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Haringey Heartlands, Clarendon Rd, N8

Planning Application Number: HGY/2013/2455

Application for a Lawful Development Certificate for a Proposed Development

15 February 2016

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FAO Aaron Lau

15 February 2016

Dear Mr Lau,

Haringey Heartlands, Clarendon Road, N8
Planning Application Number: HGY/2013/2455
Application for a Lawful Development Certificate for a Proposed Development

We write on behalf of National Grid Properties Ltd in relation to the above outline planning permission which was granted in April 2014. We hereby submit an application for a Lawful Development Certificate for a Proposed Development under Section 192 of the Town and Country Planning Act 1990 (the "1990 Act"), as amended by Section 10 of the Planning and Compensation Act 1991 and the Town and Country Planning (Development Management Procedure) (England) Order 2015. This application relates to land at Haringey Heartlands, Clarendon Road, N8 (the "Site").

This application requests a certificate to the effect that the development permitted by planning permission HGY/2013/2455 (which amends planning permission HGY/2009/0504) will be lawfully implemented through the demolition of the Gas holders on the site.

We will evidence that these Gas holders can be demolished as all pre-development conditions have been or will be discharged for this element of the planning permission before the demolition occurs and within the time limits of the consent.

This letter sets out the background and evidence to demonstrate why the Council can issue the Lawful Development Certificate as requested. This letter is supported by the relevant planning permission; the non-material amendments that have been made to it; the relevant pre-commencement condition discharge decision notices; the submission for discharge of the outstanding pre-commencement

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conditions; and the proposed demolition plans.

1. Legal Context and Summary

This is an application for a certificate of lawfulness of proposed use or development under section 192 of the Town and Country Planning Act 1990.

Section 192(2) of the 1990 Act provides that in order to determine whether a proposed use or operation is lawful, the local planning authority must be satisfied that *"the use or operations described in the application would be lawful if instituted or begun at the time of the application".*

This application provides the appropriate evidence to demonstrate that the material operations proposed below are lawful, and on that basis, planning permission HGY/2014/2455 will be lawfully implemented. In summary, the evidence provides that:

- Planning Permission HGY/2014/2455 is extant and will not lapse until 20th March 2017.
- The demolition of the existing gas holders on the site is permitted by the relevant planning permission which provides '*Outline planning application for demolition of existing structures and redevelopment……'*
- Demolition is a material operation as defined in section 56 of the 1990 Act.
- All of the necessary 'pre-commencement' conditions relating to demolition of the gas holders and the site preparation works ("SPW") phase of development have been, or will be, discharged prior to the commencement of development.

For these reasons, the Council is asked to issue a Lawful Development Certificate for Proposed Development.

The remainder of this letter sets out further detail in relation to the each of the above points and is structured as follows:

2. Extant Planning Permissions.

3. Commencement of Development

4. Discharge of Pre-development Conditions.

5. Conclusions

2. Extant Planning Permissions

2012 Planning Permission HGY/2009/0503

On 21 March 2012, National Grid and the GLA obtained outline planning permission for a major mixed use redevelopment at Haringey Heartlands on land between Hornsey Park Road, Mayes Road, Clarendon Road and the Kings Cross / East Coast Mainline (planning application ref no. HGY/2009/0503) (the "2012 planning permission").

The 2012 planning permission granted consent for the following development:

"Outline planning application for demolition of existing structures and redevelopment to provide a residential led, mixed-use development, comprising between 84,500 sqm to 87,000 sqm of residential use, providing between 950 to 1,080 residential units (C3); with 460 sqm to 700 sqm of office uses (B1); 370 sqm to 700 sqm of retail/financial and professional services uses (A1/A2); 19- sqm to 550 sqm of restaurant/café/drinking establishment uses (A3/A4); 325 sqm to 550 sqm of community/assembly/leisure uses (D1/D2); new landscaping, public and private open space, an energy centre, two utility compounds, up to 251 car parking spaces, cycle parking, access and other associated works."

Condition 2 attached to the 2012 planning permission set out the time limit for the implementation of the planning permission, and states:

"2. Application must be made to the Local Planning Authority for approval of any matters reserved in this OUTLINE planning permission not later than the expiration of 5 years from the date of this Permission, and the development hereby authorised shall be started not later than whichever is the later of the following dates, failing which the permission shall be of no effect:

a. the expiration of 5 years from the date of this permission; or

b. the expiration of 2 years from the final date of approval of any of the reserved matters.

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990."

Condition 2 requires the authorised development to be started within *5 years* of the date of the planning permission or the expiration of 2 years from the final date of approval of any of the reserved matters, whichever is the later of the following dates. Whilst the permission allows for this flexibility, it is the intention to implement the planning permission well before the expiry date, and certainly before the expiration of 5 years from the date of the original permission (i.e. before 20 March 2017).

2014 Planning Permission HGY/2013/2455

In 2014, National Grid submitted a Section 73 planning application to vary the 2012 planning permission. This resulted in a new planning permission which was granted on 7 April 2014 (planning permission ref. no. HGY/2014/2455) (the "2014 planning permission").

It is National Grid's intention to implement this planning permission by carrying out a material operation, namely the demolition of the gas holders that are located on the Site. It is in relation to this material operation that a Lawful Development Certificate for a Proposed Development is sought.

We propose to undertake these works in April 2016, and would therefore request a determination of this certificate prior to those works being undertaken.

The 2014 planning permission did not alter the description of development or the timescales for the implementation of the planning permission. The purpose of the amended planning permission was to allow the Site Preparation Works (SPW) to come forward in advance of the submission of an application for reserved matters for the wider scheme under the 2014 planning permission.

The SPW are defined in the 2014 planning permission as follows:

> "Works of demolition (including the removal of the gas holders and remediation works but excluding the Olympia Trading Estate), surveys, site clearance, works of archaeological or ground investigation or remediation, the erection of fencing or hoardings, the provision of security measures or lighting, the erection of temporary buildings or structures associated with the development, the laying, removal of diversion of services, the provision of construction compounds or piling works) the removal of hard-standing, construction of temporary access, temporary highways works, temporary internal estate roads and relocation and erection of the Pressure Reduction Station."

As it is not possible to extend the life of a planning permission via a S73 application, the date by which the development must be started remains 20 March 2017.

The 2014 planning permission was approved subject to 71 conditions. 15 of these conditions are required to be formally discharged prior to commencement of the SPW phase of development which includes the demolition of the gas holders. The table in section 4 below sets out the wording of each of these conditions and the progress that has been made with their discharge.

3. Commencement of Development

Section 56 of the 1990 Act, *Time when Development Begun,* sets out the provisions under which the development of land shall be taken to have been initiated for the purpose of the implementation of planning permissions.

Parts (1) and (2) State:

(1) "Subject to the following provisions of this section, for the purpose of this Act development of land shall be taken to be initiated –

a. If the development consists of the carrying out of operations, at the time when those operations are begun;

(2) For the purposes of the provisions of this Part mentioned in subsection (3) development shall be taken to be begun on the earliest date on which any material operation comprised in the development begins to be carried out."

Part (4) goes on to define *'material operation'* as follows:

"*(a)any work of construction in the course of the erection of a building;*

(aa)any work of demolition of a building;

(b)the digging of a trench which is to contain the foundations, or part of the foundations, of a building;

(c)the laying of any underground main or pipe to the foundations, or part of the foundations, of a building or to any such trench as is mentioned in paragraph (b);

(d)any operation in the course of laying out or constructing a road or part of a road;

(e)any change in the use of any land which constitutes material development."

In the case of planning permission HGY/2014/2455, the first works which will be undertaken are the demolition of the existing gas holders on the site, which would comprise a material operation under section 56(4)(aa) of the 1990 Act "(aa)any work of demolition of a building".

The demolition of the existing gas holders on the site is permitted by the 2012 permission as amended by the 2014 planning permission, which refers to demolition works within the description of development; *'Works of demolition (including the removal of the gas holders and ……"*

On this basis, the lawful demolition of the gas holders would implement the 2014 planning permission.

4. Discharge of Pre-Development Conditions

The table below sets out the pre-commencement conditions which must be discharged prior to the commencement of the gas holder demolition and identifies the information which has been submitted to formally discharge each condition. The relevant decision notices and accompanying documents form part of this application and are included in the appendices.

In some instances, the discharge approvals have not yet been obtained, however, the table sets out the information which has been submitted and the indicative date for formal discharge. National Grid does not intend to undertake demolition until the remaining conditions have been discharged.

Where the wording of a condition has been amended by a non-material amendment (S96a application), the amended wording is included within the table. The S96a amendments are set out in appendix 3.

The SPW are a phase of the development. Most conditions allow for the discharge on a phased basis. The status of each pre-commencement condition is set out below.

