

**MINUTES OF THE PLANNING SUB COMMITTEE
TUESDAY, 14 JUNE 2011**

Councillors: Basu, Brabazon, Demirci (Chair), Erskine, Hare, McNamara, Peacock (Vice-Chair), Reece and Schmitz

Also Present: Councillor Scott

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PC01.	APOLOGIES Apologies for absence were received from Councillors Beacham, Rice, Scott and Waters, for whom Councillors Erskine, McNamara, Hare and Brabazon were substituting respectively.	
PC02.	URGENT BUSINESS There were no items of urgent business.	
PC03.	DECLARATIONS OF INTEREST Cllr Erskine declared a personal interest as she had been present at a meeting of the Alexandra Park and Palace Advisory Committee, at which there had been some discussion of the application relating to 1 Parham Way. Cllr Schmitz declared a personal interest as he had on occasion been a customer at the Fountain PH. Cllr Reece declared a personal interest as a resident of Highgate Ward, in which the Stormont Road application site was located.	
PC04.	DEPUTATIONS/PETITIONS There were no deputations or petitions.	
PC05.	MINUTES RESOLVED That the minutes of the Planning Committee held on 16 May 2011 be approved and signed by the Chair.	
PC06.	APPEAL DECISIONS The Committee considered a report, previously circulated, on appeal decisions determined by the Department for Communities and Local Government during April 2011, of which 0 were allowed and 5 were dismissed.	

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	NOTED	
PC07.	<p>DELEGATED DECISIONS</p> <p>The Committee considered a report, previously circulated, which set out the decisions made under delegated powers by the Head of Development Management and the Chair of the Planning Committee between 25 April and 22 May 2011.</p> <p>NOTED</p>	
PC08.	<p>PERFORMANCE STATISTICS</p> <p>The Committee considered a report on performance statistics for Development Management, Building Control and Planning Enforcement.</p> <p>The Committee made some suggestions regarding the presentation of the statistics and their usefulness to Members, and it was noted that was intended for all statistics in future to be presented as the Building Control statistics set out on page 49 of the agenda pack. It was also suggested that information be provided on how overdue those applications which were not turned around within the deadline were. It was suggested that it would be a better use of the Sub Committee's time to consider statistics on a less frequent basis, and the Chair confirmed that they would be looking at bringing the statistics reports to meetings of the Regulatory Committee in future, rather than the Planning Sub Committee. The Committee requested that a report on Certificates of Lawfulness might be brought to a future meeting of the Regulatory Committee.</p> <p>NOTED</p>	
PC09.	<p>PLANNING ENFORCEMENT UPDATE</p> <p>The Committee considered a report on Planning Enforcement's progress in maintaining service delivery in 2010/11 and to inform Members that with effect from 16 May 2011, the Planning Enforcement Team has been managed by the Development Control Service in Planning and Regeneration.</p> <p>In response to a specific question from the Committee regarding enforcement action at 10 Woollaston Road and the Athena Palace Hotel, it was agreed that a written response would be provided after the meeting, and appended to the minutes.</p> <p>NOTED</p>	
PC10.	<p>TREE PRESERVATION ORDERS</p> <p>The Committee considered a report recommending that Tree</p>	

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Preservation Orders against trees located at St Ann's Hospital, St Ann's Road, N15 be confirmed. The Committee noted that T3 in the report should be amended to read *Crataemespilus grandiflora*, a medlar-thorn, and not *Sorbus domestica* as stated.

RESOLVED

That the Tree Preservation Orders against trees located at St Ann's Hospital, St Ann's Road, N15 be confirmed.

PC11.

1 PARHAM WAY, N10

The Committee considered a report, previously circulated, which set out the application, site and surroundings, planning history, relevant planning policy, consultation responses and analysis. The officer presented the key aspects of the report and advised the committee of corrections to the printed copy, where on the first page the applicant's name should read Mr S Gonzales and reference to a row of 11 garages should be read as 9 garages. Since the circulation of the report, additional letters had been received from 115a Roseberry Road in objection to the application, and from 2 Parham Way in support of the application. A further letter had been received from the Parham Way Neighbourhood Group objecting the application on the grounds of failing to respond to the concerns of the planning authority, failing to satisfy the guidelines on backland development and failing to meet the requirements of the Planning Inspector.

