

**REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE**

<b>1. APPLICATION DETAILS</b>	
<b>Reference No:</b> HGY/2015/1820	<b>Ward:</b> Fortis Green
<p><b>Address:</b> Beacon Lodge, 35 Eastern Road, London N2</p> <p><b>Proposal:</b> Part demolition and part retention and extension of existing buildings and change of use from former residential institution use (Class C2) to residential (Class C3), comprising 3 x 4-bedroom 3-storey (plus basement) houses. Construction of 6 new maisonettes comprising 3 x 3-bedroom 2-storey (plus basement) apartments and 3 x 2-bedroom 2-storey apartments. Erection of 1 replacement dwelling comprising 4 bedrooms in a 2-storey (plus basement) house. Provision of associated car parking, open space and landscaping and tree work.</p> <p><b>Applicant:</b> Beacon Lodge Properties LLP</p> <p><b>Ownership:</b> Private</p> <p><b>Case Officer Contact:</b> Adam Flynn</p>	
<p><b>Date received:</b> 23/06/2015</p> <p><b>Drawing number of plans:</b> A-GA-0000; A-GA-0010; A-GA-0020; A-GA-0021; A-GA-0022; A-GA-0023; A-GA-0030; A-GA-0031; A-GA-0040; A-GA-0041; A-GA-0042; A-GA-0043; A-GA-0044; A-GA-0045; A-GA-0100; A-GA-0199 Rev A; A-GA-0200 Rev A; A-GA-0201; A-GA-0202; A-GA-0203; A-GA-0210; A-GA-250; A-GA-0300; A-GA-0301; A-GA-0302; A-GA-0303 Rev A; A-GA-0400; A-GA-0410; A-GA-0411; A-GA-0412; A-GA-0413; A-GA-0414; A-GA-0415; A-GA-0416; A-GA-0417; Design and Access Statement (June 2015); Planning Statement (June 2105); Heritage Statement (June 2015); Arboricultural Impact Assessment Report (18 June 2015); Daylight and Sunlight Report (18 June 2015); Energy Strategy (17/06/2015); Sustainability Statement (18/06/2015); Transport Statement (June 2015); Statement of Community Involvement (June 2015)</p>	
<p><b>PLANNING DESIGNATIONS:</b></p> <p>Fortis Green Conservation Area                  Not a Listed Building                  Subject to TPOs</p>	
<p><b>1.1</b> The application is a Major Application, and as such this application is referred to committee.</p>	

## 1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of residential development is welcomed on this site
- The proposed residential accommodation would be of an acceptable layout and standard
- The impact of the development on neighbouring residential amenity is acceptable
- The design and appearance of the proposal is acceptable
- The application would preserve and enhance the conservation area and not cause harm
- There would be no significant impact on parking
- The proposal meets the standards outlined in the London Plan Housing SPG
- The application is in accordance with the development plan

## 2. RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission and that the Head of Development Management is given delegated authority to issue the planning permission and impose conditions and informatives subject to a section 106 Legal Agreement.

2.2 That the section 106 Legal Agreement referred to in the resolution above is to be completed no later than 16 October 2015 or within such extended time as the Head of Development Management shall in her sole discretion allow; and

2.3 That, following completion of the agreement(s) referred to in resolution (1) within the time period provided for in resolution (2) above, planning permission be granted in accordance with the Planning Application subject to the attachment of all conditions imposed including;

### 2.4 Conditions:

1. Implementation within 3 years
2. In accordance with approved plans
3. External materials to be approved
4. Sustainability
5. No permitted development for extensions or outbuildings
6. No permitted development for satellite dishes
7. Cycle parking
8. Refuse
9. Land contamination investigation works
10. Contamination remediation if required
11. Control of dust
12. Combustion and energy plant
13. Vehicle access
14. Construction Management Plan
15. Trees
16. Trees
17. Landscaping
18. Landscape management
19. Sustainable Drainage

2.5 Informatives:

1. Drainage
2. Thames Water
3. Sewers
4. Groundwater
5. Street Numbering
6. Hours of Construction
7. CIL
8. Crossover
9. Asbestos

2.6 S106 Heads of Terms:

The granting of permission for this application would require a Section 106 legal agreement to address the following heads of terms:

1. An affordable housing contribution of £180,000, together with a review mechanism should the development not be commenced within 18 months of the date of the grant of permission.

2.7 In the event that members choose to make a decision contrary to the officer's recommendation, members will need to state their reasons.

2.8 That, in the absence of the agreement referred to in resolution (2.1) above being completed within the time period provided for in resolution (2.2) above, the planning permission be refused for the following reasons:

1. The proposed development in the absence of a financial contribution in lieu of affordable housing provision would have a detrimental impact on the provision of much required affordable housing stock within the Borough and would set an undesirable precedent for future similar planning applications. As such, the proposal is contrary to policy SP2 'Housing' of the Council's Local Plan March 2013 and Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan.

2.9 In the event that the Planning Application is refused for the reasons set out in resolution (2.8) above, the Head of Development Management (in consultation with the Chair of Planning sub-committee) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:

- (i) There has not been any material change in circumstances in the relevant planning considerations, and
- (ii) The further application for planning permission is submitted to and approved by the Assistant Director 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 contemplated in resolution (2.6) above to secure the obligations specified therein.

