

MINUTES OF THE MEETING OF THE PLANNING SUB COMMITTEE HELD ON MONDAY, 26TH JUNE, 2017, 7pm

PRESENT:

Councillors: Natan Doron (Chair), Toni Mallett (Vice-Chair), Dhiren Basu, David Beacham, John Bevan, Jennifer Mann, Peter Mitchell, James Patterson and Ann Waters

54. FILMING AT MEETINGS

Noted.

55. PLANNING PROTOCOL

Noted.

56. APOLOGIES

Apologies for absence were received from Councillor Carter.

57. URGENT BUSINESS

None.

58. DECLARATIONS OF INTEREST

None.

Councillor Doron wished to make the Committee and Officers aware that he knew the applicant personally as the applicant had run a business in Councillor Doron's ward, however there was no connection in relation to the application.

59. MINUTES

RESOLVED that the minutes of the Planning Committee held on 8 May 2017 be approved.

60. PLANNING APPLICATIONS

Noted.

61. CAR PARK WESTERFIELD ROAD N15 5LD

The Committee considered a report on the application to grant planning permission for the temporary use of the site for up to 7 years for the installation of modified shipping

containers to provide mixed use workspace, retail, bar / food, events, performances and green spaces.

The Planning Officer gave a short presentation highlighting the key aspects of the report.

The Committee raised a number of questions and issues, responses to which are summarised as follows:

- In relation to parking, surveys had been conducted of the car park and the car park at Brunswick Road, and the maximum use of both was 94 spaces. The next steps were to look at how the Brunswick Road car park could be better configured to maximise parking, along with optimising the on street parking spaces. It was thought that there would be little or no impact on parking. It was important that the closure of Westerfield Road was managed correctly, and should be staged in conjunction with the improvements to Brunswick Road car park.
- The outside seating would be until 2100hrs, and the terraces would be surrounded by 2m high solid screening to allow privacy for neighbouring properties.
- The site would be managed by an site management team who would be responsible for the cleaning and maintenance of the whole site.

Members requested that officers liaise with the Licensing Team with regards to the hours for the outside seating areas, and to ensure that noise tests were carried out and steps taken to mitigate any noise nuisance.

The Chair moved that the application be granted and it was

RESOLVED

- i) That planning permission be GRANTED and that the Head of Development Management is authorised to issue the planning permission and impose conditions and informatives subject to the signing of a section 106 Legal Agreement providing for the obligation set out in the Heads of Terms below.
- ii) That the section 106 legal agreement referred to in resolution (i) above is to be completed no later than 10th July 2017 or within such extended time as the Head of Development Management or the Assistant Director Planning shall in her/his sole discretion allow; and
- iii) That, following completion of the agreement(s) referred to in resolution (i) within the time period provided for in resolution (ii) above, planning permission be granted in accordance with the Planning Application subject to the attachment of the conditions.

Conditions

1. The development hereby permitted shall be operated for a temporary seven year period only until 25th June 2024 on or before which date the use shall be discontinued.

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: 1099-1001 to 1003 all Rev A, 1099-1004 to 1006 all Rev. C, 1099-1007 Rev. D and 1099-1008 Rev. B, 1099-1101, 1099-2000, e16037-001.

The following supporting documents also approved: Design and Access Statement Rev. D; Preliminary Bat Roost Assessment; Environmental Noise Impact Assessment.

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

3. Details of finishing materials to be used for the external surfaces of the development (including samples where appropriate) shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Details of the finishing treatments for site fencing/boundary treatments and amenity screens shall also be provided for further consideration.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity consistent with Policy 7.6 of the London Plan 2015, Policy SP11 of the Haringey Local Plan 2013 and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

4. The development hereby approved permits operation of 67 containers for the purposes within Use Classes A1, A3, A4, A5, B1(a), D1 and D2 only (other than for servicing purposes). No more than 30 of the 67 containers hereby approved shall be operated at any one time under Use Class A3,A4 or A5. A minimum of 16 of the 67 containers hereby approved shall be operated at any one time under Use Class A1. None of the containers on the ground floor of the development hereby approved shall be operated at any one time under Use Class A3,A4 or A5. A maximum of four of the containers at ground floor level shall be operated at any one time under Use Class B1(a). Containers on the third floor of the development shall be operated only for purposes within Use Class B1(a).