In response to questions from the Committee, the planning officer confirmed that the position of the proposed building was the same as in the application refused in 2009. The Committee asked about the view of the Planning Inspector regarding the design of the application refused previously, in response to which the officer advised that the view had been taken that it was acceptable in effect, and preserved the character of the Conservation Area. The legal officer advised the Committee that the test regarding development in Conservation Areas was not whether the proposal was 'in keeping' but whether it enhanced or preserved the character of the Conservation Area. The Committee asked about the width of the access road for emergency vehicles, and the officer confirmed that the road was of sufficient width to satisfy Building Control on this point. The Committee asked whether it would be possible to specify landscaping to the front of the development, and it was confirmed that this would be possible and would enhance the scheme.

Ian Coward of Collins and Coward addressed the Committee on behalf of local residents objecting to the application. Mr Coward stated that the key reason the previous appeal against refusal had been dismissed was the impact on neighbours, and that the current application failed to address this issue adequately, and also contravened the SPG standards for backland development. It

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was felt that the development as proposed would cause substantive harm. Pat Spungin, a local resident, addressed the Committee and showed some images of the impact the development would have on neighbouring properties and views, demonstrating the number of properties which looked onto the site. The basis of local residents' objections was that the development was too large for the plot and would be too intrusive and overbearing. Local residents agreed that a more mews-like development would be appropriate for the site, and felt the current application represented overdevelopment.

The Committee asked questions of the objectors and discussed the issue of whether the application represented a two- or three-storey development, given the use of the roof space for accommodation. In response to a question regarding the Planning Inspector's acceptance of the bulk and massing of the development, Mr Coward reported that he did not accept that that was the Planning Inspector's view, as the massing and bulk were key contributors to the issue of overlooking.

Cllr Scott, Ward Councillor, addressed the Committee in objection to the application and supporting the views expressed by local residents. Cllr Scott advised that the residents were not against all development in principle, but that it should be recognised that this was a backland site and as such any development should only be two-storey and should not be dominant. It was reported that any development should not have an adverse impact on the local environment, nor intrude on residents' privacy, and that the images demonstrated that this development would in fact do so. Cllr Scott advised that the development was too tall, too wide and too close to existing properties and urged the Committee to reject the application.

Emma Mann addressed the Committee on behalf of the applicants, and advised that the last appeal decision made it clear that the previous application had overcome the issues with the initial 2009 application, and was dismissed solely on the grounds of the large dormer windows, which had been reduced in size in the present application. The Planning Inspectors had upheld the view that this was not a backland site, and it was felt that the proposed development would be acceptable on the site and would not be detrimental to other properties. Ms Mann asked the Committee to agree that the application was now fully acceptable and to grant the application.

In response to questions from the Committee regarding how the present application addressed the previous concerns raised by the Planning Inspector, Ms Mann responded that it was her professional advice that the size of the dormers and terrace detail of the previous application had led to the concerns regarding overlooking and had led to the building being effectively three-storey, and the present proposal was felt to address these issues

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by means of the reduction in the size of the dormer windows and higher position on the roof to mitigate against loss of privacy. The Committee discussed the issue of overlooking at ground and first-floor levels, in response to which Ms Mann advised that the properties affected already looked out onto other properties, and that the proposals met the 20m standard distance set out in Council policy. In response to a question regarding the design of the proposed building, Ms Mann advised that design was subjective, and that design had not been raised as an issue previously.

The Committee considered the imposition of any additional conditions, were the Committee to be minded to grant the application. It was agreed that an additional condition should be proposed relating to landscaping and tree planting at the front of the properties, and for the preservation of the cypress tree at the rear of 19 Grove Avenue.

The Chair moved the recommendation of the report, that the application be granted subject to the conditions as set out in the report and the two additional conditions proposed by the Committee relating to landscaping to the front of the property and the preservation of the existing cypress tree, and on a vote of 5 in favour, 3 against and 1 abstention it was:

RESOLVED

That application HGY/2011/0563 be granted, subject to the conditions as below and additional conditions regarding landscaping to the front of the properties and the preservation of the existing cypress tree at the rear of 19 Grove Avenue.

