's embankment and enter the site after the Penstock footpath. Thames Water advise for delivery purposes there would be a maximum of one vehicle per day. The vehicles that would use the access road would be large articulated lorries. (upto 16m in length)

It is likely that if phase 2 is built then the number of vehicles using the access road would increase to 3 as a worst case scenario in terms of highway safety it is considered the proposed access would be suitable.

The number of vehicles involved would indicate that there would be unlikely to be any significant conflicts with pedestrians enter or leaving the New River Village. Pedestrian paths exist to avoid conflicts.

Construction Traffic.

In order that residents are not unduly disturbed by construction traffic Thames Water have agreed to enter the site from the existing construction access of New River Village.

This would mean the new access would not be required immediately.

Other Issues.

1. Access difficulties and Damage to walls

The neighbour nearest to the original proposed access had complained of damage to the wall in Newlands Road bounding the garden to the property which has been hit by vehicles entering and leaving the site.

The applicants have amended their plans to set back the access and gate to allow more turning area into the site. The plans have been amended accordingly.

As the access point has been changed this has now become less of an issue but the applicants have agreed to carry out the works.

2. Delivery of Chemicals:

Chemicals will be delivered to the site by dedicated road tankers with trained drivers. These tankers are operated by specialist chemical distribution companies with strict compliance with health and safety legislation.

Thames water have agreed to plan and co-ordinate chemical deliveries between Thames water and the distribution company to take account of local issues such as schools opening times and closing times. One chemical will be delivered at a time. There will be one delivery per day to supply the pre-treatment facility with the necessary Chemicals. Times for delivery will be after 10.00 am but would extend to 5.00 pm. Where there could be some clash with pupils going home.

There will be no weekend deliveries.

3. On site Operations:

The site will be generally unmanned but will be visited daily by a Thames Water operator the site will be continuously monitored at one of Thames Water's control centres.

Automatic alarms will be sounded if any problems are detected or if any plant automatically shuts down. An operator will then be called out to the site to investigate and take any action required.

The Council consider it preferably to have the premises manned on a 24 basis.

Other Access Arrangements:

Rail:

Thames Water have indicated that rail would require the purchase of land, and the creation of sidings which would be expensive and outside their control.

Also due to the change in levels this would require a significant engineering operation. The main problem is that the quantity of chemicals is so low that the delivery by rail cannot be justified in operational terms.

Access Through Old Thames Water Site:

Construction vehicles would use this access facility, however once the residential development is complete it would be impractical to use this access road. The use of this access road would affect more residential properties in the future and also disrupt the proposed broadwalk along the New River.

Existing Access.

The existing access is through Nightingale Lane, this road is heavily parked on both sides of Nightingale Lane also has a significant number of residential properties and schools.

The original application proposed to use this access point.

Bedford Road Access.

This access is also not ideal, Bedford Road is heavily parked and there are buses entering and leaving Alexandra Palace. Congestion also occurs across the bridge when large vehicles also turn onto the bridge.

There are also residential properties in close proximity. Thames Water there would also be problems due to the siting of a gas main in close proximity to the proposed access road. This access is also not fully in the control of the Water company and would require the purchase of land from other landowners according to Thames Water such as network rail and Alexandra Palace.

Section 106

Thames Water have offered to give over some land to widen the Penstock footpath in accordance with the request if the Transportation Section and to contribute to the lighting and maintenance of the footpath.

In addition agreement has been reached with Alexandra Palace to a landscape strategy for the boundary with the Palace.

A contribution has also been made to the Playscheme.

SUMMARY AND CONCLUSION

It is noted that this is phase I of a two phase process, the exact nature and type of buildings which are processed with Phase II are not yet fully Known by Thames Water. It is likely to involve the same level of development. If Members were minded to grant phase 1 it would be extremely difficult to refuse Phase II.

The proposals are inappropriate development within the Metropolitan Open Land (Policies OP 1.1 Protection of Urban Open Space: OP 3.2 MOL & Alexandra Palace and Park) and some harm would be caused to the open character of the land and the Hornsey Filter Beds Conservation Areas and Alexandra Park Conservation Area (Policy DES 2.2 Preservation and Enhancement of Conservation Areas) In addition the proposed access road through New River Village would have some implications for residential amenity (DES 1.9 Privacy and Amenity of Residents)and the Green Chain and Nature Conservation Site. Some of the impact would be ameliorated by conditions.

The proposed access road is not entirely satisfactory as it would have some impact the lay-out of New River Village particularly the broadwalk along the river and also on the Green Chain and Nature Conservation Areas. Through appropriate design and conditions the access road impact could be ameliorated to an acceptable level.

The Council is unaware of any alternative sites for this development, within the Waterworks or at other sites where this development could take place. However alternative access arrangements do exist through Newlands Road.

It is considered the harm caused by inappropriateness and other harm identified above is clearly outweighed by the benefits to the public interest of ensuring an effective and efficient Water Industry. (Policy OP1.1 and OP 3.2 : London Plan Policies Policy 4A.11 Water Supplies and Policy 4A .12 Water Quality)

Further there is section 106 agreement to ensure effective planting and landscape within Alexandra Palace and Park and improvements to footpaths where the access road would cross.

RECOMMENDATION 1

(1) That planning permission be granted in accordance with planning application reference HGY/2005/2060 subject to a pre-condition that Thames water shall have first entered in to an agreement with the Council under section 106 of the Town and Country Planning act 1990 (as Amended) AND Section 106 of the Town and Country Planning Act 1990 (As amended) and section 16 of the Greater London Council (General Powers) Act 1974 in order to secure:

- (1) To enter into an agreement with Alexandra Palace to secure a planting for the boundary with Alexandra Palace.
- (2) To provide land adjacent to the Penstock Footpath to provide improved pedestrian and cycle facilities.
- (3) £40,000 towards associated works and improved lighting.
- (4) £7,500 to the Playscheme.
- (5) Administrative /Recovery Costs- £2,500.