Condition		Information submitted to Discharge / Formal Discharge Date
12.	S96a approved (HGY/2015/3777) 18 Jan 2016 Approved S96a wording: **Landscaping – Protection of Existing Trees** Within each phase no development shall commence until an Arboricultural method statement relating to works in that phase, including a tree protection plan, has been prepared in accordance with BS5837:2005 Trees in Relation to Construction", and approved by the Local Planning Authority. For each phase a pre-commencement site meeting must be specified and attended by all interested parties, (Site manager, Consultant Arboriculturalist, Council Arboriculturalist and Contractors) to confirm all the protection measures to be installed for trees. Robust protective fencing / ground protection must be installed prior to commencement of construction activities for that phase on site and retained until completion of that phase. It must be designed and installed as	Partial discharge in respect of the gas holder demolition aspects of the SPW on 31 July 2015. Planning application Ref No. HGY/2015/0868. Approved Document: Arboricultural Method Statement ref. 5119881 & Figure 101 Rev B. Further submission for the full discharge in respect of the SPW phase of development made on 2nd February 2016 (HGY/2016/0392). Target determination date of this

Condition		Information submitted to Discharge / Formal Discharge Date
	recommended in the method statement. Within each phase the protective fencing must be inspected by the Council Arboriculturalist, prior to any works commencing on site and remain in place until works are complete.	application is 31st March 2016. It is intended that this condition will have been fully discharged in respect of the SPW phase of development before the gas holder demolition commences.
13.	**Japanese Knotweed** S96a approved (HGY/2015/3778) 18 Jan 2016 Approved S96a wording: Within each phase no development shall commence until a detailed method statement for the removal or long-term management/eradication of Japanese knotweed within that phase has been submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, trimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Within each phase development shall proceed in accordance with the approved method statement. Please note that if any of the Japanese knotweed plants are close to water, including watercourses, ditches or standing water, then Environment Agency consent is required if it is to be treated with a herbicide.	Formally discharged on 31 July 2015 in respect of the SPW phase of development. Planning application Ref No. HGY/2015/0869. Approved Document: Japanese Knotweed Management Plan Rev 2 ref. SY311JKMP & Appendix F. Import Criteria, dated June 2015.
14.	**Boundary Treatment** S96a approved (HGY/2015/3779) 18 Jan 2016 Approved S96a wording: Notwithstanding the details contained within the plans hereby approved, full details of boundary treatments, including fencing and gates for each phase shall be submitted to and approved by the Local Planning authority prior to the commencement of that phase of the development.	No permanent boundary treatments including fences and gates are proposed as part of the SPW phase of development. There will be temporary boundary treatments (hoardings – see condition 21).This was formally confirmed in a letter dated 2nd February 2016 (HGY/2016/0393).

Condition		Information submitted to Discharge / Formal Discharge Date
16.	**Pollution Prevention** S96a approved (HGY/2015/3780) 18 Jan 2016 Approved S96a wording: Within each phase, the development hereby approved shall not commence until full details of a Pollution Prevention Strategy has been submitted to and approved in writing by the Local Planning Authority for that phase.	Formally discharged on 31 July 2015 in respect of the SPW phase of development. Planning application Ref No. HGY/2015/0870. Approved Document: Construction Environmental Management Plan, February 2015.
18.	**Use of Clean Uncontaminated Material** No soils or infill materials shall be imported onto the site until it has been satisfactorily demonstrated that they present no risk to human health and the environment. Documentary evidence to confirm the origin of all imported soils and infill materials, supported by appropriate chemical analysis, test results, shall be submitted to and approved by the Local Planning Authority prior to that import. The import on site of material classified as 'waste; is only acceptable with the prior written approval of the Local Planning Authority.	Formally discharged on 31 July 2015 in respect of the importation of infill materials required in association with the gas holder demolition. Planning application Ref No. HGY/2015/0871. Approved Document: Gas holder Infilling Preliminary Report (Revised Final) June 2015
19.	**Method of Piling** No phase of the development hereby approved (including site preparation works) shall commence until the method of piling foundations for that phase of the development has been submitted to and approved in writing by the Local Planning Authority prior to any development commencing. Piling or any other foundation designs using penetrative methods shall not be permitted except for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.	No piling is proposed as part of the SPW phase of development. This was formally confirmed in a letter dated 2nd February 2016 (HGY/2016/0394).
20.	**Archaeological Watching Brief** S96a approved (HGY/2016/0049) 2 February 2016 Approved S96a wording: Within each phase no development shall take place until the	Formally discharged on 31 July 2015 in respect of the SPW phase of development. Planning application Ref No.

Condition		Information submitted to Discharge / Formal Discharge Date
	applicant has secured the implementation of an archaeological watching brief and a programme for the recording of built heritage structures, including the existing gas holders, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority for that phase.	HGY/2015/0872. Approved Document: Historic Building Recording Brief, February 2015 & Archaeological Watching Brief Version 3, February 2015.
21.	**Hoardings** S96a approved (HGY/2015/3781) 18 Jan 2016 Approved S96a wording: Prior to the commencement of development for each phase full details of a scheme for the provision of hoardings around that part of the site during the construction period including details of design, height, materials and lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works in that phase and unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the scheme as approved.	Formally discharged on 31 July 2015 in respect of the gas holder demolition aspects of the SPW phase of development. Planning application Ref No. HGY/2015/0873. Approved Document: Drawing Number C174/001/DRG & Figure 101 Rev B. Further submission for the full discharge in respect of the SPW phase of development made on 2nd February 2016 (HGY/2016/0395). Target determination date of this application is 31st March 2016.
22.	**Construction Environmental Management Plan** No phase of the development hereby approved shall commence until a Construction Environmental Management Plan, including Site Waste Management Plan, Site Management Plan, Construction Logistics Travel Plan and construction traffic management plan (CTMP), has been submitted to and approved in writing by the Local Planning Authority for the relevant phase. The Construction Management Plan shall include but not be limited to the following: a) Public Safety, Amenity and Site Security; b) Operating Hours, Noise and Vibration Controls; c) Air and Dust Management; d) Storm water and Sediment Control and e) Waste and Materials Re-use. The Site Waste Management	Formally discharged on 28 August 2015 in respect of the SPW phase of development. Planning application Ref No. HGY/2015/0874. Approved Document: Construction Environmental Management Plan, February 2015 and Agent's email dated 27 May 2015.

Condition		Information submitted to Discharge / Formal Discharge Date
	Plan will demonstrate compliance with an appropriate Demolition Protocol. The development shall be carried out in accordance with the approved details. Additionally the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.	
23.	**Construction Dust Mitigation** No phase of the development shall commence until the appropriate mitigation measures to minimise dust emissions are incorporated into the phase specific Construction Environmental Management Plan based on the Mayor's Best Practice Guidance (The control of dust and emissions from construction and demolition). This should include an inventory and timetable of dust generating activities, emission control methods and where appropriate air quality monitoring). This must be submitted to and approved in writing by the LPA prior to any works carried out in the relevant phase. Additionally the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out in the relevant phase.	Formally discharged on 31 July 2015 in respect of the SPW phase of development. Planning application Ref No. HGY/2015/0875. Approved Document: Construction Environmental Management Plan, February 2015, Indicative inventory and timetable of all bust and NOx air pollutant generating activities, 04/06/2015 & T4749.2-001.
43.	**Environment Agency – Structural Survey** S96a approved (HGY/2015/3783) 18 Jan 2016 Approved S96a wording: The development hereby permitted shall not be commenced until such time as a structural survey of the Moselle Brooke culvert to identify the life of the flood defences compared to the life of the development has been submitted to, and approved in writing by, the local planning authority. If the assessment identifies that the life of the culvert is not commensurate with the life of the development, then a scheme of remedial measures required in association with each phase of development shall be submitted to and approved in writing by the Local Planning Authority before development commences within that phase. Development	Partially discharged on 28 September 2015 by submission of a condition survey. Planning application Ref No. HGY/2015/0876. Approved Document: CCTV Asset Condition Inspection Report ref. 5119881_DG_001_Moselle Culvert CCTV, Adam Donovan email dated 2 June 2015, Victoria Lownes email dated 22 July 2015, Deloitte Memo-Land at Haringey Heartlands – Hornsey Gasworks,

Condition		Information submitted to Discharge / Formal Discharge Date
	shall proceed only in accordance with the approved remedial measures.	dated 22 July 2015. Environment Agency response required approval of a remedial plan before site clearance commences. Further submission of a remedial plan in respect of the SPW phase of development made on 2nd February 2016 (HGY/2016/0396). Target determination date of this application is 31st March 2016. It is intended that this condition will have been fully discharged in respect of the SPW phase of development before the demolition of the gas holders commences.
45.	**Environment Agency – Site Investigation and Contaminated Land** Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing by the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) A preliminary risk assessment which has identified: • All previous uses • Potential contaminants associated with those uses • A conceptual model of the site indicating sources, pathways and receptors • Potentially unacceptable risks arising from contamination at the site 2) A site investigation scheme, based on (1) to provided information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and	Parts 1 – 3 discharged in respect of the gas holder demolition aspects of the SPW phase of development 1 on 26 August 2015. Planning application Ref No. HGY/2015/0877. Approved Document: Gas holder Infilling Preliminary Report Ref. GTG.2000078/Hornsey/Infilling Preliminary Report/R0002v2. Letter submitted to LBH (dated 2 February 2016) to agree the stages by which this condition shall be discharged. The stages are as follows: a) Gas holder demolition. b) Wider Site Preparation Works. c) Remainder of Site

Condition		Information submitted to Discharge / Formal Discharge Date
	remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.	(Olympia Trading Estate). This approach will permit the demolition of the gas holder to occur once requirements 1 – 3 of this condition have been discharged in respect of the gas holder demolition site only. It will not be necessary to have discharged this condition in respect of the areas noted under b) and c) above. The letter also clarifies that the verification plan required under Part 4 shall be submitted for approval following completion of the activities stated in parts 1 – 3.
49.	**Environment Agency – Foul and Contaminated Water** Before the commencement each phase of the development, including demolition, remediation and construction, a scheme to manage surface, foul and contaminated water on the site for that phase will be submitted to, and approved in writing by, the local planning authority. Each scheme shall be implemented as approved the Environment Agency asks to be consulted before approval.	Formally discharged on 31 July 2015 in respect of the SPW phase of development. Planning application Ref No. HGY/2015/0878. Approved Document: Foul and Contaminated Water Management Scheme Rev 2, May 2015
50.	**Network Rail – Development** Prior to the commencement of any works on site, developers must contact Network Rail to inform them of their intention of commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement.	Formally discharged on 31 July 2015 in respect of the SPW phase of development. Planning application Ref No. HGY/2015/0879. Approved Document: Network Rail letter dated 23 February 2014.