Conditions:

IMPLEMENTATION

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.

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MATERIALS & SITE LAYOUT

3. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the external 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.

4. Details of a scheme depicting those areas to be treated by means of hard and soft landscaping, including details of trees planting to the front of the properties, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced, and thereafter carried out in accordance with such approval.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

PERMITTED DEVELOPMENT RIGHTS

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any part of Class A, C, D & E of Part 1 of that Order shall be carried out on site.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality.

TREE PROTECTION

6. All works associated with this development shall be undertaken in accordance with the detail as specified in the Arboricultural Report & Method Statement, including the protection of the existing Monterey Cypress tree located along the eastern boundary of the site and at the bottom of the garden of No 19 Grove Avenue.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

7. A pre-commencement site meeting must take place with the Architect, the consulting Arboriculturist, the Local Authority Arboriculturist, the Planning Officer to confirm tree protective measures to be implemented. All protective measures must be installed prior to the commencement of works on site and shall be

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inspected by the Council Arboriculturist and thereafter be retained in place until the works are complete.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

CONSTRUCTION

8. 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 1300 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.

9. Before development commences other than for investigative work: a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-

- " a risk assessment to be undertaken,
- " refinement of the Conceptual Model, and
- " the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement

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shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

10. No development shall take place until details of a construction management plan is submitted to and approved in writing by the Local Planning Authority. The construction management plan shall include details of access arrangements for construction/delivery vehicles, location of storage areas for building materials and measures to mitigate the specific construction impacts of the development. Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phase of the development.

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

INFORMATIVE: The new development will require numbering. The applicant should contact Local Land Charges at least six weeks before the development is occupied (Tel. 020 8489 5573) to arrange for the allocation of a suitable address

INFORMATIVE: Prior to demolition of existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.

REASONS FOR APPROVAL

The principle of residential use on this site is considered to be acceptable as this site is surrounded by residential use and the site is not a protected open space. The position, scale, mass and design of the proposed terrace has been carefully considered to create a building form which will have an acceptable relationship with adjoining properties and will not adversely affect the residential and visual amenities of adjoining occupiers. The proposal will also have an acceptable relationship with the character and appearance of the small private road and will preserve the character and appearance of this part of the Conservation Area. The existing road and its associated access and egress arrangements are considered suitable for the purposes of catering for the vehicular movement for the 4 current and 4 proposed dwellings. As such the proposed development is considered to be in accordance with Policies UD3 'General Principles', UD4 'Quality Design', HSG1 'New Housing

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	<p>Development', CSV1 'Development in Conservation Areas', OS17 'Tree Protection, Tree Masses and Spines' and M10 'Parking for Development' of the adopted Haringey Unitary Development Plan and Supplementary Planning Guidance SPG1a 'Design Guidance and Design Statements', SPG2 'Conservation and Archaeology', SPG 7a 'Vehicle and Pedestrian Movement' and the Council's 'Housing' SPD.</p> <p>Section 106: No</p>	
<p>PC12.</p>	<p>1 PARHAM WAY, N10</p> <p>The Committee considered a report regarding an application for Conservation Area Consent, which set out the application, site and surroundings, planning history, relevant planning policy and analysis.</p> <p>The Chair moved the recommendation as set out in the report and on a vote of 5 in favour, 3 against and 1 abstention it was:</p> <p>RESOLVED</p> <p>That application HGY/2011/0564 for Conservation Area Consent be granted, subject to 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 & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.</p> <p>2. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works for redevelopment of the site has been made and planning permission granted for the redevelopment for which the contract provides.</p> <p>Reason: In order to ensure that the site is not left open and vacant to the detriment of the character and visual amenities of the locality</p> <p>REASONS FOR APPROVAL</p> <p>The proposed demolition of this existing house is considered acceptable and the siting, design, form, detailing of the terrace of 4 new houses is also considered acceptable and has been designed sensitively in terms of adjoining properties and the</p>	