Reason: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved and to safeguard the cumulative impact of development within the area.

5. The permitted hours for the development hereby approved shall be restricted as follows:

Type of Unit	Use Class	Days	Hours Restriction
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Food/Drink	A3/A4/A5	Sun – Weds	1000h – 2200h
		Thurs	1000h – 2300h
		Fri & Sat	1000h – 0000h
Retail	A1	Sun – Thurs	1000h – 1800h
		Fri & Sat	1000h – 2000h
Community/ Well-being	D1/D2	All	0800h – 2200h
Offices	B1(a)	All	24 hour access

In addition, the roof areas of the containers within the development hereby approved shall, other than as demonstrated on the submitted plans, shall not be used for seating or any other activities and amplified sound shall not be played within any of the external areas. The external seating areas approved shall not be occupied after 2100h.

Reason: To protect the amenity of neighbouring occupiers.

6. Noise generated for the use of any plant or associated equipment shall not increase the background noise level (L_{A90} 15mins) when measured (L_{Aeq} 15mins) 1 metre external from the nearest residential or noise sensitive premises.

Reason: To protect the amenity of neighbouring occupiers.

7. The A3, A4 and A5 uses hereby approved shall not be operated in a manner that requires the installation of associated flues for cookers and/or other cooking equipment. No other flues, ducting or extractor plant shall be permitted within this development without prior written consent of the Council.

Reason: The containers hereby approved are unable to facilitate the dispersal of fumes, but the selling of food with internal seating is beyond the provisions of A1 use class and if otherwise allowed could result in unacceptable smell and smoke etc.

8. No construction works shall commence until further details (in consultation with Thames Water) of the drainage design methodology, implementation, maintenance and management of the sustainable drainage system have been submitted & approved in writing by the Local Planning Authority. Details shall include:-
- (a) Methodology and reasoning for SuDS flows and volumes pro-forma determination enabling full assessment that allowable thresholds have been achieved and approved in writing by the Local Planning Authority;
 - (b) Management and maintenance plan for the lifetime of the development, managed by a management company or other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: In accordance with Policy SP5 of the Local Plan 2013 and emerging policies DM24 and DM25 of the Development Management Policies DPD.

9. Sustainability measures as set out in Stack N15 - Design and Access Statement (24/02/2017) by Haverstock shall be implemented. The development shall then be constructed in strict accordance of the details so approved, and shall be maintained as such thereafter. Evidence that these measures have been delivered shall be submitted to the local authority at least 6 months after completion on site for approval. In the event that the development fails to deliver the measures in the approved document, a full schedule and costings of remedial works required to achieve this rating shall be submitted for our written approval with 2 months of the submission of the post construction certificate. Thereafter the schedule of remedial works must be implemented on site within 3 months of the local authority's approval of the schedule, or the full costs and management fees given to the Council for offsite remedial actions.

Reason: In the interest of addressing climate change and to secure sustainable development in accordance with London Plan (2016) polices 5.1, 5.2, 5.3 and 5.9 and policy SP:04 of the Local Plan.

10. The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:

- Provide details on the installation and lifting of shipping containers;
- Accommodate the location of the existing London Underground structures;
- Provide details on the use of tall plant;
- 3 metres clearance is required between the containers and adjacent London Underground property.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

11. Construction Management Plan The applicant will be required to submit a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) for the local authority's approval prior to construction work commencing on site. The Plans should provide details on how construction work (including any demolition) would be undertaken in a manner that disruption to traffic and pedestrians on Westerfield Road, West Green Road, Seven Sisters Road and Suffield Road and the surrounding residential roads 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.

12. Prior to the commencement of the development hereby approved the type of cycle parking to be provided shall be submitted to and agreed in writing by the Local Planning Authority, in discussion with Transport for London. A minimum 5% of cycle spaces should be suitable for enlarged cycles and the type of stand proposed must be clarified. The recommendations and requirements of the London Cycle Design Standards document should be followed.