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### **3.0 PROPOSED DEVELOPMENT AND SITE LOCATION DETAILS**

#### **3.1 Proposed Development**

3.1.1 The proposal involves the part demolition and part retention and extension of the existing 'Beacon Lodge' building, and the change of use of the building from a former residential institution use (Class C2) to residential units (Class C3), comprising 3 x 4-bedroom 3-storey (plus basement) houses. Together with this is the construction of 6 new maisonettes in a separate block comprising 3 x 3-bedroom 2-storey (plus basement) apartments and 3 x 2-bedroom 2-storey apartments, and the erection of 1 replacement dwelling to the rear of the site, comprising 4 bedrooms in a 2-storey (plus basement) house. Associated car parking, open space provision, landscaping and tree work is also proposed.

#### **3.2 Site and Surroundings**

3.2.1 The property at 35 Eastern Road is located on the western side of Eastern Road and comprises a part three-storey and part two-storey residential building. The original building has been extended in the past, and was used as a care

home. There is a single storey residential building to the rear of the site, adjoining a parking area in Western Road to the west.

3.2.2 The building falls within the Fortis Green Conservation Area, but it is not statutorily or locally listed.

3.2.3 The site sits within a residential area, and is surrounded by a mixture of residential property types.

### **3.3 Planning and Enforcement History**

3.3.1 OLD/1962/0192 – Dwelling for welfare worker in rear garden with access from Western Road – Granted 25/07/1962

OLD/1967/0181 – Extension to form dwelling for staff – Granted 07/11/1967

## **4.0 CONSULTATION RESPONSE**

4.1 The following were consulted regarding the application and the following responses were received, and are summarised below (full responses contained in Appendix 1):

4.2 Internal:

a) LBH Conservation Officer: No objection, subject to conditions.

b) LBH Transportation: No objection, subject to conditions.

c) LBH Environmental Health: No objection, subject to conditions.

d) LBH Waste Management: No objection, subject to conditions.

4.3 External:

e) Thames Water: No objection, request informatives.

f) London Fire Brigade: No objection.

### **Pre-application advice**

4.4. A Pre-application meeting with the Planning Department was held on 16 April 2015. The architects were advised as to the principle of development, the form and scale of the building proposed for the site, car parking and access, trees and refuse storage.

4.5 The application was presented to the Quality Review Panel on 20 May 2015. The Quality Review Panel finds much to admire in the development proposals for Beacon Lodge. The decision to strip away recent poor quality additions to the original building is welcomed. The panel would encourage the design team to go further with this approach, to achieve a scheme based on high quality

contemporary additions to the original 19th century building. The Panel also think there is scope to improve the architecture of the new maisonettes, to reflect the qualities and visual interest of nearby houses in the conservation area. The panel supports the concept of rebuilding the existing bungalow to the west of the site as a 'pavilion' residential building. The scheme also creates a generous communal garden, allowing for the preservation of mature trees on the site.

- 4.6 The application was presented to members at pre-application briefing on 1 June 2015 and the minutes set out the following: Clarification was sought on the low number of units proposed relative to the size of the site and whether this was a conscious decision linked to affordable housing obligations. The applicant outlined that the reason for this was the inherent constraints of the site including the number of Tree Preservation Orders (TPOs) in place and its backland nature. In response to concerns regarding the impact of construction on the TPO trees on site, it was confirmed that a full tree survey would be undertaken to establish full root protection zones to secure the retention of all trees subject to TPOs.

## **5.0 LOCAL REPRESENTATIONS**

- 5.1 The following were consulted on the application:

Ward Councillors  
Adjoining neighbours (110 letters sent)

Beechwood Close Resident' Association Limited  
Muswell Hill and Fortis Green Association  
Beacon Lodge Interest Group

- 5.2 3 comments from local residents have been received, and the matters raised being (full responses to comments are contained in Appendix 1):
- Height is unacceptable
  - Impacts on light to opposite properties
  - Front boundary treatment should screen car parking
  - Car parking
  - Over intensive development
  - Less building would be more appropriate
  - Design and materials of maisonettes
  - Loss of trees / impact on trees
  - Landscaping and maintenance of open space
  - No access should be granted to rear access into Beechwood Close

## **6.0 MATERIAL PLANNING CONSIDERATIONS**

- 6.1 The main issues in respect of this application are considered to be:
- Principle of development
  - Design and appearance
  - Impact on Conservation Area

- Neighbouring amenity
- Residential Mix and quality of accommodation
- Affordable Housing
- Transportation
- Trees
- Sustainability
- Land contamination
- Waste
- Accessibility