Condition		Information submitted to Discharge / Formal Discharge Date
68.	**Resident and Business Liaison Group** Prior to submission to discharge condition 22, for the duration of the development the Applicant will establish and maintain a Liaison Group having the purpose of: (a) informing local residents and businesses of the design and development proposals; (b) informing local residents and businesses of progress of pre-construction and construction activities; (c) considering methods of working such as hours and site traffic; (d) providing local residents and businesses with an initial contact for information relating to the development and for comments or complaints regarding the development with the view of resolving any concerns that might arise; (e) producing a leaflet prior to commencement of demolition for distribution to local residents and businesses identifying progress of the Development and which shall include an invitation to register an interest in the Liaison Group; (f) providing advanced notice of exceptional works or deliveries; (g) providing telephone contacts for residents advice and concerns. The Liaison Group will meet at least once every month with the first meeting taking place one month prior to Implementation and the meetings shall become bi-monthly after the expiry of a period of four (4) months thereafter or at such longer period as the Liaison Group shall agree.	The submission to discharge Condition 22 was made on 23 February 2015. The Residents and Business Liaison Group was set up in Summer 2014 and a Terms of Engagement was agreed a meeting with the group on 23rd July 2014. Formally discharged on 31 July 2015 in respect of the SPW phase of development. Planning application Ref No. HGY/2015/0880. Approved Document: Residents and Business Liaison Group (RBLG) updated draft terms.

4. Discharge of s.106 Obligations

There are no clauses within the 2012 S106 agreement, as amended by the 2014 agreement, which require compliance prior to the commencement of demolition.

Demolition works are not included in the definition of commencement of development for the purposes of the S106 agreement only.

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5. Conclusion

We consider that the information provided with this application should satisfy the Council that the operations described in this application are lawful, and if that is so, the evidence is that planning permission HGY/2014/2455 will be lawfully implemented by the demolition of the gas holders.

As noted above, the key information is that:

- Planning Permission HGY/2014/2455 is extant and will not lapse until 20 March 2017.
- The demolition of the existing gas holders on the site is permitted by the 2014 planning permission which provides '*Outline planning application for demolition of existing structures and redevelopment……'*
- Demolition is a material operation for as defined in section 56 of the 1990 Act.
- All of the necessary 'pre-commencement' conditions relating to demolition of the gas holders and the SPW phase of development have been, or will be, discharged prior to the commencement of development.

For these reasons, we consider that the Council should be satisfied that a Lawful Development Certificate for a Proposed Development should be issued as requested.

Application Documentation

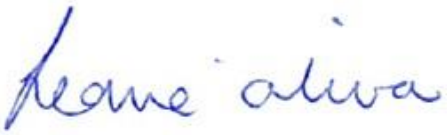
In support of this application, please find enclosed with this letter four copies of the following:

- Lawful Development Certificate for a Proposed Development Application Forms.
- A site location plan.
- A cheque for £6,143 in respect of the planning application fee.
- Evidence documents including copies of the following:
  - Appendix 1 - Planning Permission HGY/2009/0503;
  - Appendix 2 - Planning Permission HGY/2013/2455
  - Appendix 3 – Various S96a amendments to HGY/2013/2455;
    - S96a Approval HGY/2015/3777 (Condition 12);
    - S96a Approval HGY/2015/3778 (Condition 13);
    - S96a Approval HGY/2015/3779 (Condition 14);
    - S96a Approval HGY/2015/3780 (Condition 16);
    - S96a Approval HGY/2016/0049 (Condition 20);
    - S96a Approval HGY/2015/3781 (Condition 21);
    - S96a Approval HGY/2015/3783 (Condition 43);
  - Appendix 4 – Letter (2 February 2016) to discharge Conditions 12, 14, 19, 21 and 43;
  - Appendix 5 – Letter (2 February 2016) to agree the stages by which condition 45 shall be discharged.
  - Appendix 6 - Condition Discharge Decision Notice HGY/2015/0868 (Condition 12);
  - Appendix 7 - Condition Discharge Decision Notice HGY/2015/0869 (Condition 13);
  - Appendix 8 - Condition Discharge Decision Notice HGY/2015/0870 (Condition 16);
  - Appendix 9 - Condition Discharge Decision Notice HGY/2015/0871 (Condition 18);
  - Appendix 10 - Condition Discharge Decision Notice HGY/2015/0872 (Condition 20);
  - Appendix 11 - Condition Discharge Decision Notice HGY/2015/0873 (Condition 21);
  - Appendix 12 - Condition Discharge Decision Notice HGY/2015/0874 (Condition 22);
  - Appendix 13 - Condition Discharge Decision Notice HGY/2015/0875 (Condition 23);
  - Appendix 14 - Condition Discharge Decision Notice HGY/2015/0876 (Condition 43);

- Appendix 15 - Condition Discharge Decision Notice HGY/2015/0877 (Condition 45);
- Appendix 16 - Condition Discharge Decision Notice HGY/2015/0878 (Condition 49);
- Appendix 17 - Condition Discharge Decision Notice HGY/2015/0879 (Condition 50);
- Appendix 18 - Condition Discharge Decision Notice HGY/2015/0880 (Condition 68).

We would be grateful if you could confirm receipt of the above. In the meantime, please call Adam Donovan (0207 303 3551) of me if you have any queries or wish to discuss.

Yours sincerely



Leonie Oliva
Deloitte LLP

Appendix 1 – Permission HGY 2009.0503

Mr Matt Humphreys
Drivers Jonas Deloitte
Athene Place
66 Shoe Lane
London
EC4A 3BQ

On behalf of
National Grid Property Holdings Ltd / London Development Agency
C/O Agent

Planning Application Reference No.: **HGY/2009/0503**

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1995 (AS AMENDED)

NOTICE OF OUTLINE PLANNING PERMISSION

Location: **Land at Haringey Heartlands, between Hornsey Park Road, Mayes Road, Clarendon Road and the Kings Cross / East Coast Mainline**

Proposal: **Outline planning application for demolition of existing structures and redevelopment to provide a residential led, mixed-use development, comprising between 950 to 1,080 residential units (C3); with 460sqm to 700sqm of office uses (B1); 370sqm to 700sqm of retail/financial and professional services uses (A1/A2); 190sqm to 550sqm of restaurant/cafe/drinking establishment uses (A3/A4); 325sqm to 550sqm of community/assembly/leisure uses (D1/D2); new landscaping, public and private open space, and energy centre, two utility compounds, up to 251 car parking spaces, cycle parking, access and other associated infrastructure works.**

In pursuance of their powers under the above Act, the London Borough of Haringey as local planning authority hereby **GRANT** the above development in accordance with the application dated 20/03/2009 and drawings no's:

P001(REV04) – Red Line – Planning Application Boundary
P002(REV05) – Building Layout and Footprint
P003(REV06) – Maximum and Minimum Storey Heights
P004(REV05) – Ground Floor Uses
P005(REV04) – Upper Floor Uses
P006(REV05) – Site Access and Movement
P007(REV06) – Landscape Strategy

SEE SCHEDULE OF CONDITIONS ATTACHED

21.03.2012

Paul Smith
Head of Development Management
Planning, Regeneration & Economy

NOTE: Attention is particularly drawn to the schedule AP1 attached to the notice which sets out the rights of Applicants who are aggrieved by the decisions of the Local Planning Authority.

SCHEDULE OF CONDITIONS ATTACHED TO DECISION REFERENCE No.: **HGY/2009/0503**

The following conditions have been applied to this consent and these conditions must be complied with:

RESERVED MATTERS

1. The application is granted in OUTLINE, in accordance with the provisions of Regulations 3 & 4 of the Town & Country Planning (General Development Procedure) 1995 and before any development is commenced, the approval of the Local Planning Authority shall be obtained to the following reserved matters, namely: a) Scale (within parameter plan range (Drawing Ref: P003(REV06) – Maximum and Minimum Storey Heights); b) Layout c) Landscape and d) Appearance.

