

**MINUTES OF THE PLANNING COMMITTEE
MONDAY, 30 APRIL 2007**

Councillors: *Peacock (Chair), *Bevan (Deputy Chair), *Adje, Beacham, *Demirci, *Dodds, *Hare, *Patel and *Weber

Also Councillors Dobbie & Amin
Present:

* Members present

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PASC212.	APOLOGIES Apologies for absence were received from Cllr Beacham and for lateness from Cllr Patel.	
PASC213.	URGENT BUSINESS None received.	
PASC214.	DECLARATIONS OF INTEREST There were no declarations of interest declared.	
PASC215.	DEPUTATIONS/PETITIONS None received.	
PASC216.	PLANNING APPLICATIONS RESOLVED That the decisions of the Sub Committee on the planning applications and related matters be approved or refused with the following points noted.	
PASC217.	REFERENCE FROM PLANNING APPLICATIONS SUB-COMMITTEE (17/04/2007): WOOD GREEN SHOPPING CITY, HIGH ROAD N22 The Officer presented the report and advised the Committee that this application had been considered at the last meeting held on 17 April 2007, where Members had requested a site visit. The site visit had taken place on Friday 27 April 2007. The report appended to this agenda had been slightly amended from the previous report presented on 17 April 2007 as additional representations had been received from the Environmental Development Agency. Cllr Patel entered the meeting 7:35pm. The Committee received a presentation on the report for this	

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application. The application site comprised part of the Mall Shopping City, adjoining service yards to the centre and a recently vacated petrol filling station. The proposed store accorded with national policies to support, regenerate and increase the attractiveness of Wood Green Centre, it would strengthen its viability.

The Moselle Brook currently ran in culvert under the service yard. The proposed store would have piled foundations set well clear of the culvert. The Environmental Agency (EA) had lodged objections to any building within 4 metres either side of the culvert.

The existing pedestrian route between the service yard 5 and the central library, would be widened by approximately 1.2 metres, and there would be glass panels and lighting on the store side. Beyond that the pedestrian route would widen out into a public square, with new surfacing and tree planting, leading to Caxton Road. This would improve pedestrian links from the Shopping City to the Heartlands sites.

A traffic impact study had been carried out and the fact that delivery lorries would not have to go down Caxton Road, but would instead go to the proposed new service yard on the site of the filling station, was seen as an improvement.

There was not felt to be any adverse impact on residential amenity in terms of daylight, privacy or noise arising from operation of the Department Store, subject to a condition regulating delivery hours for lorries.

There had been a Development Control Forum and Design Panel who had both received presentations on this scheme.

The Environment Agency were concerned that their objections had not been followed through into a recommendation for refusal. Members would have received copies of their recent letter about this issue. The EA were also concerned that the Authority may not have given sufficient airing to their objections in the report.

A full page had been given to their objections in the report, which were set out quite fully; another two-thirds of a page in the Analysis section of the report (Section 4) about the Moselle Culvert and the impact of the development on the culvert.

The EA had said it would ask for the application to be referred to the Secretary of State, under PPS25 on Flood Risk; however it was not in a Flood Risk Zone area 2 or 3, so it was considered that it could not be referred under that heading. The EA had also regarded the scheme as being contrary to Policy ENV5, of the UDP, works affecting water courses; the Report had looked at this and concluded that it was not contrary to ENV5.

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In particular, this application was not some careless scheme where the applicant wanted to build over or too close to a river. This was a designed scheme, with an Engineers report accompanying, showing how it would be designed with piled foundations well clear of the culvert; it would relieve surface loadings on the roof of the culvert; would not add water discharge into the culvert (it would drain into the High Road system); there would be an alternative access hatch, outside the staff entrance into the site on to the High Road frontage, about 14 m away from the existing access in the service yard. The EA had suggested alternative routing of the culvert around the edge of the site, or allowing a 4 metre zone clear on either side, but this would lose ground floor floorspace which the Department Store could not do. Both the Council and the applicants had sought a meeting with the EA to explore the issues but this had been declined.

The scenario was that if the Planning Sub-Committee were to approve the application, the EA would be advised of the decision and they could ask the Secretary of State to call in the application. The Authority would advise the Secretary of State that they opposed the application being called in. If the Department Store did not proceed for any reason, the Moselle culvert would stay underground as it was, under the service yard. There were no other proposals to de-culvert it.

The Committee questioned officers on objections received from local residents and restrictions on deliveries to service yard 5. Members were advised that there had been no restrictions on deliveries however, the Authority had recommended restrictions that deliveries would be made between the hours of 7:00am – 7:00pm. The committee was advised that the service yard could accommodate ten lorries on either side of the service yard.