Reason: In accordance with Policy 6.3 of the London Plan.

13. The development hereby approved shall be designed to achieve Secured by Design accreditation in consultation with the Metropolitan Police.

Reason: To ensure that the proposed development meets the Police standards for the physical protection of the building and its occupants, and also to comply with Haringey Local Plan 2013 Policy SP11.

14. No external illumination of the external elevations to the buildings shall take place other than in accordance with a detailed building lighting scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. The lighting scheme shall require ground floor unit lighting to be switched off entirely after 10pm.

Reason: To ensure that any external lighting of the building has regard to the visual amenity of the area including the character and appearance of the conservation area, the amenities of surrounding properties and the safety of users of the surrounding highway network.

15. Prior to first occupation of the development, the applicant will be required to submit a Delivery and Servicing Plan (DSP) for the local authority's written approval. The DSP must also include a waste management plan which includes details of how refuse is to be collected from the site. The plan must also include details of how deliveries will be facilitated to ensure that servicing does not impact on the flow of traffic on the local highways network.

All vehicular deliveries to the site shall be restricted Monday to Saturday between 08.00 – 17.00hrs, with no deliveries on Sundays or Bank Holidays. Waste collections from the site shall be restricted between 7am and 11am, with no collections on Sundays or Bank Holidays.

Reason: To reduce congestion and mitigate any obstruction to the flow of traffic on the transportation

16. Prior to the commencement of the development hereby approved a Risk Assessment and Method Statement for lifting and placing containers, and all other activity adjacent to Network Rail land, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Network Rail.

Reason: In order to ensure the safe operation of the railway and the protection of Network Rail's adjoining land.

17. No development shall take place on site 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 thereafter 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.); retained historic landscape features and proposals for restoration, where relevant.

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]. The soft landscaping scheme shall include detailed drawings of:

- a. those existing trees to be retained.
- b. those existing trees to be removed.
- c. those existing trees which will require thinning, pruning, pollarding or lopping as a result of this consent. All such work to be approved in writing by the Local Planning Authority.
- d. Those new trees and shrubs to be planted together with a schedule of species shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development.

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 2011, Policy SP11 of the Haringey Local Plan 2013 and Policy UD3 of the Haringey Unitary Development Plan 2006.

18. Prior to the commencement of works on site a meeting must be specified and attended by all interested parties, (e.g. Site manager, Consultant Arboriculturist, Council Arboriculturist and Contractors) to confirm all the protection measures to be installed for trees and discuss any construction works that may impact on the trees. Robust protective fencing / ground protection must be installed under the supervision of the Consultant Arboriculturist, prior to the commencement of demolition and retained until the completion of construction activities. The tree protective measures must be inspected or approved by the Council Arboriculturist, prior to the commencement of demolition. The tree protective measures must be periodically checked the Consultant Arboriculturist and reports made available to the Council Arboriculturist. All construction works

within root protection areas (RPA) or that may impact on them, must be carried out under the supervision of the Consultant Arboriculturist.

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 2011, Policy SP11 of the Haringey Local Plan and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

19. Prior to the commencement of the development hereby approved a survey of the site for Japanese knotweed shall be submitted to and approved by the Local Planning Authority, and all relevant measures taken to fully remove and prevent further ingress of Japanese knotweed in the future.

Reason: In order to protect the integrity of the on-site soft landscaping and public amenity.

20. The construction works of the development hereby granted shall not be carried out before 0800 hours or after 1800 hours Monday to Friday or before 0800 hours or after 1300 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties consistent with Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

21. No roller shutters other than of the brick grille type shall be installed on the premises. All units at ground floor level shall be fitted with either a toughened glass frontage (with glazing a minimum of 8.6mm thickness) or a perforated grille type shutter that is integral to the internal frame of the container. Details of any proposed non-perforated grille shutter must be agreed by the Local Planning Authority in advance of installation. Details shall include drawings of a suitable scale; and no non-perforated shutter shall be installed other than in accordance with the details approved.