   Reason: This condition is imposed by virtue of Section 92 of the Town & Country Planning Act 1990.

TIME LIMIT – RESERVED MATTERS

2. Application must be made to the Local Planning Authority for approval of any matters reserved in this OUTLINE planning permission not later than the expiration of 5 years from the date of this Permission, and the development hereby authorised shall be started not later than whichever is the later of the following dates, failing which the permission shall be of no effect:

   a. the expiration of 5 years from the date of this permission; or
   b. the expiration of 2 years from the final date of approval of any of the reserved matters.

   Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990.

IN ACCORDANCE WITH APPROVED PLANS

3. The development hereby authorised shall be carried out in complete accordance with the plans and specifications (except for the Design and Access Statement which is for illustrative purposed only) submitted to, and approved in writing by the Local Planning Authority.

   Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

PHASING PROGRAMME

4. No development shall take place until a programme of phasing for implementation of the whole development has been agreed in writing by the Local Planning Authority. Any amendment to the approved phasing programme must be first agreed in writing by the Local Planning Authority.

   Reason: To ensure satisfactory comprehensive development within a reasonable timescale and proper planning of the area.

MATERIALS

5. At the reserved matters stage, full details of the external appearance of the development, including samples of all materials to be used for all external facing surfaces and roofing materials for each phase of the development, as set out in an agreed phasing plan, shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced on that phase. Samples shall include sample panels in addition to a schedule of the exact product references. All approved materials shall be erected in the form of a samples board and shall be retained on site throughout the works period for the phase concerned. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure a comprehensive and sustainable development and to achieve good design throughout the development.

MAXIMUM BUILDING HEIGHTS

6. The maximum height of the proposed development, excluding lift overruns, rooftop plant etc, shall be no greater than indicated on the parameter plan Drawing Number P003(REV06) – Maximum and Minimum Storey Heights.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

MAXIMUM DWELLING NUMBERS

7. The outline planning permission hereby approved for a residential-led mixed use development shall not exceed 1080 separate dwelling units, whether flats or houses. The dwelling mix shall be approved in writing by the LPA in consultation with the GLA, prior to commencement.

Reason: To ensure a comprehensive and sustainable development in order to control the overall density levels within the development.

ACCESSIBILITY AND LIFETIME HOMES

8. Within the development hereby approved, at least 10% of the dwellings shall be wheelchair accessible or easily adaptable for residents who are wheelchair users. This percentage should be applied to both market and affordable housing, should be evenly distributed through out the development, and cater for a varying number of occupants. In addition, 100% of the dwellings shall be built to meet Lifetime Homes standards, unless otherwise agreed in writing by the Local Planning Authority. Evidence of compliance with the above shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of each phase of the development.

Reason: In order to ensure adequate accessibility for the disabled and mobility impaired throughout their lifetime.

HOUSING DESIGN GUIDE STANDARDS

9. The development shall comply with the London Plan (2011) and London Housing Design Guide – Interim Edition (August 2010) space standards and as far as practical shall meet all other requirements within the London Design Guide – Interim Edition (August 2010), particularly the requirements dual aspect units, contained in section 5.2 of the document – which states that "Developments should avoid single aspect dwellings that are north facing, exposed to noise exposure categories C or D, or contain three or more bedrooms" and "Where single aspect dwellings are proposed, the designer should demonstrate how good levels of ventilation, daylight and privacy will be provided to each habitable room and the kitchen".
Reason: In order to ensure a satisfactory standard of accommodation for future occupiers of the development.

LANDSCAPING – LANDSCAPING SCHEME

10. At the reserved matters stage, full landscaping scheme for the entire site shall be submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include a) those existing trees to be retained; b) those existing trees to be removed; c) those new trees and shrubs to be planted together with a schedule of species d) roof top gardens/allotments/amenity space e) hard surfacing f) boundary treatment e) street furniture

Reason: To enhance the appearance of the development and in the interest of safeguarding the amenities of residents in the area.

LANDSCAPING – IMPLEMENTATION/MAINTENANCE

11. All landscaping and ecological enhancement works, including planting, seeding or turfing comprised in the approved scheme of landscaping as described in condition "Landscaping – Landscaping Scheme" shall be completed no later than the first planting and seeding seasons following the occupation of the building or the completion of the development in each phase, whichever is the sooner. Any trees or plants which within a period of FIVE years from the completion of that phase of development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority. All hard landscaping and means of enclosure associated with a phase of development shall be completed before that phase of development is occupied.

    Reason: To enhance the appearance of the development in the interest of the visual amenities of the area.

LANDSCAPING – PROTECTION OF EXISTING TREES

12. No development shall commence until an Arboricultural method statement, including a tree protection plan, has been prepared in accordance with BS5837:2005 Trees in Relation to Construction", and approved by the Local Planning Authority. A pre-commencement site meeting must be specified and attended by all interested parties, (Site manager, Consultant Arboriculturalist, Council Arboriculturalist and Contractors) to confirm all the protection measures to be installed for trees. Robust protective fencing / ground protection must be installed prior to commencement of construction activities on site and retained until completion. It must be designed and installed as recommended in the method statement. The protective fencing must be inspected by the Council Arboriculturalist, prior to any works commencing on site and remain in place until works are complete.

    Reason: To protect the trees which are to be retained and in the interest of the visual amenities of the area.

JAPANESE KNOTWEED

13. Prior to the commencement of the development, a detailed method statement for the removal or long-term management/eradication of Japanese knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, trimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement. Please note that if any of the Japanese knotweed plants are close to water, including watercourses, ditches or standing water, then Environment Agency consent is required if it is to be treated with a herbicide.

    Reason: In order to ensure the eradication of Japanese Knotweed which is an invasive plant and the spread of which is prohibited under the Wildlife and Countryside Act 1981.

BOUNDARY TREATMENT

14. Notwithstanding the details contained within the plans hereby approved, full details of boundary treatments, including fencing and gates for each phase shall be submitted to and approved by the Local Planning Authority prior to the commencement of that phase of the development.

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

ECOLOGICAL MANAGEMENT

15. The development hereby approved shall not commence until full details of a site wide Ecology Management Strategy including an Ecological Mitigation and Management Plan which shall provide details of how the proposed measures will be monitored, managed and funded in the future, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the proposed development maximises the ecological potential of the site.

POLLUTION PREVENTION

16. The development hereby approved shall not commence until full details of a site wide Pollution Prevention Strategy has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the proposed development prevents pollution of the environment.

CONTAMINATED LAND – VERIFICATION REPORT

17. The development shall not be occupied or brought into use until verification by a competent person approved under the provisions of Condition "Environment Agency – Site Investigation and Contaminated Land" that any remediation scheme required and approved under the provisions of the above condition has been implemented fully in accordance with the approved details, shall be submitted to and approved by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise: (a) photographs of the remediation works in progress; and (b) certificates demonstrating that imported and/or material left in situ is free from contamination. Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under Condition "Contaminated Land – Remediation Strategy".

Reason: To safeguard the health of future residents or occupiers of the site.

USE OF CLEAN UNCONTAMINATED MATERIAL

18. No soils or infill materials shall be imported onto the site until it has been satisfactorily demonstrated that they present no risk to human health and the environment. Documentary evidence to confirm the origin of all imported soils and infill materials, supported by appropriate chemical analysis, test results, shall be submitted to and approved by the Local Planning Authority prior to that import. The import on site of material classified as 'waste; is only acceptable with the prior written approval of the Local Planning Authority.

Reason: To ensure that no contaminated land is brought on site.

METHOD OF PILING

19. The development hereby approved shall not commence until the method of piling foundations for the development has been submitted to and approved in writing by the Local Planning Authority prior to any development commencing. Piling or any other foundation designs using penetrative methods shall not be permitted except for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

    Reason: To prevent the contamination of the underlying aquifer.

ARCHAEOLOGICAL WATCHING BRIEF

20. No development shall take place within the application site until the applicant has secured the implementation of an archaeological watching brief and a programme for the recording of built heritage structures, including the existing gas holders, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

    Reason: To ensure that archaeological remains on the site shall be adequately investigated and recorded during the course of the development and the findings of such investigation and recording reported

HOARDINGS

21. Prior to the commencement of development full details of a scheme for the provision of hoardings around the site during the construction period including details of design, height, materials and lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works and unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the scheme as approved.

    Reason: In order to have regard to the visual amenity of the locality an the amenities of local residents, businesses, visitors and construction sites in the area during construction works.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

22. The development hereby approved shall not commence until a Construction Environmental Management Plan, including Site Waste Management Plan, Site Management Plan and Construction Logistics Travel Plan, has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include but not be limited to the following: a) Public Safety, Amenity and Site Security; b) Operating Hours, Noise and Vibration Controls; c) Air and Dust Management; d) Storm water and Sediment Control and e) Waste and Materials Re-use. The Site Waste Management Plan will demonstrate compliance with an appropriate Demolition Protocol. The development shall be carried out in accordance with the approved details. Additionally the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.