Members enquired about the EA's main objections and were advised that the EA would like the water course diverted in some way. It would be difficult to find an alternative route. It was suggested that if the culvert were to collapse it would need to be repaired. The proposal of the department store foundations was designed to be away from the culvert.

The Committee received objections from two local residents who objected to the proposal on a number of points:

- The High Road to Caxton Road Alleyway.
- Resiting of the Service Yard.
- Lack of high road entrance for the department store.

Cllr Dobbie addressed the Committee and welcomed the display held in the Mall on the proposal for the new Debenhams Store. However, he was concerned that the front entrance to the store would be located in the alleyway. He suggested that the estate agents building was removed which would enable the store to

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have a decent front entrance. Cllr Dobbie further recommended that the walls of the walkway be decorated with a mural painted by the children of Alexandra Primary School.

The applicant's representative advised the Committee that overall the proposal would generate 200 jobs in the area and would bring further improvements to the retail area, enhance the retail environment and encourage other retail outlets into the area. The Mall had made an investment in studies carried out and was seen as an ongoing investment in Wood Green centre. An immediate input had been the widening and improvement of the pedestrian route. The dog leg that exists at the moment in the narrow route was actually being removed by the Mall to be made available a public space. The service yard resiting was an improvement on the situation which currently existed by taking lorries out of Caxton Road and into Mayes Road. The service yard would be able to accommodate eight lorries being unloaded at any one time. This scheme was available now and would not preclude further development into the Heartlands.

The Committee questioned the applicant's representative on the culvert which was believed to be originally culverted in the 1960s. Members were advised that to deculvert the site would be very dangerous and it was proposed that the culvert would stay underground. The proposed scheme was designed to run parallel with the culvert. Access to the culvert was to be a replication of what currently existed in the service yard, the equivalent.

The Committee requested the following additional conditions and informatives:

Condition 22: The scheme shall include additional tree planting on the frontage of the service yard to Mayes Road, and strengthened tree planting on the eastern side of Caxton Road adjacent to the service yard.

Condition 23: Details of the materials, namely soils and plants, including any shrubs or trees, to be used to form the Green roof of the proposed Department Store, shall be submitted to and approved by the Local Planning Authority prior to the commencement of development, and the Green roof shall be implemented in accordance with such approved plans.

Reason; In order that the Council may be satisfied with the external appearance of the development, and to improve the contribution of the scheme to the biodiversity of the locality.

Condition 24: Detailed drawings of the design of the enlarged footpath on the northern side of the proposed Department Store, to include surfacing, street furniture, and lighting, shall be submitted to and approved by the Local Planning Authority, in conjunction with the Crime Prevention Authority, prior to the commencement of development; and the footpath shall be

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constructed in accordance with such approved details.
Reason; In order that the Council may be satisfied as to the detailed design of the footpath, in the interests of safety of the public using the path.

Condition 25: Details of the new access to the Moselle Culvert, to be constructed adjacent to the front staff entrance to the Department Store on Wood Green High Road, shall be submitted to and approved by the Local Planning Authority prior to commencement of development.

Reason; In order to provide satisfactory access to the Moselle Culvert.

INFORMATIVES:

The Council considers it essential that the Mall Corporation brings forward, at an early opportunity, schemes for treating:

- a) the alcoves and recessed entrances on the south side of the Shopping City elevations to Mayes Road, Martin's Passage and Alexandra Road, to prevent their misuse and improve their appearance;
- b) the elevation of the Shopping City to Mayes Road, in particular the commercial premises and entrance to Shopping City between the new Service Yard 5 and the existing Service Yard 7.

The Chair moved a motion to grant the application. On a vote there being 5 in favour, 2 against and 1 abstention, the application was granted subject to conditions, the above additional conditions, the additional informative and a S106 legal agreement.

**INFORMATION RELATING TO APPLICATION REF:
HGY/2007/0500
FOR PLANNING APPLICATIONS SUB COMMITTEE DATED
30/04/2007**

Location: Wood Green Shopping City, High Road N22

Proposal: Development to extend the Mall, Wood Green shopping centre, to include erection of new retail store (10,000sq.m) on 3 floors and storage; extension to restaurant adjacent to Mayes Road Service Yard; demolition of existing petrol filling station and provision of new Service Yard; landscaping and associated plant and machinery.

Recommendation: Grant subject to conditions and Legal Agreement.

Decision: Grant subject to conditions and Legal Agreement.

Drawing No's: 667.01.P.01/02/03, 667.05.P.20/21/22/23/24,
667.04.P.01.1/01.2/02.1/03.1,
667.05.P.10/11/12/20/21/22/23.1/23.2/24/25/26/27/28 &

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667.PM.P.01/02/03/04/05/06.

