

**MINUTES OF THE PLANNING SUB COMMITTEE  
MONDAY, 11 NOVEMBER 2013**

Councillors: Basu, Beacham, Demirci (Chair), Mallett (Vice-Chair), McNamara, Reid, Reith, Rice, Solomon and Strang

**MINUTE  
NO.**

<p><b>PC59.</b></p>	<p><b>APOLOGIES</b></p> <p>Apologies for lateness were received from Cllr Reith as she would not be taking part in discussions for item 6, Somerset Gardens Health Care Centre as a GP patient at the Centre.</p>
<p><b>PC60.</b></p>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>Cllr Mallet identified that she would absent herself from discussions for item 8, land to the rear of 32A Beaconsfield Road N15 4SJ as her property adjoined the site.</p> <p>Cllr Demirci identified that he lived in the vicinity of Somerset Gardens Health Centre but provide assurance that it would not affect his impartiality in taking part in discussions.</p>
<p><b>PC61.</b></p>	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That the minutes of the Planning Committee on 14 October be approved and signed by the Chair.</li> </ul>
<p><b>PC62.</b></p>	<p><b>PLANNING APPLICATIONS</b></p> <p>The Chair varied the order of the agenda to take items 6 and 8 first.</p>
<p><b>PC63.</b></p>	<p><b>SOMERSET GARDENS FAMILY HEALTH CARE CENTRE, SOMERSET GARDENS, 4 CREIGHTON ROAD, N17 8NW</b></p> <p>[Cllr Solomon arrived late to the meeting and was therefore prohibited in accordance with the Council's Constitution from taking part in any discussions or voting on this item].</p> <p>The Committee considered a report on the application to grant planning permission for the change of use of the Somerset Gardens Healthcare Centre from use class D1 to mixed use comprising D1 and A1 to permit the incorporation of a proposed pharmacy. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions.</p> <p>The planning officer gave a short presentation highlighting the key aspects of the report. The Committee was asked to note that the officer recommendation to</p>

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grant permission was subject to a condition limiting the hours of operation of the pharmacy. Due to the location of the application site, it was considered the proposal would give rise to significant unacceptable noise and nuisance levels in the late hours which would be injurious to the residential amenity. The hours of operation therefore proposed to be imposed by condition on the pharmacy were Monday to Friday 0700hrs-1930hrs only.

A number of objectors addressed the Committee and raised the following points regarding the application:

- The applicant had made limited effort to engage with the local community regarding the application which was considered essential in light of the residential setting of the Health Centre.
- The appropriateness of siting a 100hrs pharmacy in a residential area was questioned, particularly in view of likely disturbance caused to residents in the vicinity from increased traffic and footfall in the area, especially in the evenings as the pharmacy would be open beyond the standard operating hours of the Health Centre.
- It was of concern that should approval be granted for the pharmacy, that needle exchange and/or methadone treatment services could potentially be offered in the future which was considered to be completely unsuitable in a residential area.
- The local area was already sufficiently served by pharmacies located in more appropriate and accessible town centre locations. The applicant had not identified a clear need for a new pharmacy in the area.

Cllr Bull addressed the Committee in support of the key points raised by the objectors including the limited engagement undertaken, despite prompting, with the local community in the development of the plans and the lack of an identified need for a new pharmacy in the area. The potential for the new pharmacy to offer needle exchange and methadone services in the future had also been raised as a concern by a number of local people Cllr Bull had spoken to, particularly owing to the residential location and the potential for associated crime and anti-social behaviour.

The applicants addressed the Committee and raised the following points:

- The provision of an onsite pharmacy aimed to improve the quality of patient care and health outcomes delivered by the Health Centre through providing integrated medicine management and delivery in one location.
- The applicant confirmed that any restrictions imposed to the opening hours of the pharmacy would be unacceptable from a business perspective as it would contravene the terms of the NHS pharmaceutical licence held. In response to a question from the Committee, confirmation was provided that if the restricted hours of operation proposed by officers were imposed, the pharmacy would not be viable and would be forced to close as the terms of the pharmaceutical contract required 100 hours of operation. The applicants were unable to obtain any alternative pharmaceutical contract based on a lower number of hours.
- The Health Centre had undertaken a survey looking at the current use of the pharmacy which illustrated at present limited use of the out of hours service and identified that the majority of customers walked to the centre as opposed to using a car.