    Reason: In order to have regard to the amenities of local residents, businesses, visitors and construction sites in the area during construction works.

CONSTRUCTION DUST MITIGATION

23. No development shall commence until the appropriate mitigation measures to minimise dust and emissions are incorporated into the site specific Construction Environmental Management Plan based on the Mayor's Best Practice Guidance (The control of dust and emissions from construction and demolition). This should include an inventory and timetable of dust generating activities, emission control methods and where appropriate air quality monitoring). This must be submitted to and approved in writing by the LPA prior to any works carried out on the site. Additionally the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.

Reason: To protect the environment and amenities of the locality.

CONSTRUCTION HOURS

24. Operations in relation to construction for which noise is greater than 50dBLAeq, 1hour at the nearest residential boundary shall be restricted to the hours of 0800 and 1800 on Mondays to Fridays and between 0800 and 1300 on Saturdays and at no time on Sundays or Statutory holidays without the prior written approval of the Local Planning Authority under Section 61 of the Control of Pollution Act 1974.

- The following enabling activities shall be permitted to take place within a period one hour before and one hour after normal working hours:
- Arrival and departure of workforce on site;
- Deliveries and unloading;
- Check and examinations of plant and machinery (including test running) and the carrying out of essential repairs / maintenance to plant and machinery;
- Site inspections and safety checks; and
- Site clean-up

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

CONSTRUCTION – ON-SITE CONTACT

25. At the time of the commencement of works, an on site contact shall be provided on a 24 hour per day basis for residents to report any disturbances or issues arising from the construction of the site

Reason: To ensure that any disruption to neighbouring residents can be reported immediately.

CCTV AND SECURITY LIGHTING

26. At the reserved matters stage, a scheme showing full details of the following shall be submitted to and approved in writing by the Local Planning Authority.

a) CCTV;
b) Security lighting

Reason: In order to ensure that the proposed development achieves the safer places attributes as detailed by Planning Policy Statement 1: Safer Places: The Planning System & Crime Prevention and to prevent crime and create safer, sustainable communities and in order to ensure the location of CCTV protects the privacy of neighbouring residential properties.

EXTERNAL LIGHTING STRATEGY

27. At the reserved matters stage, an external lighting strategy for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The details of the external lighting for each phase shall be in accordance with the approved strategy.

Reason: In order to ensure that the proposed development achieves the safer places attributes as detailed by Planning Policy Statement 1: Safer Places: The Planning System & Crime Prevention and to prevent crime and create safer, sustainable communities

SURFACE WATER DRAINAGE

28. At the reserved matters stage, details of a scheme for the surface water drainage works including the provision of a Sustainable Urban Drainage System shall be submitted to and approved by the Local Planning Authority (in consultation with Thames Water) prior to the commencement of works within that part of the site. The surface water drainage details shall include that petrol/oil interceptors shall be fitted in all car parking/washing/repair facilities and an Impact Study of existing Sewerage infrastructure.

Reason: In order to ensure the satisfactory surface water drainage of the site.

WATER SUPPLY IMPACT STUDY

29. At the reserved matters stage, a Water Supply Impact Study for that phase of the development, including full details of anticipated water flow rates, and detailed site plans shall be submitted to, and approved in writing by the Local Planning Authority (in consultation with Thames Water).

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand

WASTE STORAGE AND RECYCLING

30. At the reserved matters stage, details of the arrangements for storage and collection of refuse for each phase of the development, including location, design, screening, operation and the provision of facilities for the storage of recyclable materials shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with the details so approved and shall be permanently retained thereafter.

Reason: To ensure good design, to safeguard the amenity of the area and ensure that the development is sustainable and has adequate facilities for the storage of waste and recyclable materials.

BREEAM – DESIGN STAGE ASSESSMENT

31. The development hereby permitted shall be built to a minimum standard of “Very Good” under the Building Research Establishment Environmental Assessment Method (BREEAM). A BREEAM design stage assessment shall be submitted to the Local Planning Authority prior to the commencement of construction. The BREEAM design stage assessment will be carried out by a licensed assessor.

Reason: To ensure that development takes place in an environmentally sensitive way.

BREEAM CERTIFICATE

32. The development hereby permitted shall be built to a minimum standard of "Very Good" under the Building Research Establishment Environmental Assessment Method (BREEAM). Within THREE months of the occupation of the completed development, a copy of the Post Construction Completion Certificate for the relevant building verifying that the "Very Good" BREEAM rating has been achieved shall be submitted to the Local Planning Authority. The Certificate shall be completed by a licensed assessor.

Reason: To ensure that development takes place in an environmentally sensitive way.

TRANSPORTATION – S72 AGREEMENT

33. The developer will we required to dedicate a 3m strip of land by way of a section 72 agreement along Mary Neuner Road to construct the proposed vehicular inset parking as per Drawings No's 0083-B-23 and 0083-B-24 as submitted by the applicant's consultant Savell Bird and Axon.

Reason: Ensure safe and efficient vehicle access.

TRANSPORTATION – PARKING PROVISION

34. The applicant shall provide (251 car spaces) parking provision for the residential component of the development, including up to a maximum of 120 disabled spaces.

Reason: To ensure appropriate levels of car parking within the development.

TRANSPORTATION – PARKING PROVISION – ELECTRIC VEHICLES

35. At the reserved matters stage, details of electric vehicle provision within the parking areas (which shall include a minimum of 20 per cent of all parking spaces and an additional 20 per cent passive provision for electric vehicles in the future) shall be submitted to an approved in writing by the Local Planning Authority.

Reason: In order to ensure adequate provision of electric vehicle infrastructure within the development.

TRANSPORTATION - CYCLE PARKING

36. At the reserved matters stage a detailed plan for cycle parking which shall include a) 1 cycle rack per residential unit with 1 or 2 bedrooms and 2 cycle racks per residential unit with 3 or more bedrooms; b) 50 cycle spaces for the shop/office/community aspects of the development (36, 4 and 10 cycle spaces correspondingly) and c) secure shelters, shall be submitted to and approved in writing by the local planning authority.

Reason: In order to ensure adequate provision of safe and secure cycle parking.

TRANSPORTATION – TRAVEL PLAN AND CAR CLUB

37. At the reserved matters stage, Travel Plans and welcome pack, in compliance with Transport for London Guidance, shall be submitted to and approved in writing by the local planning authority, at least 3 months in advance of occupation of each phase of the development. The Car Club scheme and number of on site Car Club car parking spaces to be agreed as part of the Travel Plan.

Reason: In order to encourage the use of sustainable modes of transport for journeys to/from the site.

DETAILS OF FLUES

38. Full details of the location and appearance of any flues, including height, design, location and sitting shall be submitted and approved in writing by the Council before work commences.

Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development.

COMMERCIAL PREMISES – ACCESS

39. The commercial premises shall be minimum door widths of 900mm and a maximum threshold of 25mm to allow access to people with disabilities and people pushing double buggies.

Reason: In order to ensure that the premises are accessible to all those people who could be expected to use it, in accordance with policy RIM 2.1 "Access for All" of the Haringey Unitary Development Plan (2006).

SHOPFRONTS

40. Detailed plans of the design and external appearance of the shopfronts, including detailed design of the fascias, shall be submitted to and approved in writing by the Local Planning Authority at the reserved matters stage.

Reason: In the interest of visual amenity.

SIGNAGE

41. Prior to the commencement of the use, precise details of any signage proposed as part of the development shall be submitted to and approved in writing by the local planning authority.

Reason: to achieve good design throughout the development and to protect the visual amenity of the locality.

HOURS OF OPERATION – A3, A4 and A5 Uses

42. Any restaurant (A3), public house and wine bar (A4) or takeaway (A5) use shall not be operated before 0800 or after 2400 hours on any day of the week.

Reason: In order to ensure that the proposed development does not prejudice the amenities of the future occupiers of the development.

ENVIRONMENT AGENCY – STRUCTURAL SURVEY

43. The development hereby permitted shall not be commenced until such time as a structural survey of the Moselle Brooke culvert to identify the life of the flood defences compared to the life of the development has been submitted to, and approved in writing by, the local planning authority. If the assessment identifies that the life of the culvert is not commensurate with the life of the development, then a scheme of remedial measures shall be submitted to and approved in writing by the Local Planning Authority before development commences. Development shall proceed only in accordance with the approved remedial measures.

Reason: To ensure that the flood defences have a life commensurate with the life of the development in order to safeguard the development and area from the risk of flooding.

ENVIRONMENT AGENCY – FLOOD RISK ASSESSMENT

44. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Waterman Group (C-37407-10-ES-002 Rev: A05 February 2009) and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-of generated so that it will not exceed a run-off rate of 17.7ls/ha from the site and not increase the risk of flooding off-site.
- Provision of attenuation of surface water on site through the use of SUDS systems including living roofs, permeable paving and a swale and the use of storage tanks.
- Building and structures on site to be set a minimum of 8m back from the outer culvert wall of the Moselle Brook.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the structural integrity of and access to existing flood defences thereby reducing the risk of flooding.

