

**MINUTES OF THE PLANNING COMMITTEE  
MONDAY, 14 FEBRUARY 2011**

Councillors: Peacock (Chair), McNamara (Vice-Chair), Christophides, Waters, Beacham, Reece, Reid, Wilson and Adamou

Also Present: Councillor Meehan

| <b>MINUTE NO.</b> | <b>SUBJECT/DECISION</b>  | <b>ACTION BY</b> |
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| <b>PC141.</b>     | <b>APOLOGIES</b><br><br>Apologies for absence were received from Cllr Rice, for whom Cllr Adamou was substituting, and from Cllr Schmitz, for whom Cllr Wilson was substituting.   |                  |
| <b>PC142.</b>     | <b>URGENT BUSINESS</b><br><br>There were no new items of urgent business. An addendum report in respect of agenda item 10 had been tabled, and would be addressed by the officer as part of the presentation of that item. |                  |
| <b>PC143.</b>     | <b>DECLARATIONS OF INTEREST</b><br><br>Cllr Waters declared a personal interest as she was Ward Councillor for the application at agenda item 13.  |                  |
| <b>PC144.</b>     | <b>DEPUTATIONS/PETITIONS</b><br><br>There were no deputations or petitions.  |                  |
| <b>PC145.</b>     | <b>MINUTES</b><br><br><b>RESOLVED</b><br><br>That the minutes of the Planning Committee held on 11 January 2011 and the special Planning Committee held on 24 January 2011 be approved and signed by the Chair.            |                  |
| <b>PC146.</b>     | <b>APPEAL DECISIONS</b><br><br>The Committee considered a report on appeal decisions determined by the Department for Communities and Local Government during December 2010.<br><br><b>NOTED</b>                           |                  |
| <b>PC147.</b>     | <b>DELEGATED DECISIONS</b><br><br>The Committee considered a report on decisions made under  |                  |

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|                      | <p>delegated powers by the Head of Development Management and the Chair of the Planning Committee between 13 December 2010 and 23 January 2011.</p> <p>In response to a question regarding the property at 146 Wightman Road, it was agreed that the Head of Development Management would write to Cllr Adamou regarding this case. It was also agreed that a briefing note would be provided for the Committee on the process in respect of certificates of lawfulness for HMOs.</p> <p><b>NOTED</b></p>  |  |
| <p><b>PC148.</b></p> | <p><b>PERFORMANCE STATISTICS</b></p> <p>The Committee considered a report on performance statistics for Development Management, Building Control and Planning Enforcement since the 11<sup>th</sup> January 2011 Planning Committee.</p> <p>It was noted that the figures in respect of appeals for December 2010 should be corrected to read:</p> <p>“29% of appeals allowed on refusals (2 out of 7 cases)<br/>71% of appeals dismissed on refusals (5 out of 7 cases)”</p> <p>The Chair asked for clarification regarding the successful prosecutions referred to Crown Court for confiscation, and it was agreed that the Team Leader, Planning Enforcement, would circulate information on this to the Committee outside the meeting.</p> <p><b>NOTED</b></p> |  |
| <p><b>PC149.</b></p> | <p><b>TREE PRESERVATION ORDERS</b></p> <p>The Committee considered a report recommending Tree Preservation Orders against trees located at 6 North Hill, N6 and 29 Cranley Gardens, N10. No objections had been received in respect of the proposed TPOs.</p> <p><b>RESOLVED</b></p> <p>That the Tree Preservation Orders at 6 North Hill, N6 and 29 Cranley Gardens, N10 be confirmed.</p>  |  |
| <p><b>PC150.</b></p> | <p><b>PLAYGROUND SITE ADJOINING STAINBY ROAD, N15 4EA</b></p> <p>The Committee considered a report on a proposal to amend the resolution made at the Planning Committee meeting on 11 January 2011 in respect of the Playground Site adjoining Stainby Road to ensure the provision of the housing estate and playground and estate improvements.</p>  |  |