## 6.2 Principle of Development

- 6.2.1 Local Plan Policy SP0 supports the broad vision of the NPPF, and states that the Council will take a positive approach to reflect the presumption in favour of sustainable development. Permission will be granted by the Council unless any benefits are significantly outweighed by demonstrable harm caused by the proposal.
- 6.2.2 The NPPF, London Plan Policy 3.3 and Local Plan Policies SP1 and SP2 seek to maximise the supply of additional housing to meet future demand in the borough and London in general. The proposal is for the creation of 10 new residential units. The principle of introducing additional residential units at the site would be supported by the Council in augmenting housing stock in the area, and in meeting the intent of the NPPF, London Plan Policy 3.3 and Local Plan Policies SP1 and SP2, albeit all other material planning considerations are to be met.
- 6.2.3 Local Plan Policy SP16 sets out the Council's aim to ensure appropriate improvement and enhancements, and where possible, protection of community facilities and services. Draft DMPD Policy DM58 seeks the protection of existing social and community facilities, unless a replacement facility is provided which meets the needs of the community. However, Saved UDP Policy HSG2 states that a change of use to residential use would be acceptable, provided that the site does not lie in a designated employment area, there will be no loss of open space, the site is not designated within a shopping frontage, and will provide satisfactory living conditions.
- 6.2.4 The site is currently vacant but Beacon Lodge was previously in Class C2 use as a home for mothers in need and their children, and was run by the Beacon Lodge Charitable Trust. The dwelling to the rear of the site was previously in Class C3 use as a caretaker's lodge. Previous to the use of Beacon Lodge by the charity it had been a single dwellinghouse in Class C3 use. The applicant has stated that that Local Authority grant funding for the charity was stopped in the second half of 2014. This had a detrimental impact on the ability of the charity to continue their former services. The site was vacated due to being surplus to requirements. Since the charity vacated the building, the site has been occupied by 'live-in guardians' solely to ensure the ongoing security of the site.

6.2.5 The site remains vacant, despite the charity ceasing operations in July 2014, demonstrating the lack of requirement for this infrastructure in this location. The applicant has stated that the release of the site for residential development has a financial gain to the charity, which is legally bound to use such receipts in the furtherance of its charitable objectives.

6.2.6 As such, the redevelopment proposals would provide much needed housing, contributing to major policy objectives. Furthermore, the site and the proposed development on the site meet all of the criteria set out in Saved Policy HSG2.

### 6.3 Design and Appearance

6.3.1 The NPPF should be considered alongside London Plan 2015 Policies 3.5 and 7.6 and Local Plan 2013 Policy SP11, which identifies that all development proposals, should respect their surroundings, by being sympathetic to their form, scale, materials and architectural detail.

6.3.2 The scheme proposes to convert the existing building to family sized flats. This would ensure that the building's new use is closest to the original use of the building. As part of the conversion, the scheme proposes to remove the inappropriate and poor quality alterations that detract from the architecture of the building. This includes removal of the fire escape and the inappropriate UPVC windows.

6.3.3 In addition, the scheme also proposes additional floor space at the roof level. This is proposed to be set back from the front elevation of the building and would be in a buff coloured brick. This would complement the existing building whilst remaining sub-ordinate to it. The scheme also adds an additional floor to the rear with a gable end. This would also complement the existing architectural language of the building whilst continuing to be sub-ordinate to it. Overall, the proposal is considered to preserve and enhance the significance of the building, both individually and within the Conservation Area.

6.3.4 To the south of the main building, the scheme proposes to erect a terrace of six maisonettes. These would be three storeys in height and would be in line with the existing building. This would have an impact on the setting of the existing building in that it would reduce the extensive open grounds in the vicinity of the site. However, the harm would not be substantial as this portion of the street frontage of the site is currently dominated by hard surfacing, which limits the open aspect of this area of the site. A substantial part of the open area would be retained as communal amenity space for the proposed units, without any impact on the topography or natural setting of the site. It is also considered that the gap in the street frontage detracts from the tightly knit urban grain elsewhere in the conservation area. As such, the proposed terrace would be considered to 'repair' the street frontage resulting in a more balanced continuous street scene.

6.3.5 The design of the proposed terrace relates appropriately to the established layout and scale of existing buildings within the area. The proposed architectural language and materials are such that they interpret the 'terrace



housing' in a contemporary way without appearing dominant or intrusive on the street scene. Whilst the car parking to the front would be retained for the purposes of the new units, appropriate landscaping is proposed to be incorporated in order to reduce the visual intrusiveness of the paving. Overall, it is considered that the proposed terrace would complement the existing street scene as well as the original building.

- 6.3.6 To the rear, the scheme proposes to demolish a modest single storey dwelling that the Council's Conservation Officer states does not contribute to the conservation area. This is proposed to be replaced with a high quality 'modernist' style detached house, two storeys in height (above ground level). The scale and layout of the building is such that it appears to be an ancillary 'garden pavilion' style building that relates to the established nature of the site. The Council's Conservation Officer states, in terms of the architectural language, it positively enhances the setting of the existing building and the wider conservation area.
- 6.3.7 Overall, the proposal is considered to be acceptable and in general accordance with London Plan 2015 Policies 3.5 and 7.6 and Local Plan 2013 Policy SP11.