ENVIRONMENT AGENCY – SITE INVESTIGATION AND CONTAMINATED LAND

45. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing by the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site

2) A site investigation scheme, based on (1) to provided information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: There are controlled water bodies at, and in the vicinity of the proposed development site, which could be polluted by the known soil and shallow (perched) groundwater contamination which exists at the site. The identified Controlled Water bodies are the Moselle Brook, the New River, the reservoirs to the west and the deeper groundwater system that underlies the site. The deeper groundwater and the New River are used to supply drinking water to the public and therefore must be kept free from pollution. The Moselle Brook which flows through the site in culvert flows into Pymmes Brook to the east. If pollution were to enter the brook it would have a detrimental impact on aquatic life in the brook and also to its aesthetic appeal. As such, site investigation is required to assess the risk that the contamination at the site poses to Controlled Waters.

Note: The information provided to the Environment Agency in the report titled 'Environmental Statement' which was prepared by Waterman Energy, Environment & Design and dated February 2009 (Ref EN6847/R/2.1.1/MN) is sufficient to satisfy Part 1 of this condition. Also, part of the site has previously been investigated and remediated to an acceptable standard with regards to any risk posed to Controlled Waters. This area is referred to as the Spine Road and is detailed in Celtic Technologies report titled 'Haringey Heartlands Spine Road Improvement Corridor - Factual Validation Report' dated October 2008 (Ref R1199/08/3325). The above recommended condition is not applicable to this part of the site.

ENVIRONMENT AGENCY – PILING

46. Pilling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piled foundations are proposed to facilitate development at the site. The advancement of such foundations through contaminated material, which is known to be present in the soil and shallow (perched) groundwater at the site, has the potential to mobilise contaminants and result in their release into the deeper groundwater system. The deeper groundwater underlying the site is abstracted a short distance from the site and is used to supply drinking water to the public. Therefore, it is very important that a suitable piling design and methodology is used as to not to pollute the deeper groundwater system below the site.

ENVIRONMENT AGENCY – LANDSCAPE MANAGEMENT PLAN

47. Prior to the commencement of development a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: This condition is necessary to protect the natural features and character of the area and identify opportunities for enhancement of biodiversity in line with national planning policy in PPS9.

ENVIRONMENT AGENCY – PLANTING

48. Planting all landscaped areas (except privately owned domestic gardens but including green roofs) shall be of locally native plant species only, of UK genetic origin.

Reason: The use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the region's natural balance of flora. Native insects, birds and other animals cannot survive without the food and shelter that these plants provide. Introduced plants usually offer little to our native wildlife. Local plants are the essence of regional identity and preserve the character of the British landscape. Local plants are adapted to local soils and climate, so have low maintenance requirements. In addition, planting locally native plants helps to prevent the spread of invasive plants in the region.

ENVIRONMENT AGENCY – FOUL AND CONTAMINATED WATER

49. Before the commencement each phase of the development, including demolition, remediation and construction, a scheme to manage surface, foul and contaminated water on the site will be submitted to, and approved in writing by, the local planning authority. Each scheme shall be implemented as approved the Environment Agency asks to be consulted before approval.

Reason: To prevent the pollution of local surface and ground-waters and protect potable water supplies in the area.

NETWORK RAIL – DEVELOPMENT

50. Prior to the commencement of any works on site, developers must contact Network Rail to inform them of their intention of commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement.

Reason: It is useful for Network Rail to inform drivers, maintenance, signallers and any other railway personnel involved in the operation of the railway of development occurring adjacent to the operational railway.

NETWORK RAIL – DEMOLITION

51. Any demolition of refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, the stability of the adjoining Network Rail structures.

Reason: To ensure that the railway is not damaged during demolition.

NETWORK RAIL – CONSTRUCTION

52. Any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. To avoid scaffold falling onto operational lines, netting around the scaffold may be required. In view of the close proximity of these proposed works to the railway boundary the developer should contact Network Rail's Outside Parties Engineer on opsoutheast@networkrail.co.uk before any works begin.

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Reason: To ensure railway infrastructure is not damaged during construction.

NETWORK RAIL – SITE LAYOUT

53. Any proposed buildings shall be at least 2 metres from the boundary with the operational railway, at least 5 metres from overhead power lines, or 3 metres from viaducts.

Reason: This will allow construction and future maintenance to be carried out from the application land, thus avoiding provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

NETWORK RAIL – NOISE AND VIBRATION

54. The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway must be addressed in the context of PPG24 and the local planning authority should use conditions as necessary. Consideration should be given to the need to provide for on-site residential amenity within the development site.

Reason: To mitigate noise and vibration from operational land.

NETWORK RAIL – FENCING

55. This development will create a trespass and vandalism risk on to the railway. In the interests of promoting public safety, before any part of the development is occupied, a 1.8 metre high trespass resistant fence should be erected. The new fencing provided must be independent of existing Network Rail fencing and a sufficient distance should be allowed between the fences to allow for future maintenance and renewal.

Reason: To prevent trespass.

NETWORK RAIL – DRAINAGE

56. No water or effluent should be discharged from the site or operations on the site into the railway undertaker's culverts or drains. Details of the proposed drainage must be submitted to, and approved by the Local Planning Authority, acting in consultation with the railway undertaker, and the works shall be carried out in accordance with the approved details.

Reason: To ensure the operation of the railway.

SECURE BY DESIGN

57. The development hereby authorised shall comply with BS 8220 (1986) Part 1 'Security Of Residential Buildings' and comply with the aims and objectives of the Police requirement of 'Secured By Design' and 'Designing Out Crime' principles.

Reason: In order to ensure that the proposed development achieves the required crime prevention elements as detailed by Circular 5/94 'Planning Out Crime'.

SITE PARKING MANAGEMENT PLAN

58. That details of on site parking management plan shall be submitted to and approved by the local planning authority prior to the commencement of the use of the undercroft car parking area. Such agreed plan to be implemented and permanently maintained in operation to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

SATELLITE AERIALS

59. Notwithstanding the provisions of Article 4 (1) and Part 25 of Schedule 2 of the General Permitted Development Order 1995, at the reserved matters stage, details of a scheme for satellite dish/aerials shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property, and the approved scheme shall be implemented and permanently retained thereafter.

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

OPEN SPACE MANAGEMENT PLAN

60. That details of a management plan for the management and maintenance of the public and communal open spaces including roof top gardens, allotments, and children's play spaces shall be submitted to and approved by the Local Planning Authority prior to the occupation of the residential units such agreed details to be implemented and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that a satisfactory standard of amenity space and play facilities is maintained for the future occupiers of the proposed development.

NOISE

61. The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are exposed to levels indoors not more than 35 dB LAeq 16hrs daytime and not more than 30 dB LAeq 8 hrs in bedrooms at night. The development shall comply with BS8233 which states that for a reasonable standard in bedrooms at night, individual noise events (measured with F-time weighting) should not normally exceed 45dB LA max. In addition, the development shall meet a minimum of reasonable standard for living rooms in accordance with BS8233.

Reason: In order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

VENTILATION

62. Reserved matters applications must be accompanied by a PPG24 (or any equivalent that may replace it) Noise Assessment and "cooling strategy" in accordance with BS8233 and Building Regulations to demonstrate that the residential units will comply with the criteria set out in condition 61 of this permission. The noise assessment must include a full acoustic report of how the flats will be insulated to reduce and mitigate external and internal noise/vibration break in and meet the requirements of condition 61 and provide details of how the heating and ventilation system will provide adequate natural ventilation and adequate cooling to prevent overheating (no overheating in bedrooms and living rooms where in these rooms there is a need for windows to be kept shut to achieve compliance with the noise levels set in condition 61. No works shall commence until these details have been submitted to and approved by the local planning authority and the development carried out in accordance with those details approved.

Reason: In order to secure a comfortable internal environment for the occupants of the residential properties.

NOISE – PLANT

63. The design and installation of new items of fixed plant shall be such that, when in operation, the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of any residential premises shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997. A noise report shall be produced by a competent person(s) to demonstrate compliance with the above criteria, and shall be submitted to and approved by the local planning authority.

Reason: In order to protect the amenity of nearby residential occupiers.

TRAVEL PLAN

64. That the applicant shall submit 2 travel plans, one for the residential one for the commercial use, the details of which shall be agreed in writing by the Local Planning Authority prior to the occupation of the proposed development. Such agreed details shall be implemented and permanently maintained to the satisfaction of the Local Planning Authority.

Reason: In order to ensure sustainable travel and minimise the impact of the proposed development in the adjoining road network.

DETAILS OF CHILDRENS PLAY AREAS

65. No phase of residential development hereby permitted shall commence until a specification for the Children's Play Areas, has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with National Playing Field Association 'Six Acre Standard' Best Practise Guidance (2001) and, unless otherwise agreed in writing by the Local Planning Authority, should include the following as a minimum:

i. An activity zone of at least 400sqm in area that caters for children of 4-8 years in age
ii. At least 5 types of play equipment (i.e. balancing, rocking etc.)
iii. Appropriate boundary treatment to provide a continuous and secure boundary
iv. A barrier to limit the speed of a child entering or leaving the facility
v. At least 10 metres between the edge of the play area and the boundary of the nearest property
vi. Planting around the perimeter
vii. Adequate adult seating provision
viii. Signage
ix. Litter bin

Reason: In the interests of health and safety of users of the site and the amenity of local residents.