Reason: To ensure that the premises maintain an appropriate contribution to the street scene, in order to safeguard visual interest, an attractive shopping environment, and on-street amenity generally.

Informatives:

INFORMATIVE : In dealing with this application, Haringey Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 to foster the delivery of sustainable development in a positive and proactive manner.

INFORMATIVE : Party Wall Act: The applicant's attention is drawn to the Party Wall

Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

INFORMATIVE : 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 : 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: The development hereby approved shall be completed in accordance with the associated Section 106 agreement.

Section 106 Heads of Terms:

- 1) The applicant will be required to enter into a S.106 agreement to fund the following measures in order to mitigate the impact of closing the Westerfield Road car park:
 - a. Improvements to the Brunswick Road car park including: resurfacing and reconfiguration of the car park, provision of two electric vehicle parking spaces, and lighting and CCTV;
 - b. Provide advance closure signage of the existing car park, and implementation of direction signage on West Green Road to the improved Brunswick Road car park;
 - c. Provide a temporary strategy to deal with replacement of the existing disability car parking spaces during the construction period;
 - d. The applicant will be required to pay for an Inventory Study to assess capacity for local residents' bays as it may be best to implement shared-use bays rather than converting single and double yellow lines into additional car parking bays;
 - e. Fund a Traffic Management Order, signing and lining to accommodate on-street displacement parking from Westerfield Road car park;
 - f. Fund additional works to Brunswick Road car park including: measures to address anti social behaviour, a press notice advertisement, temporary signage and stakeholder engagement.

The total cost of the works in relation to the closure of the car parking and implementing measures to address the displaced traffic has been estimated at:

£195,588 (one hundred and ninety five thousand five hundred and eighty eight pounds).

- 2) Four car parking spaces shall be provided to the front of the site, adjacent to Westerfield Road, and these shall be allocated for wheelchair-accessible parking spaces only (although temporary usage is also permitted for short term waste collection and/or delivery activities as necessary).
- 3) The applicant will be required to fund traffic marshals to assist in directing users to Brunswick Road car park during the first 2 weeks of the closure of Westerfield Road car park and details of an appropriate car park closure management strategy must be submitted to the Council for approval 3 months before the closure of the Westerfield Road car park.
- 4) A commercial travel plan must be secured. The following measures must be included in order to maximise the use of public transport:
 - a. The developer must appoint a travel plan co-ordinator, working in collaboration with the Council's Facility Management Team, to monitor the travel plan initiatives annually;
 - b. Provision of welcome induction packs containing public transport and cycling/walking information like available bus/rail/tube services, map and timetables to all new businesses.

The applicants are required to pay a sum of £3,000 (three thousand pounds) for monitoring of the travel plan initiatives.

- iv)** That, in the absence of the agreement referred to in resolution (i) above being completed within the time period provided for in resolution (ii) above, the planning permission be refused for the following reasons:
 1. The proposed development, in the absence of a legal agreement to mitigate the loss of off-street parking from the removal of the Westerfield Road car park, to improve the layout of the existing Brunswick Road car park, or to provide additional on-street parking spaces in the local area, would significantly exacerbate pressure for on-street parking spaces in surrounding streets, prejudicing the free flow of traffic and conditions of general safety along the neighbouring highway. As such, the proposal would be detrimental to the amenity of local residents. As such the proposal is considered contrary to the requirements of Policy 6.13 of the London Plan 2016, and Saved Policies UD3, HSG11 and M10 of the Haringey Unitary Development Plan 2006.
- v) That delegated authority be granted to the Head of Development Management to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions as set out in this report and to further delegate this power provided this authority shall be exercised in consultation with the Chairman (or in their absence the Vice-Chairman) of the Sub-Committee.

62. UPDATE ON MAJOR PROPOSALS

RESVOLVED that the report be noted.

63. NEW ITEMS OF URGENT BUSINESS

None.

64. DATE OF NEXT MEETING

18 July 2017

CHAIR: Councillor Natan Doron

Signed by Chair

Date

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