#### 6.4 Impact on Conservation Area

- 6.4.1 The site falls within the Fortis Green Conservation Area. NPPF chapter 12 'Conserving and enhancing the historic environment' and London Plan policy 7.8 'Heritage Assets and Archaeology' states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Similarly Local Plan Policy (2013) SP12 seeks to ensure the conservation of heritage assets, their setting, and the wider historic environment.
- 6.4.2 There is a legal requirement for the protection of the Conservation Area. The Legal Position on the impact on these heritage assets is as follows, and Section 72(1) of the Listed Buildings and Conservation Areas Act 1990 provide:
- 6.4.3 "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." Among the provisions referred to in subsection (2) are "the planning Acts".
- 6.4.4 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that "Parliament in enacting section 66(1) did intend that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise."
- 6.4.5 The Government in the case of the Queen (on the application of The Forge Field Society) v Sevenoaks District Council says that the duties in Sections 66

and 72 of the Listed Buildings Act do not allow a Local Planning Authority to treat the desirability of preserving of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. If there was any doubt about this before the decision in Barnwell, it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area or a Historic Park, it must give that harm considerable importance and weight. This does not mean that an authority's assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgment. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognise, as the Court of Appeal emphasized in Barnwell, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one, but it is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. An authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.

- 6.4.6 In short, there is a requirement that the impact of the proposal on the heritage assets be very carefully considered, that is to say that any harm or benefit needs to be assessed individually in order to assess and come to a conclusion on the overall heritage position. If the overall heritage assessment concludes that the proposal is harmful then that should be given "considerable importance and weight" in the final balancing exercise having regard to other material considerations which would need to carry greater weight in order to prevail
- 6.4.7 The proposed alterations to the main building as well as the pavilion building to the rear would preserve and enhance the appearance of the original building. The conversion of the existing building to family sized flats would ensure that the building's new use is closest to the original use of the building. The change of use is also compatible with the established suburban residential character of the conservation area. The terraced development to the south would cause some harm to the current open setting of the existing building and site within the conservation area, however, this harm is considered to be less than substantial as the existing open space creates a gap in the street frontage which detracts from the conservation area. The terraced development would complete the street frontage, enhancing the appearance of the area.
- 6.4.8 This harm has been given considerable weight and is considered to be outweighed, in conservation terms, by the improvements to the streetscape.
- 6.4.9 The layout, scale, massing and the architectural language would complement and positively enhance the conservation area and would outweigh the less than substantial harm caused due to the development. In addition, the scheme would retain the landscaped area as communal space, similar to the site's current use.

As such, the scheme would preserve and enhance the significance of the heritage assets and would be acceptable.

## 6.5 Impact on the amenity of adjoining occupiers

- 6.5.1 Saved UDP Policy UD3 states that development proposals are required to demonstrate that there is no significant adverse impact on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy, overlooking. Similarly London Plan Policy 7.6 requires buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy.
- 6.5.2 The proposal has been accompanied by a daylight/sunlight report and shadowing report. These reports confirm that there would be no harmful loss of daylight/sunlight to adjoining neighbours. Whilst it is acknowledged that minor daylight reductions do occur to the properties having windows in flank walls facing the boundary (27 and 37 Eastern Road), the layouts of these properties are such that these windows serve either non-habitable space or space that remains very well lit from another aspect. As such, there would be no noticeable effect on any habitable rooms, and the proposal is fully compliant with the BRE guidelines.
- 6.5.3 The proposed terraced maisonette block would be set back some 6 metres from the flank wall of 27 Eastern Road, being the nearest windows facing the proposal. These windows either do not serve habitable rooms or are secondary windows to living rooms. Given this, the 6 metre separation distance, in an urban environment, is appropriate to preserve the outlook from the neighbouring property. No windows are proposed that look directly towards number 27, which will ensure the privacy of this property is maintained.
- 6.5.4 The neighbouring property to the north has no habitable room windows facing the development and is adjacent to the existing Beacon Lodge building, and the nearest properties to the east are located over 25 metres away on the opposite side of Eastern Road. To the west, properties are over 25 metres away from the pavilion dwelling to the rear of the site. The privacy of neighbouring occupiers would not be negatively affected, or their outlook compromised to any significant degree.
- 6.5.5 Noise pollution is dealt with under saved UDP Policy UD3 which resists developments which would involve an unacceptable level of noise beyond the boundary of the site. This stance is in line with the NPPF and with London Plan Policy 7.15 and Policy SP14 of Haringey's Local Plan. Given the scale of the proposal and the nature of noise from residential uses, the proposal would not cause a significant degree of noise and disturbance upon nearby residents in meeting the above policy framework.
- 6.5.6 Conditions are recommended requiring adequate dust control to protect the amenities of neighbours during the build phase of the development.

6.5.7 The proposal does not harm the amenities of neighbours and is in general accordance with saved UDP 2006 Policy UD3 and concurrent London Plan 2015 Policy 7.6.

## 6.6 Residential Mix and Quality of Accommodation

6.6.1 The Council's policy SP2 states that the Council will provide homes to meet Haringey's housing needs and provide a range of unit sizes. This development contributes towards the housing need. The housing mix provided is acceptable given the constraints of the site, and the number of units and the quality of accommodation on offer.