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. Details/samples of the 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 the development is commenced. Development shall be carried out in accordance with these approved details.

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

3. Notwithstanding Condition 2 above and the information shown on the submitted drawings, details of the design, external appearance and materials to be used in the external surfaces of the new three storey blocks (containing the new loading docks and storage areas) to be built in new service yard, shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the requirements of the Local Planning Authority.

Reason: In order to ensure a satisfactory external appearance to the development and frontage onto Mayes Road and Caxton Road.

4. 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.

5. Development shall not begin until details of drainage works have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that adequate drainage of the site is carried out as approved.

6. Details of the design and materials and of the boundary treatment, incorporating sound absorption properties, and gates to be erected shall be agreed in writing with the Local Planning Authority and thereafter carried out in accordance with the approved details.

Reason: To protect the visual appearance of the area and the living conditions of neighbouring occupiers.

7. Notwithstanding details shown on the submitted plans, details of the access point and visibility splays shall be submitted to and approved by the Local Planning Authority prior to commencement of the

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development, and such details as approved implemented and retained permanently thereafter.

Reason: In the interest of highway and pedestrian safety.

8. Notwithstanding the information shown on the submitted drawings, details of refuse storage and waste management programme, including specification and location of the proposed waste compactor, for the development hereby permitted in accordance with the standards adopted by the Local Planning Authority shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure adequate refuse storage and to protect the living conditions of occupiers of the area.

9. No deliveries to the new service yard (Service Yard 5) shall take place outside the hours of 7.00 am to 7.00 pm on Mondays to Saturdays, and not at all on Sundays and public holidays.

Reason: To protect the living conditions of nearby residents.

10. Details, including hours of operation, of all external lighting (including any floodlighting) to be erected, and internal lighting visible from outside the site, demonstrating compliance with the recommendations of the Institution of Lighting Engineers "Guidance Notes for the Reduction of Light Pollution" and the provisions of BS 5489 Part 9, shall be submitted in writing to and approved by the Local Planning Authority within six months of the development commencing. The lighting as approved must be installed prior to the occupation of the new retail space, the utilisation of the new service yard and maintained in accordance with these standards thereafter.

Reason: To protect the living conditions of occupiers of the area.

11. Details of external fume extraction from any cooking, kitchen, and café facilities shall be submitted to and approved by the Local Planning Authority prior to commencement of works to the approved extensions and such provision as approved shall be implemented prior to first occupation of the retail store and shall thereafter be permanently retained.

Reason: In the interests of living and working conditions of occupiers on the site and surroundings, and to protect the appearance of the area.

12. No machinery, plant, openings or ducts shall be installed on any elevations without the prior written permission of the Local Planning Authority.

Reason: To protect the living conditions of nearby occupiers.

13. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 the proposed department store shall be used principally for the sale of comparison goods, with ancillary restaurant. No sub-division of the Department Store hereby approved shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To prevent an over-intensive use of the site and to enable the Local Planning Authority to assess the impacts of introducing

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convenience goods retailing into this new retailing floorspace.

14. A supporting statement shall be submitted demonstrating consistency with the submitted Energy Assessment, along with details of the ground heat pump system and bore holes to be submerged, and approved in writing with the Local Planning Authority and thereafter implemented in accordance with any written approval given by the Local Planning Authority.

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

15. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To protect the residential amenities of nearby occupiers and minimise danger and inconvenience to highway users

16. 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.

17. All service cables associated with the proposed development (such as electrical, communal television, telephone, and lighting cables) shall be run underground within the site. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no telecommunications antennae or associated equipment shall be erected on the exterior of this development, without a separate planning permission.

Reason: In the interest of orderly development and the visual amenities of the area, and in order to permit the Local Planning Authority to assess the design quality and appropriateness of any such features on the overall streetscape and appearance of the development.

18. No development shall take place on the site until details are agreed in writing with the Local Planning Authority of how the structural integrity of the culvert, which traverses the site, will be safeguarded from construction operations and the loading of the new extension.

Reason: To ensure that the development safeguards the structural integrity, flow route and flow rate of the existing culvert.

19. Except within the new storage buildings adjacent to the new service yard 5, no goods or materials shall be placed or stored in the open above a height of two metres in the new service yard provided at the junction of Mayes Road and Caxton Road.

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

20. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days unless previously approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

21. The level of noise emitted from fixed plant equipment including a compactor for recycling waste packing and several minor condensing units associated with individual loading bays shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of an existing neighbouring residential property at the time of this decision notice. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of an existing neighbouring property at (address) at the time of this decision notice. The plant compactor shall be restricted to operate during day approved times of the service yard's operation (8.00 am to 8.00 pm).