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|                      | <p><b>RESOLVED</b></p> <p>That the variation of the existing Section 106 Agreement be approved to allow for the playground to be delivered by no later than 31 December 2012 by the Council.</p> <p>The Committee considered an addendum to the report, seeking approval to extend the date for completion of the Section 106 Agreement from 27 January 2011 to 24 March 2011.</p> <p><b>RESOLVED</b></p> <p>i) That the Agreement referred to in the Committee's resolution from 11 January is to be completed by no later than 24 March 2011 or within such extended time as the Council's Assistant Director (Planning, Regeneration and Economy) shall in his discretion allow.</p> <p>ii) That in the absence of the Agreement, planning application reference HGY/2010/2025 be refused for the following reasons:</p> <p style="padding-left: 40px;">In the absence of a formal undertaking to secure a Section 106 Agreement for appropriate contribution towards education provision the proposal is contrary to Policy UD8 'Planning Obligations' of the adopted Haringey Unitary Development Plan 2006 and SPG10c 'Education needs generated by new housing'.</p> |  |
| <p><b>PC151.</b></p> | <p><b>120 - 128 MAYES ROAD, N22 6SY</b></p> <p>The Committee considered a report, previously circulated, which set out the application, planning history, consultation and relevant planning policy and factors. The Planning Officer presented the report, highlighting key issues, and the Committee had an opportunity to examine the plans.</p> <p>In response to questions from the Committee, it was confirmed that the Council had no control over whether residents of designated 'car-free' developments owned vehicles which they kept elsewhere, but that the restriction on parking in the vicinity of such developments was generally successful. The Committee raised the issue of landscaping, and it was confirmed that a condition would be in place requiring the applicant to submit their plans in respect of landscaping.</p> <p><b>RESOLVED</b></p>   |  |

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1) That planning permission be granted in accordance with planning application no. HGY/2010/2083, subject to a pre-condition that the owners of the application site shall first have entered into an Agreement or Agreements with the Council under 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:

1.1) A contribution of £20,000.00 towards educational facilities within the Borough (£10,000.00 for primary and £10,000.00 for secondary) according to the formula set out in Policy UD8 and Supplementary Planning Guidance 10c of the Haringey Unitary Development Plan July 2006;

1.2) A sum of £1,000.00 towards the amendment of the relevant Traffic Management Order(s) (TMO) controlling on-street parking in the vicinity of the site to reflect that the residential units shall be designated 'car free' and therefore no residents therein will be entitled to apply for a residents parking permit under the terms of this Traffic Management Order(s) (TMO);

1.3) The developer to pay an administration / monitoring cost of £1,000.00 in connection with this Section 106 agreement. This gives a total of £22,000.00.

2) That in the absence of the Agreement referred to in the resolution above being completed by 31<sup>st</sup> March 2011, planning application reference number HGY/2010/2083 be refused for the following reason:

In the absence of a formal undertaking to secure a Section 106 Agreement for appropriate contribution towards education the proposal is contrary to Policy UD8 'Planning Obligations' of the adopted Haringey Unitary Development (2006) and Supplementary Planning Guidance SPG10a 'The Negotiation, Management and Monitoring of Planning Obligations' and SPG10c 'Educational Needs Generated by New Housing Development'.

3) In the event that the Planning Application is refused for the reason set out above, the Assistant Director (PEPP) (in consultation with the Chair of Planning 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

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|  | <p>circumstances in the relevant planning considerations, and</p> <p>ii) the further application for planning permission is submitted to and approved by the Assistant Director (PEPP) within a period of not more than 12 months from the date of the said refusal, and</p> <p>iii) the relevant parties shall have previously entered into the agreement contemplated in resolution 1) above to secure the obligations specified therein.</p> <p>4) That following completion of the Agreement referred to in 1) above, planning permission be granted in accordance with planning application no. HGY/2010/2083 and the Applicant's drawing No.(s) SLP-100; EX-01, 02; PL-100C &amp; 101A and subject to the following conditions:</p> <p>Conditions:</p> <p>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.</p> <p>Reason: This condition is imposed by virtue of the provisions of the Planning &amp; Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.</p> <p>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.</p> <p>Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.</p> <p>3. 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 new front boundary treatment, including landscaping, have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with such approved detail and prior to the occupation of the residential units hereby approved.</p> <p>Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area.</p> <p>INFORMATIVE: The new development will require numbering. The applicant should contact the Local Land Charges at least six</p> |  |
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|                      | <p>weeks before the development is occupied (tel. 020 8489 5573).</p> <p><b>REASONS FOR APPROVAL</b></p> <p>Whilst the proposed scheme will involve the loss of a commercial space suitable for employment use which has been actively marketed for a period of over two years, the proposed conversion of this space to residential use is compatible with the use within the rest of the building and surrounding area. The associated changes to the design and layout of the building are considered sensitive to its surrounding and the character of the area and overall the proposal will provide adequate living accommodation.</p> <p>As such the proposal is considered to be in accordance with Policies: G2 'Development and Urban Design', UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing Development', HSG9 'Density Standards', HSG10 'Dwelling Mix' of the adopted Haringey Unitary Development Plan 2006 and with supplementary planning guidance SPG1a 'Design Guidance and Design Statements', and the Council's 'Housing' Supplementary Planning Document (2008).</p> <p>Section 106: Yes</p>   |  |
| <p><b>PC152.</b></p> | <p><b>REAR OF 108-126 STATION ROAD, N22 7SX</b></p> <p>The Committee considered a report, previously circulated, which set out the application, site and surroundings, planning history, consultation and relevant planning policy and factors. Key issues were highlighted in the Planning Officer's report, and the officer responded to questions from the Committee regarding fire safety, emergency access and current use of the site. It was confirmed that the height of the elevated section of the roof of the proposed development would be 3.7m at its highest point.</p> <p>Two local residents addressed the Committee in objection to the application. The local residents stated that the proposed house would be very close to the boundaries of a number of properties, and would lead to disturbance to neighbours, particularly when using their gardens, or when they wished to open their windows. It was also reported that the long access drive to the property would increase the risk of crime, as it would offer access to the neighbouring back gardens. Concerns were raised in respect of privacy, overlooking, light pollution, fire risk and emergency access. Residents reported that the existing plot provided a green space linking the gardens of the neighbouring terraces / gardens and contributed to the character of the Conservation Area. The residents concluded that the proposal went against existing Council policy and that, on the basis of the serious concerns they had raised, the application should be rejected.</p> |  |