ENERGY

66. A detailed energy strategy for the whole site shall be submitted with the detailed application for phase 1. This energy strategy should commit to meeting 2010 Building Regulations through energy efficiency alone. The details shall be approved by the Local Planning Authority and the development carried out in accordance with the approved details.

Reason: In order to ensure an appropriate level of energy efficiency and sustainability is provided by the development.

CODE FOR SUSTAINABLE HOMES

67. Reserved Matters applications in respect of the development shall be accompanied by an Independent Sustainability Assessment, in accordance with Building Research Establishment guidelines, demonstrating that the residential properties are to achieve a minimum Level 4 rating under the Code for Sustainable Homes.

Reason: In order to ensure an appropriate level of energy efficiency and sustainability is provided by the development.

RESIDENT LIAISON GROUP

68. For the duration of the development the Applicant will establish and maintain a Liaison Group having the purpose of:

(a) informing local residents and businesses of the design and development proposals;
(b) informing local residents and businesses of progress of pre-construction and construction activities;
(c) considering methods of working such as hours and site traffic;
(d) providing local residents and businesses with an initial contact for information relating to the development and for comments or complaints regarding the development with the view of resolving any concerns that might arise;
(e) producing a leaflet prior to commencement of demolition for distribution to local residents and businesses identifying progress of the Development and which shall include an invitation to register an interest in the Liaison Group;
(f) providing advanced notice of exceptional works or deliveries;
(g) providing telephone contacts for residents advice and concerns.

The Liaison Group will meet at least once every month with the first meeting taking place one month prior to Implementation and the meetings shall become bi-monthly after the expiry of a period of four (4) months thereafter or at such longer period as the Liaison Group shall agree.

Reason: In order to ensure satisfactory communication with residents and local stakeholders throughout the construction of the development.

THAMES WATER

69. 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 Ground Water. 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.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

AIR QUALITY ASSESSMENT

70. Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. It should also have regard to the air quality predictions and monitoring results from the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory.

A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.

In determining both the significance of exposure to air pollution and the levels of mitigation required, consideration should be given to the following Air Pollution Exposure Criteria Table.

Reason: In order to monitor and mitigate, where necessary, air quality in the immediate vicinity of the development.

	Applicable Range Nitrogen Dioxide Annual Mean	Applicable Range PM10	Recommendation
APEC – A	> 5% below national objective	Annual Mean: > 5% below national objective 24 hr: > 1-day less than national objective	No air quality grounds for refusal; however mitigation of any emissions should be considered.
APEC – B	Between 5% below or above national objective	Annual Mean: Between 5% above or below national objective 24 hr: Between 1-day above or below national objective.	May not be sufficient air quality grounds for refusal, however appropriate mitigation must be considered e.g., Maximise distance from pollutant source, proven ventilation systems, parking considerations, winter gardens, internal layout considered and internal pollutant emissions minimised.
APEC – C	> 5% above national objective	Annual Mean: > 5% above national objective 24 hr: > 1-day more than national objective.	Refusal on air quality grounds should be anticipated, unless the Local Authority has a specific policy enabling such land use and ensure best endeavours to reduce exposure are incorporated. Worker exposure in commercial/industrial land uses should be considered further. Mitigation measures must be presented with air quality assessment, detailing anticipated outcomes of mitigation measures.

HEALTH AND SAFETY EXECUTIVE – REVOKATION OF HAZARDOUS SUBSTANCES CONSENT

71. No part of the development shall be occupied until The Hazardous Substances Consent for the gasholder station has been revoked or varied in accordance with the Planning Hazardous Substances Act 1990, as amended, such that the Health and Safety Executive (HSE) does not advise that permission should be refused on safety grounds, and written confirmation of the necessary revocation or variation has been issued by the London Borough of Haringey as local planning authority.

    Reason: In the interests of health and safety, it is necessary to ensure that the adjoining gas infrastructure will not present a risk to safety.

INFORMATIVES:

INFORMATIVE – AIR QUALITY ASSESSMENT

The Air Quality Review and Assessment for the London Borough of Haringey has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out - habitable rooms away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint - setting further away from source of poor air quality. 6) Having non openable windows.

The Air Quality Assessment report should have regard to the air quality predictions and monitoring results from the Authority's Review and Assessment available from the Council web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control; 2) Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance, revised version January 2007.

INFORMATIVE – LONDON FIRE AND EMERGENCY PLANNING AUTHORITY

Burning is not the recommended method of disposing of waste materials and you should contact the Local Authority's Environmental Health Department who will advise on any legislation or by-laws that may be applicable before such methods are employed.

However, if burning is to take place, then the following precautions should be taken:

All timber and other flammable materials are to be removed from the building and timber buildings are to be demolished, before burning is commenced, to prevent:
Persons being trapped with burning buildings; and
Premature collapse of the buildings due to heat damage or to the burning
away of supporting structure.

The controlled burning of all materials is to take place at one point. The surrounding area should be clear of all other flammables to prevent fire spread to adjoining properties. The Fire Brigade is to be consulted prior to the commencement should any doubt arise.

The contractor is to ensure the burning of flammable materials is under the direct control of a designated person who shall be provided with suitable emergency fire fighting equipment and instruction on how to call the Brigade, including the location of the nearest exchange telephone.

Should the fire get out of control the Fire Brigade is to be called immediately using the '999' system procedure.

No fire is to be left unattended under any circumstances. All fires are to be extinguished completely before the site is vacated at the end of the day or on completion of the contract.

NB. It should be noted that demolition of masonry on top of a fire is not acceptable as a means of extinguishing the fire.

Where demolition is to include the 'hot cutting' of oil storage tanks or associated plant, further advice on "process safety" issues should be sought from the Health and Safety Executive (HSE).

NB. Where hot cutting has already commenced and advice on process safety has not already been sought from HSE, then operations should cease until such time as that advice is provided.

INFORMATIVE - ENVIORNMENT AGENCY - WATER RESOURCES ACT 1991

Under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Moselle Brook, designated a 'main river'.

Drainage plans should be submitted for each phase of the development showing how discharges will be managed. A schematic drawing showing drainage features including foul and surface drainage runs, interceptors, the location and protective measures employed around areas used for the storage of waste, oils and chemicals will be helpful in approving each scheme.

Dewatering has the potential to affect watercourses and groundwater and is subject to control by the Environment Agency under the Water Resources Act 1991 and the Water Act 2003. The applicant should contact the Environment Agency on 08708 506 506 for further information if dewatering is necessary.

INFORMATIVE - ENVIRONMENT AGENCY – WATER EFFICIENCY

The Thames Region including all London Borough's have been identified as an area of 'serious' water stress'. Therefore water conservation and water efficiency measures need to be core themes in any new development.

Through committing to Code for Sustainable Homes Level 4 in all residential properties, this will achieve the London Plan Policy 4A.16 of the maximum water use target of 105 litres per person per day for residential development.

In terms of commercial development proposals, they will need to demonstrate that the proposal incorporates water conservation measures. We suggest that all such commercial developers design their building sin accordance with the Building Research Establishments Environmental Assessment Method (BREEAM) recommendations'. Water efficiency measures can found on the Envirowise web-site www.envirowise.gov.uk.

This is to ensure compliance with communities and Local Government standards for water efficiency in new buildings.

INFORMATIVE – PROTECTION OF SPECIES

The protection afforded to species under UK and EU legislation is irrespective of the planning system and the applicant should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with appropriate wildlife legislation. Failure to do so may result in fines and potentially, a custodial sentence.

INFORMATIVE – REMOVAL OR VARIATION OF CONDITIONS

The applicant is advised that Section 73 of the Town and Country Planning Act 1990 (Determination of applications to develop land without compliance with conditions previously attached) requires formal permission to be granted by the Local Planning Authority for the removal or variation of a condition following grant of planning permission.

INFORMATIVE – NAMING AND NUMBERING

The new development will require naming/numbering. The applicant should contact the Transportation Group at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

INFORMATIVE – WASTE

In accordance with Section 34 of the Environmental Protection Act and the Duty of, Care, any waste generated from construction/excavation on site is to be stored in a safe and secure manner in order to prevent its escape or its handling by unauthorised persons. Waste must be removed by a registered carrier and disposed of at an appropriate waste management licensed facility following the waste transfer or consignment note system, whichever is appropriates.

INFORMATIVE – PUBLIC EVENTS

Any events to be held in the public squares or parks will be subject to applicants for appropriate licenses from the local authority.

INFORMATIVE – THAMES WASTE – WASTE COMMENTS

Surface Water Drainage – With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses 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.

INFORMATIVE – THAMES WASTE – PUBLIC SEWERS AND WATER MAINS

There are public sewers crossing this site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building over / diversion application form, or other information relating to Thames Waters assets be required, the applicant should be advised to contact Thames Water Developer Services on 0845 850 2777. There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 3 metres of them and will require 24 hours access for maintenance purposes.