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	<p>character and appearance of this part of the conservation area. Overall the proposed will enhance the character and appearance of this part of the Conservation Area. As such the proposal accords with Policies CSV1 'Development in Conservation Areas', CSV7 'Demolition in Conservation Area' of the adopted Haringey Unitary Development Plan (2006) and SPG2 'Conservation & Archaeology'.</p> <p>Section 106: No</p>	
<p>PC13.</p>	<p>REAR OF THE FOUNTAIN PH, 125-127 WEST GREEN ROAD, N15</p> <p>The Committee considered a report, previously circulated, which set out the application, site and surroundings, planning history, relevant planning policy, consultation responses and analysis. The planning officer gave a presentation outlining the key issues, and advised the Committee that this was a revised application. The Tottenham CAAC response to the original application had been circulated to Committee members for information and had been taken into account as part of the officer report, and draft wording for a proposed additional condition, were the Committee minded to grant the application, had been circulated for consideration. The Committee was advised that the contribution for highways under Section 278, a figure for which was not provided in the report, should be £8,500.</p> <p>The officer responded to questions from the Committee. In response to concerns from the Committee regarding the loss of a number of trees on the site, it was reported that the trees identified for removal were of low quality, and that the loss of these trees needed to be weighed against the benefit of the provision of family housing in the area. The Committee referred to the appeal decision of 2009, in response to which the officer advised that the Planning Inspector had not felt that the loss of some of the pub garden would have a detrimental effect on the overall character of the public house.</p> <p>Susan Penny, a local resident, addressed the Committee in objection to the application. Ms Penny reported that there was a deficiency of open space identified in this area, and that the pub garden had been a usable open space for local residents. It was reported that the existing trees were a significant local feature as the largest trees in the vicinity. The application was felt to detract from the character of the Conservation Area as the existing pub would be surrounded by other buildings, diminishing its character. It was also felt that the development would cause a nuisance to local residents, and that if the new properties were built, the residents of those properties might have an impact on the activities of the public house, such as music events.</p> <p>In response to questions from the Committee, Ms Penny advised</p>	

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that the pub played an important role in the Conservation Area as an attractive and reassuring feature. Ms Penny also expressed concerns that, while the current proposal would result in an increase in the current garden area available for the use of customers of the pub, there was no guarantee that this arrangement would continue in future, although the planning officer advised that the wording of the s106 agreement and conditions should be sufficient to ensure that the pub garden would remain as reinstated.

Mr Strobl addressed the Committee on behalf of the applicant and stated that, working with the planning department, the design had evolved and now satisfied all the necessary criteria. The agreement reached would result in approximately 250 square metres being returned for use as the pub garden, was much friendlier to the Conservation Area than previous designs and met all Council requirements regarding density.

In response to questions from the Committee regarding whether a contribution to compensate for the loss of trees on site would be possible, it was reported that he was not in a position to make such an agreement, but would be willing to discuss this with his clients.

The Committee looked at the plans.

In response to a question from the Committee regarding quality of materials used, the planning officer advised that a condition regarding materials was proposed to address this.

The Committee discussed additional conditions, were the application to be granted, and it was suggested that conditions be added relating to additional landscaping and tree planting, as well as a section 106 agreement to compensate for any biodiversity losses, and that the wording of the proposed draft condition that had been tabled be amended to read "Before the commencement of any works on site, the existing fence on the southern part of the rear garden of the pub shall be removed and that it thereafter shall not be replaced so that the present grounds of the public house and the said 248m² shall be retained in their entirety for the users of the public house." It was also suggested that a condition be added for the mitigation of the impact of any noise from the pub garden on residents of the new properties, including issues such as soundproofing and a possible limit on the time after which the area of the pub garden could be used, for example the area to be used by customers no later than 10 or 11pm. It was suggested that an informative should be added, requesting that the new properties remain as family dwelling houses.

The Chair moved to the vote on the recommendations and conditions as set out in the report, and the additional conditions discussed by the Committee above, and on a vote of 5 in favour

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and 4 abstentions it was:

RESOLVED

- 1) That planning permission be granted in accordance with planning application reference number HGY/2010/1161 ("the Planning Application"), subject to a pre-condition that [the applicant and] [the owner(s)] 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] [and] [under Section [278] of the Highways Act 1980] in order to secure:

Under Section 278:

An agreement under section 278 of the Highway Act 1980 for a monetary contribution towards footways in the immediate vicinity.