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- Data had also been collected from more established, similar pharmacies held by the pharmacy group in other areas of the country and illustrated fairly low visitation levels during the out of hours period.
- The Council's transport team had identified that the application would not have a significant impact on the existing level of traffic or car parking demand in the area.
- The automatic gates to the Centre's car park would be kept open outside of the standard opening hours of the Health Centre for use by pharmacy customers thereby reducing any potential parking problems.
- In relation to community engagement, the plans had been discussed at the Health Centre's patient representation group.
- Confirmation was provided that methadone treatment and needle exchange services were not mandated under the terms of the pharmaceutical contract. A commitment was made to consulting with local people on any future plans to operate these services from the Centre.

Cllr McNamara put forward a motion to amend the condition covering the hours of operation of the pharmacy to 08.00-18.00 Monday-Friday in light of the concerns expressed by residents. The motion was not carried.

The Chair moved the recommendation of the report and it was

**RESOLVED**

- That planning application HGY/2013/1943 be approved subject to conditions:

**IMPLEMENTATION**

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 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. The development hereby approved shall be operated within the following hours, Monday to Friday – 0700hrs to 1930hrs and not at all on Saturday and Sundays.

Reason: In order to ensure that the development hereby approved does not prejudice the beneficial enjoyment of the residential buildings in the vicinity.

**INFORMATIVE:** In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our development plan comprising the London Plan 2011, the Haringey Local Plan 2013 and the saved policies of the Haringey Unitary Development Plan

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	<p>2006 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.</p> <p>In addition, where appropriate, further guidance was offered to the applicant during the consideration of the application.</p>
<b>PC64.</b>	<p><b>UNIT 11, MOWLEM TRADING ESTATE, LEESIDE ROAD AND LAND FRONTING WATERMEAD WAY, N17 0QJ</b></p> <p>Owing to time constraints, this item was deferred to the next Committee meeting.</p>
<b>PC65.</b>	<p><b>LAND REAR OF 32A BEACONSFIELD ROAD N15 4SJ</b></p> <p>[Cllr Reith now present. Cllr Mallett absented herself for the duration of discussions on this item].</p> <p>The Committee considered a report on the application to grant planning permission for the construction of 3 x 1 storey dwellings with associated landscaping, car parking and cycle spaces and refuse store on the land rear of 32A Beaconsfield Road. The report set out details of the proposal, the site and surroundings, planning history, relevant planning policy, consultation and responses, analysis, equalities and human rights implications and recommended to grant permission subject to conditions. The planning officer gave a short presentation highlighting the key aspects of the report.</p> <p>The Committee's attention was drawn to three additional proposed conditions for the application which were tabled and which covered tree protection, refuse arrangements and lighting plans for the site.</p> <p>The Committee raised the following points in discussion of the application;</p> <ul style="list-style-type: none"><li>• Concerns were expressed regarding the lack of a consultation response received from the London Fire Brigade (LFB) with regards to this backland application. Officers confirmed that the LFB were not statutory consultees and that fire safety issues had been sufficiently addressed under Building Regulations including the provision of underground fire hydrants on the site.</li><li>• Members noted the narrow nature of the site and sought assurances that the measurements on the plans were accurate. Confirmation was provided that officers had cross referenced the plans against OS maps.</li><li>• The designation of the site was queried. Officers confirmed that as no records were held on any lawful use of the land, the site was classified as vacant land as visually it appeared unused for some time. In this regard, the application was considered to have a positive impact on the Conservation Area in terms of bringing the land back into use and securing improvements to boundary treatments.</li><li>• Members expressed concern over the potential impact of the development on nos 30 and 32 Beaconsfield Road located either side of the entrance to the site. Confirmation was provided that the applicant had offered to install insulation measures to help mitigate any noise disturbance caused by vehicles accessing the site.</li></ul>