6.6.2 London Plan Policy 3.5 and accompanying London Housing Design Guide set out the space standards for all new residential developments to ensure an acceptable level of living accommodation offered. The standards by which this is measured are set out in the Mayor's Housing SPG 2012.

6.6.3 In assessing the proposal against these requirements, all the dwellings and flats would accord with the minimum unit size requirements. Furthermore, the proposal would provide sufficient private amenity space, by way of a garden or a good sized terrace, to each dwelling, together with a large area of communal amenity space. Therefore, the proposal would provide an acceptable level of amenity for future occupiers.

## 6.7 Density

6.7.1 Density is relevant to whether the amount of development proposed is appropriate for a site. London Plan Policy 3.4 notes that the appropriate density for a site is dependent on local context and character, its location and accessibility to local transport services. Policy 3.4 and Local Plan Policy SP2 require new residential development to optimise housing output for different types of location within the relevant density range taking account of the guidance on density levels set out in the Density Matrix of the London Plan.

6.7.2 The site red line site area is 0.31 hectares, the surrounding area is considered to be suburban and has a PTAL of 3. The density proposed is 32 (10 units / 0.3110 ha) units per hectare and 152 (47 habitable rooms / 0.31 ha) habitable rooms per hectare which falls within the guideline of 150-250 hr/ha set out in the London Plan.

6.7.3 It should be noted that density is only one consideration of the acceptability of a proposal. As set out above the proposal provides a good standard of accommodation with generous room sizes and garden space. As such, at the density proposed the proposal therefore can be considered acceptable if it has an acceptable impact on neighbouring occupiers and is in keeping with the scale and character of the surrounding area through exemplary design.

## 6.8 Affordable Housing

- 6.8.1 Policy 3.12 of the London Plan 2013 seeks to maximise affordable housing provision and ensure an average of at least 13,200 more affordable homes per year in London over the 20-25 year term of the London Plan.
- 6.8.2 Saved Policy HSG 4 of the UDP 2006 requires developments to provide a proportion of affordable housing to meet an overall borough target of 50%. This target is reiterated in Policy SP2 of the Local Plan. As this proposal effectively results in an uplift of 9 units, the 20% requirement policy applies. This generates an off-site affordable housing contribution of £355,750.50, based on the £357 per square metre charge set out in the October 2014 Planning Obligations SPD.
- 6.8.3 The Applicant submitted a viability assessment which demonstrated that the full amount of the contribution is not affordable in terms of the viability of the development. This has been independently assessed by consultants, who consider the scheme would still be viable with such a contribution.
- 6.8.4 There is a difference in the opinions of the two consultants with regards to the sales figures used in the assessments, and as such the applicant has provided an offer of £180,000. The applicant has also accepted that a review mechanism be included in the S106, should the development not commence within 18 months of permission being granted. While it is acknowledged that this offer is short of the Council's requirements, on balance, given the imposition of a review mechanism, it is considered acceptable as it would allow the development to come forward, as well as providing a contribution towards affordable housing.

## 6.9 Transportation

- 6.9.1 The application site falls within an area that has a medium Public Transport Accessibility Level (PTAL) of 3 and is served by a number of bus routes. The site is also within reasonable walking distance of East Finchley underground station. It is considered that prospective residents of the development would use sustainable modes of transport for some journeys to and from the site. However, the large family sized units are likely to have a need for the use of a private vehicle. The Fortis Green controlled parking zone (CPZ), which operates Monday to Friday 11:00am-1:00pm and has the primary function of preventing commuter parking. However, there are indications that the area suffers from a level of on-street parking stress outside the CPZ operational times.
- 6.9.2 The 10 units will be served by 10 on-site parking spaces. Given that the size of the units and the fact that the surrounding area is known to suffer from on-street parking stress, it is considered that the relatively high parking ratio is justified in this case. Notwithstanding this, the level of parking provision falls in line with both the Council's parking standards set out within the appendix of the Unitary Development Plan as well as standards set out within the London Plan. The proposal includes covered and secure cycle storage to London Plan standards.
- 6.9.3 The application is supported by a Transport Statement, which concludes the

proposal would have a similar level of traffic generation expected in connection with the sites existing C2 use class. It is therefore considered that the proposal is unlikely to result in any significant increase in traffic generation.

6.9.4 The site currently has a main point of access onto Eastern Road, but also has a minor secondary access from Western Road via the garages to the rear of Beechwood Close. It has been noted that the proposal will involve the creation of a second crossover onto Eastern Road, which will facilitate an "In & out" access arrangement. Although the application will involve the retention of the secondary access to the rear of the site, servicing and deliveries will take place from Eastern Road. This is considered to be acceptable.

6.8.5 The Council's Transportation team has assessed the application, and have concluded that overall, the development is unlikely to generate any significant increase in traffic and parking demand which would have any adverse impact on the local highways network in the area surrounding the site. Conditions are recommended regarding the imposition of a construction management and logistics plan to ensure construction disruption is minimised, and for the construction of the access to the site. The proposal is therefore acceptable and would promote sustainable modes of travel over the private motor vehicles in accordance with London Plan 2015 Policy 6.9 and Local Plan 2013 Policy SP7.