Under Section 106:

- An education contribution as required under SPG10c 'Education needs generated by new housing' to a value of £44,764.00
- The reinstatement of 248m² of land including the fountain feature for use as a pub garden for the benefit of Fountain Public House
- An administration cost of £1,342.00.

- 2) That, in the absence of the agreement(s) referred to in resolution (1) above being completed by 14 August 2011, planning application reference number HGY/2010/1161 be refused for the following reasons:

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 (2006) and SPG10c 'Education needs generated by new housing'.

- 3) In the event that the Planning Application is refused for the reasons set out in resolution (2) above, the Assistant Director (PEPP) (in consultation with the Chair of PASC) 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 circumstance in the relevant planning

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considerations, and

- 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
 - iii) the relevant parties shall have previously entered into the agreement(s) contemplated in resolution (1) above to secure the obligations specified therein.
- 4) That following completion of Agreement referred in (1) above, planning permission be granted in accordance with planning application no. HGY/2010/1161 Applicant's drawing No.(s) 040.10/001, 040.10/005A, 006B, 010A, 011A, 012A, 013A, 020A, 021A, 022A, 023A, 024A, 025A, 026A, 027, 028, 029, 030A, 031A, 040A, 041A & 50A; 040.10/005, 006C, 010C, 020C, 021C, 022C, 030C, 031C, 040C and 041C

Subject to the following conditions and the additional conditions relating to additional landscaping and tree planting, a section 106 agreement to compensate for any biodiversity losses, a condition that "Before the commencement of any works on site, the existing fence on the southern part of the rear garden of the pub shall be removed and that it thereafter shall not be replaced so that the present grounds of the public house and the said 248m² shall be retained in their entirety for the users of the public house.", a condition for the mitigation of the impact of any noise from the pub garden on residents of the new properties, including issues such as soundproofing and a possible limit on the time after which the area of the pub garden could be used, for example the area to be used by customers no later than 10 or 11pm, and an informative that the new properties should remain as family dwelling houses.

Conditions:

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

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amenity.

3. Samples of all materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

4. A scheme for the treatment of the surroundings of the proposed development including the planting of trees and/or shrubs shall be submitted to, approved in writing by the Local Planning Authority, and implemented in accordance with the approved details.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity.

5. Details of a scheme depicting those areas to be treated by means of hard landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme to include a detailed drawing of those areas of the development to be so treated, a schedule of proposed materials and samples to be submitted for written approval on request from the Local Planning Authority.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

6. Prior to occupation, a statement demonstrating energy efficient measures including design, building fabric improvements, use of on-site equipment and where applicable connection to decentralised energy networks for reduction in fossil fuel use and CO2 emissions in line with an energy statement shall be submitted to and approved by the Local Planning authority and shall be implemented prior to the occupation of the dwellings hereby permitted and be maintained thereafter for the life of the development.

Reason: To ensure the development incorporates on-site renewable energy generation and in order to contribute to a reduction in carbon dioxide emissions generated by the development in line with national and local policy.

7. Prior to occupation of the residential development hereby approved, a statement demonstrating consistency with the

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submitted Energy Statement Assessment, which indicates the use of renewable technologies on site will lead to 20% reduction in predicted CO2 emissions (measure against a base building according to current Building Regulations), shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any written approval given by the LPA.

Reason: To ensure the development incorporates on-site renewable energy generation and in order to contribute to a reduction in carbon dioxide emissions generated by the development in line with national and local policy.

8. Prior to occupation of the residential dwellings hereby approved, a certificate demonstrating consistency with the proposed and approved Code Level for Sustainable Homes shall be submitted to and approved in writing by the Local Planning authority and thereafter implemented in accordance with any written approval given by the Local Planning authority.

Reason: To ensure the development meets the Code Level for sustainable Homes as approved in order to contribute to a reduction in carbon dioxide emissions generated by the development in line with national and local policy guidance and improve environmental quality and resource efficiency.

9. The proposed development must achieve level 4 Code for Sustainable Homes.

Reason: To ensure the development meets the Code Level for sustainable Homes as approved in order to contribute to a reduction in carbon dioxide emissions generated by the development in line with national and local policy guidance and improve environmental quality and resource efficiency.