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A number of objectors addressed the Committee and raised the following points:

- The site was unsuitable for the development proposed due to its narrow nature and the fact that one of the adjacent houses extended above the entrance gateway to the site.
- Nos 30 and 32 Beaconsfield Road, located either side of the entrance to the site, would be affected on a daily basis by noise and vibration from traffic entering the development, especially to the bedroom located above the gateway arch.
- The scheme would result in a loss of privacy to a significant number of neighbouring properties along Beaconsfield and Grove Park Roads whose gardens would back onto the development.
- Only one of the residential units proposed was family sized which was out of line with demand in the local area.
- Development on 'greenfield' land should not be acceptable in a Conservation Area. In addition, any construction on the site would have a detrimental effect on wildlife habitats.
- The accuracy of the plans provided by the applicant in setting out the distance of the scheme to neighbouring boundaries was questioned.
- The objectors felt that the applicant had not made any attempt to consult or engage with neighbouring properties in developing the plans.

Cllrs Vanier and Diakides addressed the Committee and supported the points made by the objectors, in particular that the site was inappropriate for the development proposed due to its narrow nature and was not comparable to other backland developments approved in the borough due to the residential unit above the entrance gateway. Concerns were expressed that the development would cause significant disturbance to neighbouring properties by virtue of the close proximity. The rationale of developing on defacto open land was also questioned.

The applicant addressed the Committee and raised the following points:

- The applicant had owned the site for 19 years and for 10 of those years it had been used as a breakers yard and for storage and as such could not be considered open 'greenfield' land.
- Council officers had confirmed that the land met the requirements for development.
- The new residential units would benefit the local area in providing additional housing.
- The applicant was willing to pay for a noise assessment for 32 Beaconsfield Road and to provide insulation as required to the rooms located over the archway to mitigate any noise disturbance.
- A 1.8m fence was proposed for the site boundary which would provide privacy to neighbouring gardens.
- No works were proposed to existing trees on site and additional planting was planned.

Cllr Reith proposed a motion, which was subsequently carried, and it was

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	<p><b>RESOLVED</b></p> <ul style="list-style-type: none"><li>• That planning application HGY/2013/1777 be rejected on the grounds that development should not be permitted in a Conservation Area; concerns over the loss of privacy and noise disturbance to 32 Beaconsfield Road and that the scheme would overall have a negative impact on the residential amenity.</li></ul> <ol style="list-style-type: none"><li>1. The proposal would constitute an unsatisfactory form of backland development which is out of character with the existing form of development in the conservation area. This would give rise to an unacceptable relationship between the existing pattern of development and the proposal to the detriment of adjacent properties particularly and the amenity of the area generally contrary to National Planning Policy Framework March 2012, Policies 3.5, 7.4, 7.6 and 7.8 of the London Plan 2011, Policies SP11 and SP12 of the Haringey Local Plan 2013, Saved Policy UD3 of the Haringey Unitary Development Plan 2006 and Haringey's draft SPG3c Backlands Development 2006.</li><li>2. The proposal involves the development of a back-land site in a manner which would result in unacceptable overlooking and noise and disturbance to existing nearby properties which in turn would overlook the proposed development, leading to a serious loss of privacy and noise impacts to all occupants in the vicinity contrary to National Planning Policy Framework March 2012, Policy7.6 of the London Plan 2011, Policy SP11 of the Haringey Local Plan 2013, Saved Policy UD3 of the Haringey Unitary Development Plan 2006 and Haringey's draft SPG3c Backlands Development 2006.</li></ol>
<b>PC66.</b>	<p><b>FORMER CANNON RUBBER FACTORY, 881 HIGH ROAD, N17 8EY</b></p> <p>Owing to time constraints, this item was deferred to the next Committee meeting.</p>
<b>PC67.</b>	<p><b>DATE OF NEXT MEETING</b></p> <p>The next ordinary meeting was scheduled for 9 December.</p>

COUNCILLOR ALI DEMIRCI

Chair