## 6.10 Trees

6.10.1 London Plan Policy 7.21 and Saved Policy OS17 of the Unitary Development Plan 2006 seeks to protect and improve the contribution of trees, tree masses and spines to local landscape character.

6.10.2 The scheme has been designed to minimise the impact on trees and to avoid their root protection areas as much as possible. A tree survey and report was submitted with the application to ensure the trees are considered in the development of the proposals.

6.10.3 The majority of trees on the site will be retained, however, some trees at the front of the site are proposed to be removed to enable adequate access to the properties. However, these trees to be removed are not subject to TPOs and their loss will be mitigated with landscaping and replacement planting across the site. Landscaping of the site and the management of the landscaping would be secured via condition. The applicant has stated that a Tree Protection Plan will be prepared prior to commencement of development on the site, and this will be secured via a condition on any permission.

## 6.11 Sustainability

6.11.1 The NPPF and London Plan Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10 and 5.11, as well as Policy SP4 of Haringey's Local Plan and SPG 'Sustainable Design & Construction' set out the sustainable objectives in order to tackle climate change. The Council requires new residential development proposals to meet the minimum Code for Sustainable Homes Level 4 criteria as required under Local Plan Policy SP4.

6.11.2 Details have been provided with the application to demonstrate that the scheme would achieve a minimum 35% reduction in carbon emission, though the use of high quality construction standards, high quality windows, high levels of insulation and the provision of PV panels and roof integrated PV tiles, which have resulted in an improvement in the proposed energy performance of the building, compared to current (2013) Building Regulations, This is line with policy London Plan Policy. A condition to ensure the units are constructed to meet London Plan Policy 5.2 is recommended, and would ensure the proposal accords with the NPPF 2012 and to London Plan 2015 Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10 and 5.11, as well as Policy SP4 of Haringey's Local Plan 2013, which require all residential development proposals to incorporate energy technologies to reduce carbon emissions.

6.11.3 A further condition has been recommended by the Council's Environmental Health Officer requiring the submission of details regarding the gas boiler details and ensuring these are efficient and accord with the London Plan's NOx emission standards.

## 6.12 Contamination

6.12.1 There has been some investigation below ground on site. The proposal has been viewed by the Council's Pollution Officer who raises no objection to the scheme, however, requires that conditions are included with regards to site investigation and remediation should it be required.

6.12.2 Therefore, the proposal, subject to a thorough site investigation and appropriate remediation, where required, is considered to be acceptable and appropriate for a residential development and is in general accordance with Policy 5.21 of the London Plan 2015 and Saved Policy UD3 of the Haringey Unitary Development Plan.

## 6.13 Waste

6.13.1 It is considered that the details included with the application are sufficient to demonstrate that refuse and recycling can be adequately stored on the site. Given the layout of the site, it is considered that details of the storage and collection of refuse, together with a management plan for collection, should be secured via a condition, should consent be granted.

## 6.14 Accessibility

6.14.1 Policy HSG1 of the UDP and Policy 3.6 of the London Plan require that all units are built to Lifetime Homes Standard. This standard ensures that dwellings are able to be easily adapted to suit the changing needs of occupiers, particularly those with limits to mobility. All of the proposed units have been designed in accordance with Lifetime Homes Standards.

## 6.15 Drainage

6.15.1 London Plan (2011) Policy 5.13 'Sustainable drainage' and Local Plan (2013) Policy SP5 'Water Management and Flooding' require developments to utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy:

- 1 store rainwater for later use
- 2 use infiltration techniques, such as porous surfaces in non-clay areas
- 3 attenuate rainwater in ponds or open water features for gradual release
- 4 attenuate rainwater by storing in tanks or sealed water features for gradual release
- 5 discharge rainwater direct to a watercourse
- 6 discharge rainwater to a surface water sewer/drain
- 7 discharge rainwater to the combined sewer.

6.15.2 They also require drainage to be designed and implemented in ways that deliver other policy objectives, including water use efficiency and quality, biodiversity, amenity and recreation. Further guidance on implementing Policy 5.13 is provided in the Major's Sustainable Design and Construction SPG (2014) including how to design a suitable SUDS scheme for a site. The SPG advises that if greenfield runoff rates are not proposed, developers will be expected to clearly demonstrate how all opportunities to minimise final site runoff, as close to greenfield rate as practical, have been taken. This should be done using calculations and drawings appropriate to the scale of the application. On previously developed sites, runoff rates should not be more than three times the calculated greenfield rate. The SPG also advises that drainage designs incorporating SUDS measures should include details of how each SUDS feature, and the scheme as a whole, will be managed and maintained throughout its lifetime.

6.15.3 The applicant has provided details of their proposed provisions for reducing surface water run-off in accordance with policy requirements. Therefore, it is recommended that a condition requiring a SUDS scheme be submitted for approval to ensure these provisions are implemented.