10. 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.

11. That a detailed scheme for the provision of refuse and waste storage within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. Such a scheme as approved shall be implemented and permanently retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of the locality.

12. Before the commencement of any works on site, a fence or

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wall, materials to be agreed with the Local Planning Authority, shall be erected and permanently retained for all site boundaries.

Reason: In order to ensure a satisfactory means of enclosure for the proposed development.

13. Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning General Permitted Development Order 1995, no enlargement, improvement or other alteration of any of the dwellings hereby approved in the form of development falling within Classes A to H shall be carried out without the submission of a particular planning application to the Local Planning Authority for its determination.

Reason: To avoid overdevelopment of the site.

14. Before any works herein permitted are commenced, all those trees to be retained, as indicated on the approved drawings, shall be protected by secure, stout, exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and must be inspected by the Local Authority Arboriculturist, prior to any works commencing on site and remain until works are complete.

Reason: In order to ensure the safety and well being of the trees on the site during constructional works that are to remain after building works are completed.

15. Before any works herein permitted are commenced, the applicant shall produce a new Tree Protection Plan (TPP) and submit a tree planting specification to include, pit design, tree species, stock size and aftercare arrangements and a protective fencing must be installed prior to commencement of construction activities on site and retained until completion. The protective fencing must be inspected by the LA Arboriculturist, prior to any works commencing on site and remain until works are complete.

Reason: In order to ensure the safety and well being of the trees on the site during constructional works that are to remain after building works are completed.

16. Pre-commencement site meeting must be specified and attended by all interested parties, (Architect, Arboricultural Consultant, Planning Officer, LA Arboriculturist and Site manager) to confirm the protective measures to be installed for the trees.

Reason: In order to ensure the safety and well being of the trees on the site during constructional works that are to remain after building works are completed.

17. Before the commencement of any works on site, the existing

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fence on the southern part of the rear garden of the pub shall be removed and that it thereafter shall not be replaced so that the present grounds of the public house and the said 248m² land to be reincorporated with the existing garden area to the rear of the public house shall be retained in its entirety for the users of the public house as a pub garden.

Reason: In order to ensure that this section of the rear garden is retained for the users of the pub.

18. That details of a scheme for limiting the impact of noise nuisance from the public house garden in relation to the rear of the proposed properties including the provision of double / triple glazing to all the rear windows and doors shall be submitted to an approved by the Local Planning Authority and thereafter permanently retained to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that the amenities of the future occupiers of the properties are protected from noise nuisance and general disturbance from the use of the public house garden.

19. That the area of the land to be reunited with the existing pub garden shall only be used for sitting at in connection with the main public house and for no other use between the hours of 10am and 11pm only on any day of the calendar year.

Reason: In order to protect the amenities of the future occupiers of the proposed houses in relation to the use of the rear public house garden.

20. That details of a scheme for the erection of a solid brick boundary wall between the rear gardens of the proposed properties and the western side boundary of the public house including the boundary with the land to be reunited with the public house hall be submitted and approved by the Local Planning Authority prior to the commencement of the works and thereafter, such agreed scheme to be permanently retained to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of the future occupiers of the proposed houses in relation to the use of the rear garden of the public house.

21. That notwithstanding the proposed landscaping a scheme for additional tree planting and landscaping access to the whole site, including the planting if additional large size trees, shall be submitted to and approved by the Local Planning Authority before the commencement of the works such agreed scheme to be implemented and permanently retained to the satisfaction of the Local Planning Authority.

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Reason: In order to protect and preserve and enhance the biodiversity and visual amenities of the site.

INFORMATIVE: The development requires naming / numbering. Please contact Local Land Charges (tel. 0208 489 5573) at least 8 weeks before completion of the development to arrange allocation of suitable address(es).

INFORMATIVE: The Planning Sub Committee consider that the provision of family houses is paramount in relation to the shortage of such accommodation in the Borough and would wish to ensure that the houses are provided and occupied by families and not occupied by groups of individual tenants who are not living together as a family or renting as a result of a by to let agreement with the then owner or owners of the properties when built.