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Cllr Meehan, local Ward Councillor, addressed the Committee in objection to the application. Cllr Meehan stated that he concurred with the views expressed by the local residents and in addition felt that it was a misrepresentation to state that the house would barely be visible above neighbouring fences, when in places it would be significantly higher. Cllr Meehan felt that the location was inappropriate for such a development, and would set a precedent if permitted. The Committee was asked to refuse the application on the grounds that it was inappropriate for this site.

The applicant's agent addressed the Committee and advised that this was a truly sustainable proposal for a family home on an unused site. It was reported that there was a need for housing in the borough, and that when a family was living on the site, it would in fact improve the security of neighbouring properties. It was reported that this was an application for a well-designed garden house in a garden location, as the proposal was inward-facing around a courtyard and represented how houses should be built in the future.

In response to questions from the Committee, the applicant's agent reported that, in his opinion, the proposal would have no detrimental impact on the conservation area, as it would be virtually invisible; the proposal would not have a negative impact on the amenity of any neighbouring properties as the house would result in no greater overlooking than at present and would not affect the light to neighbouring properties. It was reported that the design was as sensitive as possible and that, although the structure would be visible over neighbouring fences, it would be constructed of a similar material so as to be less obtrusive. In respect of concerns raised regarding access to the property for maintenance purposes, the applicant's agent advised that the building would require very little in the way of maintenance. The applicant's agent confirmed that at its highest, the property would be 1.5 – 2m higher than the neighbouring fencing, however this would be in the centre of the roof and not adjacent to any boundary.

The Committee viewed the plans and had a further opportunity to ask questions of officers. The Committee expressed concern regarding the bulk and mass of the proposal, and that the house would loom over neighbouring gardens due to its proximity to the boundaries of other properties, resulting in a loss of amenity to neighbouring properties. The Committee also noted that, due to the lack of space around the proposed structure, there would be no opportunity for mitigating the building's impact by means of landscaping.

**RESOLVED**

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|                      | <p>That Planning Application HGY/2010/1614 be refused.</p> <p>Reason:</p> <p>1. The proposed development by reason of its height, siting, footprint and excessive coverage of this small backland site would represent a cramped form of development which would have an unsympathetic relationship with adjoining properties and would adversely affect the residential and visual amenities of adjoining residents. Furthermore the introduction of such a development on this backland site would fail to preserve or enhance the character and appearance of this part of the Conservation Area. As such the proposed development is considered to be contrary to Policies UD3 'General Principles', UD4 'Quality Design' and CSV1 'Development in Conservation Areas' of the adopted Haringey Unitary Development Plan and supplementary planning guidance SPG1a 'Design Guidance', SPG2 'Conservation and Archaeology' and SPG3c 'Backlands Development' and the Council's 'Housing' Supplementary Planning Document 2008.</p> <p>Section 106: No</p> |  |
| <p><b>PC153.</b></p> | <p><b>NEW ITEMS OF URGENT BUSINESS</b></p> <p>There were no new items of urgent business.</p>   |  |
| <p><b>PC154.</b></p> | <p><b>DATE OF NEXT MEETING</b></p> <p>Monday, 14 March 2011, 7pm.</p> <p>The meeting closed at 8.30pm.</p>  |  |

COUNCILLOR SHEILA PEACOCK

Chair