6.15.4 The proposal will therefore provide sustainable drainage and will not increase floor risk in accordance with London Plan (2011) Policy 5.13 'Sustainable drainage' and Local Plan (2013) Policy SP5 'Water Management and Flooding'

## 6.16 Planning Obligations

6.16.1 Section 106 of the Town and Country Planning Act 1990 allows the Local Planning Authority (LPA) to seek financial contributions to mitigate the impacts of a development. Below are the agreed Heads of Terms:

1. An affordable housing contribution of £180,000, together with a review mechanism should the development not be commenced within 18 months of the date of the grant of permission.



## **7.0 CIL APPLICABLE**

- 7.1 The proposal results in the creation of new dwellings, and as such would be liable for CIL. This would equate to £34,877.50 for the Mayoral CIL (£35 x 996.5sqm) and £264,072.50 for Haringey's CIL (£265 x 996.5sqm).

## **8.0 CONCLUSION**

- 8.1 The proposal involves the part demolition and part retention and extension of the existing 'Beacon Lodge' building, and the change of use of the building from a former residential institution use (Class C2) to residential units (Class C3), comprising 3 x 4-bedroom 3-storey (plus basement) houses. Together with this is the construction of 6 new maisonettes in a separate block comprising 3 x 3-bedroom 2-storey (plus basement) apartments and 3 x 2-bedroom 2-storey apartments, and the erection of 1 replacement dwelling to the rear of the site, comprising 4 bedrooms in a 2-storey (plus basement) house. Associated car parking, open space provision, landscaping and tree work is also proposed.
- 8.2 The proposal is a suitable and complementary development to the surrounding townscape, utilising a currently underutilised piece of land to provide 10 new residential units that are well proportioned and will add to the borough's housing stock. The limited harm to the conservation area has been given significant weight and is outweighed by the benefits of the improvements to the conservation area and streetscene. Given the heritage benefits provided by the scheme, the proposal is considered acceptable in heritage terms. The proposal is in line with the Development Plan and this application is recommended for APPROVAL.

## **9.0 RECOMMENDATION**

- 9.1 GRANT PLANNING PERMISSION subject to the following conditions and informatives, and a S106 Legal Agreement:

### **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 accordance with the following approved plans and specifications: A-GA-0000; A-GA-0010; A-GA-0020; A-GA-0021; A-GA-0022; A-GA-0023; A-GA-0030; A-GA-0031; A-GA-0040; A-GA-0041; A-GA-0042; A-GA-0043; A-GA-0044; A-GA-0045; A-GA-0100; A-GA-0199 Rev A; A-GA-0200 Rev A; A-GA-0201; A-GA-0202; A-GA-0203; A-GA-0210; A-GA-250; A-GA-0300; A-GA-0301; A-GA-0302; A-GA-0303 Rev A; A-GA-0400; A-GA-0410; A-GA-0411; A-GA-0412; A-GA-0413; A-GA-

0414; A-GA-0415; A-GA-0416; A-GA-0417; Design and Access Statement (June 2015); Planning Statement (June 2105); Heritage Statement (June 2015); Arboricultural Impact Assessment Report (18 June 2015); Daylight and Sunlight Report (18 June 2015); Energy Strategy (17/06/2015); Sustainability Statement (18/06/2015); Transport Statement (June 2015); Statement of Community Involvement (June 2015)

Reason: In order to avoid doubt and in the interests of good planning.

3. Notwithstanding the information submitted with this application, no development above ground shall take place until precise details of the external materials to be used in connection with the development hereby permitted be submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority and retained as such in perpetuity.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area and consistent with Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

4. The dwellings hereby approved shall achieve a reduction in carbon (CO<sub>2</sub>) emissions of at least 35% against Part L of the Building Regulations 2013. No dwelling shall be occupied until a certificate has been issued by a suitably qualified expert, certifying that this reduction has been achieved.

Reason: To ensure that the development achieves a high level of sustainability in accordance with Policies 5.1, 5.2, 5.3 and 5.15 of the London Plan 2015 and Policies SP0 and SP4 the Haringey Local Plan 2013.

5. Notwithstanding the Provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking or re-enacting that Order, no rear extensions or outbuilding shall be constructed without the grant of planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and to prevent overdevelopment of the site by controlling proposed extensions and alterations consistent with Policy 7.4 of the London Plan 2015 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

6. Notwithstanding the Provisions of Article 4 (1) and part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, no satellite antenna shall be erected or installed on the building hereby approved. The proposed development shall have a central dish or aerial system for receiving all broadcasts for the residential units created, and this shall be installed prior to the occupation of the property, and the scheme shall be implemented and permanently retained thereafter.

Reason: In order to prevent the proliferation of satellite dishes on the development.

7. The development shall not be occupied until a minimum of 22 cycle parking spaces for users of the development, have been installed in accordance with the details hereby approved. Such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with Policies 6.1 and 6.9 of the London Plan 2015 and Policy SP7 of the Haringey Local Plan 2013.

8. Details of a scheme for the storage and collection of refuse from the premises shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development. The approved scheme shall be implemented and permanently retained to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of the locality and to comply with Saved Policy UD7 of the Haringey Unitary Development Plan 2006 and Policy 5.17 of the London Plan 2015.

9. Before development commences, other than for investigative work and demolition:

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 for written approval.