REASONS FOR APPROVAL

The scale and position of the proposed buildings is such that, any loss of amenity to existing occupiers would be minimised. The proposed height of the buildings at two-storey with rooms in the roof would be in keeping with the predominate height of existing buildings in the locality and the overall design would not comprise the local area in general. The proposed density conforms to current guidelines as set out in the London Plan. The proposed development is expected and required to achieve Code for Sustainable Homes Level 4.

Further, the proposal would reinstatement of 248m2 of land including the fountain feature for use as a pub garden for the benefit of Fountain Public House'. This would be valuable to the character and appearance of the Conservation Area.

The proposal is therefore acceptable consistent with Policies: UD3 'General Principles', UD4'Quality Design', UD7 'Waste Storage', M10 'Parking for Development', HSG1 'New Housing Developments', HSG10 'Dwelling Mix', OS 17 Tree Protection, Tree Masses and Spines ,CSV1 Development in Conservation Areas, SPG1a 'Design Guidance', SPG10c 'Education needs generated by new housing' and 'Housing Supplementary Planning Document ' (adopted October 2008).

Section 106: Yes

PC14.

42 STORMONT ROAD, N6

The Committee considered a report, previously circulated, which set out the application, the site and surroundings, planning history, relevant planning policy, consultation responses and analysis. The planning officer presented the report and outlined the key issues and responded to questions from the Committee.

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The Committee asked whether the trees on the site were protected, in response to which it was reported that a specific condition had been proposed requiring retention of the trees.

Mr Shane, a local resident, addressed the Committee in objection to the application. It was felt that the current application was an improvement on the previous application for complete demolition, but that there were concerns that this might be used as a precedent for proceeding with further demolition in line with the previous scheme, at a later stage. Mr Shane had drafted a proposed section 106 agreement, which was intended to prevent this happening, but this had not been agreed by the applicant. Mr Shane identified hoardings, restriction of lorry access to the grass verge and the repair of the grass verge after work on site was completed as outstanding issues to be addressed.

The Committee asked Mr Shane whether conditions would help to allay his concerns, and it was suggested that conditions could be added regarding lorry access, for the scheme to be completed as approved and that any damage caused during work would be reinstated. It was noted that a Section 106 agreement would not be the appropriate way of addressing the concerns raised, and that issues regarding demolition were addressed by existing case law, and as such were out of the remit of the Local Planning Authority.

The applicant, Mr Abrahams, addressed the Committee. Mr Abrahams acknowledged that they had made mistakes with the first application in failing to consult sufficiently with local residents, and that the previous design had been unpopular. Plans had now been developed to extend and refurbish the existing house, and extensive consultation had been undertaken, with significant changes being made in response to the feedback received. Mr Abrahams reported that it was his intention to live in the property as refurbished, and that there was no intention to remove any trees from the site.

The Committee discussed conditions to be added were the application granted, and it was agreed that conditions should be added such that any trees damaged during the works should be preserved or replaced, that, other than the section for demolition, any part of the building that was damaged during the work be restored, and that there should be no windows in the garage elevation facing Denewood Road.

The Chair moved the recommendations of the report and it was unanimously:

RESOLVED

That application reference HGY/2011/0628 be approved, subject to the conditions set out as below and the additional conditions

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restricting the insertion of windows on the garage elevation facing Denewood Road and an informative requiring the restoration of any part of the building damaged during works other than the section for demolition.

Conditions:

IMPLEMENTAION

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.

EXTERNAL APPEARANCE

3. Notwithstanding the description of the materials in the application, no construction shall be commenced until precise details and samples 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. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

TREES, LANDSCAPING AND BOUNDARY TREATMENT

4. The landscaping 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.

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5. The existing trees on the site shall not be lopped, felled or otherwise affected in any way (including raising and lowering soil levels under the crown spread of the trees) and no excavation shall be cut under the crown spread of the trees without the prior written permission of the Local Planning Authority.

Reason: In order to safeguard the trees in the interest of visual amenity of the area.

6. Before any works herein permitted are commenced, all those trees to be retained, as indicated on the approved drawings, shall be protected by secure, stout, exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS 5837:2005 and to a suitable height. Any works connected with the approved scheme within the branch spread of the trees shall be by hand only. No storage of materials, supplies or plant machinery shall be stored, parked, or allowed access beneath the branch spread of the trees or within the exclusion fencing.