Recommendation (2)

Grant Permission

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

3. Any noise generated by virtue of this development shall not cause an increase in the pre-existing background noise level or more than 5db (A) when measured and corrected in accordance with BS 4142:1967, as amended, titled 'Method Of Rating Industrial Noise Affecting Mixed Residential & Industrial Areas' . In this context, the background level is construed as measuring the level of noise which is exceeded for 90% of the time.

Reason: In order to protect the amenities of nearby residential occupiers.

4. Notwithstanding the details of landscaping referred to in the application, a scheme for the landscaping and treatment of the surroundings of the proposed development to include detailed drawings of:

- a. those existing trees to be retained.
- b. those existing trees to be removed.
- c. those existing trees which will require thinning, pruning, pollarding or lopping as a result of this consent. All such work to be agreed with the Council's Arboriculturalist.
- d. Those new trees and shrubs to be planted together with a schedule of species shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. Such an approved scheme of planting, seeding or turfing comprised in the approved details of landscaping shall be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner). Any trees or plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order for the Local Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area.

- 5. That details of all levels on the site in relation to the surrounding area be submitted and approved by the Local Planning Authority.

Reason: In order to ensure that any works in conjunction with the permission hereby granted respects the height of adjacent properties through suitable levels on the site.

- 6. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

- 7. No development shall take place until site investigation detailing previous and existing land uses, potential land contamination, risk estimation and remediation work if required have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: In order for the Local Planning Authority to ensure the site is contamination free.

- 8. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in connection with the development hereby permitted have been submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.

- 9. The authorised development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In order to ensure a satisfactory provision for drainage on site and ensure suitable drainage provision for the authorised development.

10. Details of the siting new access road, lighting, materials, and design and construction of the bridge shall be submitted to and agreed with the Local Planning Authority prior to commencement of the deliveries to the site.

To ensure the design and siting is constructed to minimise the impact on the amenity of the locality and the site of nature conservation importance.

11. Details of measures to provide pedestrian access adjacent to the new vehicular access shall be agreed with the local planning authority prior to the commencement of the construction works.

To protect the amenities of those pedestrians using the path.

12. Development shall not commence until an assessment has been undertaken of the impacts of this proposed development upon the structural integrity of the Moselle Brook which crosses from East to West beneath the proposed road crossing. For these proposals to be acceptable, it shall be demonstrated that the culvert is of good enough condition to support a new road and the passage of vehicles, also that the crossing has been designed so that no additional load shall be placed upon the culvert's wall.

To ensure that the culvert's structural integrity is not compromised.

13. The construction of the surface and foul water drainage system shall be carried out in accordance with details submitted and approved in writing by the Local Planning Authority before the development commences.

To prevent pollution of the water environment.

14. There shall be no light spill into the adjacent reservoir or wildlife sites. To achieve this, artificial lighting within 5 metres of the reservoir or wildlife sites should be directed away from the reservoir/wildlife site and focused with cowlings.

To protect the natural wildlife.

15. Deliveries of chemicals by road tanker shall only take place via the new access road to be constructed adjacent to the New River, as shown on drawing 05-070-013. Such deliveries

shall not be made outside the hours of 1000 - to 5.00 pm Monday to Friday only, except in emergencies.

In order not to detract from the amenities of nearby residential properties in New River Village and to enable the use of the footpath adjacent to the new river at weekends and in the evenings without interference from heavy goods vehicles.

16. A detailed ecological programme and mitigation measures shall be submitted to and approved prior to the works on the access road taking place.

To protect the ecology value of the site.

REASONS FOR APPROVAL It is noted that this is phase I of a two phase process, the exact nature and type of buildings which are processed with Phase II are not yet fully known by Thames Water. It is likely to involve the same level of development. If Members were minded to grant phase 1 it would be extremely difficult to refuse Phase II.

The proposals are inappropriate development within the Metropolitan Open Land (Policies OP 1.1 Protection of Urban Open Space: OP 3.2 MOL & Alexandra Palace and Park) and some harm would be caused to the open character of the land and the Hornsey Filter Beds Conservation Areas and Alexandra Park Conservation Area (Policy DES 2.2 Preservation and Enhancement of Conservation Areas). In addition the proposed access road through New River Village would have some implications for residential amenity (DES 1.9 Privacy and Amenity of Residents) and the Green Chain and Nature Conservation Site. Some of the impact would be ameliorated by conditions.

The proposed access road is not entirely satisfactory as it would have some impact the layout of New River Village particularly the broadwalk along the river and also on the Green Chain and Nature Conservation Areas. Through appropriate design and conditions the access road impact could be ameliorated to an acceptable level.

The Council is unaware of any alternative sites for this development, within the Waterworks or at other sites where this development could take place. However alternative access arrangements do exist through Newlands Road.

It is considered the harm caused by inappropriateness and other harm identified above is clearly outweighed by the benefits to the public interest of ensuring an effective and efficient Water Industry. (Policy OP1.1 and OP 3.2 : London Plan Policies Policy 4A.11 Water Supplies and Policy 4A .12 Water Quality)

Further there is section 106 agreement to ensure effective planting and landscape within Alexandra Palace and Park and improvements to footpaths where the access road would cross.