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.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy 5.21 of the London Plan 2015 and Saved Policy UD3 of the Haringey Unitary Development Plan.

10. Where remediation of contamination on the site is required, completion of the remediation detailed in the method statement 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 in accordance with Policy 5.21 of the London Plan 2015 and Saved Policy UD3 of the Haringey Unitary Development Plan.

11. No development shall be carried out on the site until a detailed report, including risk assessment, detailing management of demolition and construction dust has been submitted and approved by the Local Planning Authority (reference to the London Code of Construction Practice) and that the site of contractor company be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out on site.

Reasons: To safeguard the amenities of the area consistent with Policies 6.3, 6.11 and 7.15 of the London Plan 2015, Policies SP0 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

12. Prior to the first occupation of the hereby approved residential units, installation details of the boiler to be provided for space heating and domestic hot water are to be submitted to and approved in writing by the Local Planning Authority. The boilers to be provided for space heating and domestic hot water shall have dry NOx emissions not exceeding 40mg/kWh (0%). The boilers are to be installed and permanently retained thereafter, or until such time as more efficient technology can replace those previously approved.

Reason: To ensure that the scheme helps to minimise air pollution, as required by the London Plan 2015 Policy 7.14.

13. Prior to the commencement of the development above ground, details of the proposed new crossover shall be submitted to and approved in writing by the Local Planning Authority. The crossover shall be restricted to a maximum width of 3 metres, and works to construct the crossover will be carried out by the Council at the applicant's expense once all the necessary internal site works have been completed.

Reason: To ensure satisfactory construction of the crossover and in the interests of highway safety.

14. Prior to the commencement of development, a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) shall be submitted to, approved in writing by the Local planning Authority and implemented accordingly thereafter. The Plans should provide details on how construction work would be undertaken in a manner that disruption to traffic and pedestrians on Eastern Road is minimised. It is also requested that construction vehicle movements should be carefully planned and co-ordinated to avoid the AM and PM peak periods.

Reason: To reduce congestion and mitigate any obstruction to the flow of traffic on the Transportation network.

15. No development shall commence until all those trees to be retained, as indicated on the approved drawings, have been protected by secure, stout, exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS 3998:2010 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 consistent with Policy 7.21 of the London Plan 2015, Policy SP11 of the Haringey Local Plan and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

16. Prior to the commencement of any development hereby approved and before any equipment, machinery or materials are brought onto the site for the purposes of the development hereby approved, a Tree Protection method statement incorporating a solid barrier protecting the stem of the trees and hand dug excavations shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved and the protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Reason: In order to ensure the safety and well being of the trees on and adjacent to the site during constructional works that are to remain after works are completed consistent with Policy 7.21 of the London Plan, Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

17. No development above ground shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and

circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

Such an approved scheme of planting, seeding or turfing comprised in the approved details of landscaping shall be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner). Any trees or plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be retained thereafter.

Reason: In order for the Local Planning Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area consistent with Policy 7.21 of the London Local Plan 2015, Policy SP11 of the Haringey Local Plan 2013 and Policy UD3 of the Haringey Unitary Development Plan 2006.

18. The development shall not be occupied until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens is submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved and maintained thereafter.

Reason: To ensure a satisfactory setting for the proposed development in the interests of the visual amenity of the area consistent with Policy 7.21 of the London Local Plan 2015, Policy SP11 of the Haringey Local Plan 2013 and Policy UD3 of the Haringey Unitary Development Plan 2006.

19. Prior to any works commencing on site, with the exception of demolition, a detailed sustainable drainage scheme shall be submitted to the local planning authority for consideration and determination and thereafter, any approved scheme shall be implemented wholly in accordance with the approval and before any above ground works commence.

Reason: In order to ensure that a sustainable drainage system has been incorporated as part of the scheme in the interests of sustainability and in accordance with 5.13 of the London Plan.

## **Informatives:**

INFORMATIVE 1: With regards to surface water drainage, it is the responsibility of a developer to make proper provision for drainage to ground, water course, or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

INFORMATIVE 2: Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

INFORMATIVE 3: Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required.

INFORMATIVE 4: A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team”.

INFORMATIVE 5: The new development will require numbering. The applicant should contact the 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 6: Hours of Construction Work: The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

- 8.00am - 6.00pm Monday to Friday
- 8.00am - 1.00pm Saturday
- and not at all on Sundays and Bank Holidays

INFORMATIVE 7: Community Infrastructure Levy

The applicant is advised that the proposed development will be liable for the Mayor of London and Haringey CIL. Based on the information given on the plans, the Mayor's CIL charge will be £34,877.50 (996.5sqm x £35) and the Haringey CIL charge will be £264,072.50 (996.5sqm x £265). This will be collected by Haringey after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

INFORMATIVE 8: Any necessary works to construct the crossover will be carried out by the Highways Department at the applicant's expense once all the necessary internal site works have been completed. The applicant should telephone 020 8489 1000 to obtain a cost estimate and to arrange for the works to be carried out.

INFORMATIVE 9: 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.



## **10.0 APPENDICES**

**APPENDIX 1 – Consultation responses**

**APPENDIX 2 – Plans**