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

22. A scheme for the treatment of the surroundings of the proposed development including the planting of trees and/or shrubs, and details of hard landscaping of the pedestrian link and open space to the north and west of the proposed department store, shall be submitted to, approved in writing by the Local Planning Authority, and implemented in accordance with the approved details. The scheme shall include additional tree planting on the frontage of the service yard to Mayes Road, and strengthened tree planting on the eastern side of Caxton Road adjacent to the service yard.

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

23. Details of the materials, namely soils and plants, including any shrubs or trees, to be used to form the Green roof of the proposed Department Store, shall be submitted to and approved by the Local Planning Authority prior to the commencement of development, and the Green roof shall be implemented in accordance with such approved plans.

Reason: In order that the Council may be satisfied with the external appearance of the development, and to improve the contribution of the scheme to the biodiversity of the locality.

24. Detailed drawings of the design of the enlarged footpath on the northern side of the proposed Department Store, to include surfacing, street furniture, and lighting, shall be submitted to and approved by the Local Planning Authority, in conjunction with the Crime Prevention

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Authority, prior to the commencement of development; and the footpath shall be constructed in accordance with such approved details.

Reason: In order that the Council may be satisfied as to the detailed design of the footpath, in the interests of safety of the public using the path.

25. Details of the new access to the Moselle Culvert, to be constructed adjacent to the front staff entrance to the Department Store on Wood Green High Road, shall be submitted to and approved by the Local Planning Authority prior to commencement of development.

Reason: In order to provide satisfactory access to the Moselle Culvert.

INFORMATIVE: This permission shall not be construed as giving permission for any signage, including any of the signage indicated on submitted drawings. All advertising signage for the development shall be the subject of to obtaining consent under the Town & Country Planning (Control of Advertisements) Regulations 1992.

INFORMATIVE: The proposed development will require redundant crossovers to be removed. The necessary works will be carried out by the Council at the applicant's expense once all the necessary internal site works have been completed. The applicant should telephone 020-8489 1316 to obtain a cost estimate and to arrange for the works to be carried out.

INFORMATIVE: Under the terms of the Water Resources Act (1991) and the Thames Region Land Drainage Byelaws (1981), prior written consent is required from the Environmental Agency for any works in, over, under or within eight metres of a main river.

INFORMATIVE: The Council considers it essential that the Mall Corporation brings forward, at an early opportunity, schemes for treating (a) the alcoves and recessed entrances on the south side of the Shopping City elevations to Mayes Road, Martin's Passage and Alexandra Road, to prevent their misuse and improve their appearance; and (b) the elevation of the Shopping City to Mayes Road, in particular the commercial premises and entrance to Shopping City between the new Service Yard 5 and the existing Service Yard 7.

REASONS FOR APPROVAL

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

(a) The proposed development accords with strategic planning guidance and policies as set out in the Mayor's London Plan (published 10 February 2004) and the Adopted Haringey Unitary Development Plan (July 2006). In particular the following policies are relevant: Adopted Haringey Unitary Development Plan (Policies Policy G1, G2, G5, G12, AC1, UD2, UD3, UD4, ENV1, ENV5, ENV6, ENV7, ENV9, ENV10, EMP1, TCR1, M3, M4, M5, M10 and OS15. Supplementary planning guidance: SPG1a, SPG3b, SPG4, SPG5, SPG7a, SPG7c, SPG8c, SPG9, SPG10a, SPG10d, SPG10e, SPG11c.

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	<p>(b) The proposal is acceptable for the following reasons:</p> <p>I. It has been demonstrated that there is additional need for comparison goods floorspace and the proposed additional floorspace will extend and complement Wood Green's role as a metropolitan centre and enhance the vitality and viability of the Town Centre.</p> <p>II. The proposed extensions are considered to be of an appropriate bulk, size and design and will be sympathetic to the townscape.</p> <p>III. The applicant's investment in the Town Centre will provides a means of making improvements to the pedestrian link between the High Road and Caxton Road and the areas beyond the Eastern Utilities Land.</p> <p>IV. The proposed development incorporates energy efficiency measures, including on-site renewable energy generation, and responds to the need to for a more sustianalbe form of development.</p> <p>Section 106: Yes</p>	
PASC218.	DATES OF NEXT MEETINGS Monday 14 May 2007 ~ scheduled meeting. Thursday 17 May 2007 ~ Special meeting.	

COUNCILLOR SHEILA PEACOCK

Chair