Reason: In order to ensure the safety and well being of the trees on the site during constructional works that are to remain after building works are completed.

7. An Arboricultural method statement, including a tree protection plan, must be prepared in accordance with BS5837:2005 Trees in relation to construction, for approval by the Council. A pre-commencement site meeting must be specified and attended by all interested parties, (Site manager, Consultant Arboriculturalist, Council Arboriculturalist and Contractors) to confirm all the protection measures to be installed for trees. Robust protective fencing / ground protection must be installed prior to commencement of construction activities on site and retained until completion. It must be designed and installed as recommended in the method statement. The protective fencing must be inspected by the Council Arboriculturalist, prior to any works commencing on site and remain in place until works are complete.

Reason: To ensure the adequate protection to trees on the site and adjacent sites.

8. Notwithstanding the details contained within the plans hereby approved, full details of boundary treatments, including fencing and gates, to the entire site be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Reason: In order to safeguard the visual amenity of the area and to ensure adequate means of enclosure for the proposed development.

WASTE MANAGEMENT

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9. A detailed scheme for the provision of refuse, waste storage and recycling within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. Such a scheme as approved shall be implemented and permanently retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of the locality.

RESTRICTION OF USE/FUTURE DEVELOPMENT

10. The development hereby approved shall be used as a single dwelling i.e. one residential unit and shall not at any time be occupied separately as more than one residential unit.

Reason: The sub-division of the property would result in the provision of two units of accommodation, out of keeping with the pattern of development in the locality.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any part of Class A, B, D & E of Part 1 to Schedule 2 of that Order shall be carried out on site.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality

12. No windows other than those shown on the approved drawings shall be inserted on the side elevation of the building facing Denewood Road, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development does not prejudice the character of the locality and the enjoyment by existing/ neighbouring occupiers of their properties.

CONSTRUCTION

13. 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.

INFORMATIVE: The development will require a storage area of sufficient size to contain 1 x 360 litre refuse bin, 1 x 240 litre refuse bin, 2 x green recycling boxes, 1 x organic waste caddy and 1 x garden caddy and 1 x garden waste bag.

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INFORMATIVE: In connection with Condition 2 outlined above the applicant is reminded that the extent of the demolition allowed shall be restricted to that identified within the application and any parts of the retained building which may have been damaged during construction works shall be made good and shall match the existing fabric of the building in terms of materials, colour, texture and profile.

REASONS FOR APPROVAL

The reasons for the grant of planning permission are as follows:

(a) The proposal is acceptable for the following reasons:

- I. The design, form, detailing and facing materials are considered acceptable;
- II. The proposal will preserve the character of the conservation area
- III. The development will not have any significant adverse impact on the amenity of neighbours
- IV. The scheme has been designed sensitively in terms of environmental and sustainability issues

(b) The proposal has been assessed against and found to comply with the intent of National, Regional and Local Planning Policies including policy PPS5 'Planning for the Historic Environment', UDP Policies: UD1 'Planning Statements', UD2 'Sustainable Design and Construction', UD3 'General Principles', UD4 'Quality Design', UD7 'Waste Storage', CSV1 'Development in Conservation Areas', CSV5 'Alterations and Extensions in Conservation Areas' CSV7 'Demolition in Conservation Areas' and OS17 'Tree Protection, Tree Masses and Spines of the Haringey Unitary Development Plan (2006) and SPG1a 'Design Guidance', SPG2 'Conservation and Archaeology', SPG8a 'Waste and Recycling (Adopted 2006)', SPG8b 'Materials', SPG8c 'Environmental Performance' and SPD 'Housing' of the Haringey Supplementary Planning Guidance (October 2006).

Section 106

No

<p>PC15.</p>	<p>NEW ITEMS OF URGENT BUSINESS</p> <p>There were no new items of urgent business.</p>	
<p>PC16.</p>	<p>DATE OF NEXT MEETING</p> <p>Monday, 11 July 2011, 7pm.</p>	

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	The meeting closed at 22:25hrs.	
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COUNCILLOR ALI DEMIRCI

Chair