INFORMATIVES – THAMES WATER – WATER MAIN DIVERSIONS

There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

21.03.2012

Paul Smith
Head of Development Management
Planning, Regeneration & Economy

Director Place and Sustainability Lyn Garner

Appendix 2 – Permission HGY 2013.2455

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www.haringey.gov.uk

Assistant Director, Planning Service Stephen Kelly **Haringey** Council

Mr Adam Donovan
Deloitte Real Estate
66 Shoe Lane
London
EC4A 3BQ

RECEIVED
09 APR 2014

Planning Application Reference No.**HGY/2013/2455**

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1995 (AS AMENDED)

NOTICE OF PLANNING PERMISSION

Location: **Land at Haringey Heartlands, between Hornsey Park Road, Mayes Road, Clarendon Road and the Kings Cross / East Coast Mainline N8**

Proposal: **Variation of conditions to existing planning permission HGY/2009/0503 is now being sought as follows "Site Preparation Works" to include "demolition of (including the removal of the gas holders and remediation works but excluding the Olympia Trading Estate), surveys, site clearance, works of archaeological or ground investigations or remediation, the erection of fencing or hoardings, the provision of security measures or lighting, the erection of temporary buildings or structures associated with the Development, the laying, removal or diversion of services, construction of temporary access, temporary highway works, temporary estate roads and erection of the "Pressure Reduction Stations" and variation of conditions to allow for such works to be carried out prior to the submission of detailed reserved matters applications and for phased submission of these reserved matters applications.**

In pursuance of their powers under the above Act, the London Borough of Haringey as Local Planning Authority hereby **PERMIT** the above development in accordance with the application dated 02/01/2014 and drawing number(s): P001 Rev 04, P002 Rev 05, P003 Rev 06, P004 Rev 05, P005 Rev 04, P006 Rev 05, P007 Rev 06

SEE SCHEDULE OF CONDITIONS ATTACHED

07/04/2014

E J Williamson

Emma Williamson
Head of Development Management
Planning Service

NOTE: 1. Attention is particularly drawn to the schedule AP1 attached to the notice which sets out the rights of Applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations 1991, any byelaws or any enactment other than the Town and Country Planning Act 1990.

Director of Regeneration, Planning & Development **Lyn Garner**

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HGY/2013/2455

The following conditions have been applied to this consent and these conditions must be complied with:

RESERVED MATTERS

1. The application is granted in OUTLINE, in accordance with the provisions of Regulations 3 & 4 of the Town & Country Planning (General Development Procedure) 1995 and before any development with the exception of the Site Preparation Works is commenced, the approval of the Local Planning Authority shall be obtained to the following reserved matters, namely: a) Scale (within parameter plan range (Drawing Ref: P003(REV06) - Maximum and Minimum Storey Heights); b) Layout c) Landscape and d) Appearance.

Reason: This condition is imposed by virtue of Section 92 of the Town & Country Planning Act 1990.

TIME LIMIT - RESERVED MATTERS

2. Application must be made to the Local Planning Authority for approval of any matters reserved in this OUTLINE planning permission not later than the expiration of 5 years from the date of this Permission, and the development hereby authorised shall be started not later than whichever is the later of the following dates, failing which the permission shall be of no effect:

a. the expiration of 5 years from the date of this permission; or
b. the expiration of 2 years from the final date of approval of any of the reserved matters.

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990.

IN ACCORDANCE WITH APPROVED PLANS

3. The development hereby authorised shall be carried out in complete accordance with the plans and specifications (except for the Design and Access Statement which is for illustrative purposed only) submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

PHASING PROGRAMME

4. No development with the exception of the Site Preparation Works shall take place until a programme of phasing for implementation of the whole development has been agreed in writing by the Local Planning Authority. Any amendment to the approved phasing programme must be first agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory comprehensive development within a reasonable timescale and proper planning of the area.

MATERIALS

5. At the reserved matters stage, full details of the external appearance of the development, including samples of all materials to be used for all external facing surfaces and roofing materials for each phase of the development, as set out in an agreed phasing plan, shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced on that phase. Samples shall include sample panels in addition to a schedule of the exact product references. All approved materials shall be erected in the form of a samples board and shall be retained on site throughout the works period for the phase concerned.

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Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure a comprehensive and sustainable development and to achieve good design throughout the development.

MAXIMUM BUILDING HEIGHTS

6. The maximum height of the proposed development, including lift overruns, rooftop plant etc, shall be no greater than indicated on the parameter plan Drawing Number P003(REV06) - Maximum and Minimum Storey Heights.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

MAXIMUM DWELLING NUMBERS

7. The outline planning permission hereby approved for a residential-led mixed use development shall not exceed 1080 separate dwelling units, whether flats or houses. The dwelling mix shall be approved in writing by the Local Planning Authority in consultation with the Greater London Authority, prior to commencement of the development with the exception of the Site Preparation Works.

Reason: To ensure a comprehensive and sustainable development in order to control the overall density levels within the development.

ACCESSIBILITY AND LIFETIME HOMES

8. Within the development hereby approved, at least 10% of the dwellings shall be wheelchair accessible or easily adaptable for residents who are wheelchair users. This percentage should be applied to both market and affordable housing, should be evenly distributed throughout the development, and cater for a varying number of occupants. In addition, 100% of the dwellings shall be built to meet Lifetime Homes standards, unless otherwise agreed in writing by the Local Planning Authority. Evidence of compliance with the above shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of each phase of the development comprising dwellings.

Reason: In order to ensure adequate accessibility for the disabled and mobility impaired throughout their lifetime.

HOUSING DESIGN STANDARDS

9. The development shall comply with the London Plan (2011) Policy 3.5 and London Housing Supplementary Planning Guidance 2012 space standards and as far as practical shall meet all other requirements within the London Housing Supplementary Planning Guidance 2012, particularly the requirements dual aspect units.

Reason: In order to ensure a satisfactory standard of accommodation for future occupiers of the development.

LANDSCAPING - LANDSCAPING SCHEME

10. At the reserved matters (excluding the reserved matters for the utility compounds as shown on plan P006/05) stage, full landscaping scheme for the entire site shall be submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include a) those existing trees to be retained; b) those existing trees to be removed; c) those new trees and shrubs to be planted together with a schedule of species d) roof top gardens/allotments/amenity space e) hard surfacing f) boundary treatment e) street furniture. At the reserved matters stage for the utility compounds, as shown on Plan P006/05, a landscaping scheme to be submitted to the Local Planning Authority for approval which shall include details of the interim landscaping scheme for the utility compounds as shown on plan P006/05.

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Reason: To enhance the appearance of the development and in the interest of safeguarding the amenities of residents in the area.

LANDSCAPING - IMPLEMENTATION/MAINTENANCE

11. All landscaping and ecological enhancement works, including planting, seeding or turfing comprised in the approved scheme of landscaping as described in condition "Landscaping - Landscaping Scheme" shall be completed no later than the first planting and seeding seasons following the occupation of the building or the completion of the development in each phase, whichever is the sooner. Any trees or plants which within a period of FIVE years from the completion of that phase of development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority save that the interim landscaping scheme for the for the utility compounds, as shown on Plan P006/05 referred to in Condition 10, shall be replaced in accordance with the landscaping scheme. All hard landscaping and means of enclosure shall be completed before the development is occupied.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area.

LANDSCAPING - PROTECTION OF EXISTING TREES

12. No development shall commence until an Arboricultural method statement, including a tree protection plan, has been prepared in accordance with
BS5837:2005 Trees in Relation to Construction", and approved by the Local Planning Authority. A pre-commencement site meeting must be specified and attended by all interested parties, (Site manager, Consultant Arboriculturalist, Council Arboriculturalist and Contractors) to confirm all the protection measures to be installed for trees. Robust protective fencing / ground protection must be installed prior to commencement of construction activities on site and retained until completion. It must be designed and installed as recommended in the method statement. The protective fencing must be inspected by the Council Arboriculturalist, prior to any works commencing on site and remain in place until works are complete.

Reason: To protect the trees which are to be retained and in the interest of the visual amenities of the area.

JAPANESE KNOTWEED

13. Prior to the commencement of the development, a detailed method statement for the removal or long-term management/eradication of Japanese knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, trimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement. Please note that if any of the Japanese knotweed plants are close to water, including watercourses, ditches or standing water, then Environment Agency consent is required if it is to be treated with a herbicide.

Reason: In order to ensure the eradication of Japanese Knotweed which is an invasive plant and the spread of which is prohibited under the Wildlife and Countryside Act 1981.

BOUNDARY TREATMENT

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

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

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ECOLOGICAL MANAGEMENT

15. The development hereby approved shall not commence with the exception of the Site Preparation Works until full details of a site wide Ecology Management Strategy including an Ecological Mitigation and Management Plan which shall provide details of how the proposed measures will be monitored, managed and funded in the future, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the proposed development maximises the ecological potential of the site

POLLUTION PREVENTION

16. The development hereby approved shall not commence until full details of a site wide Pollution Prevention Strategy has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the proposed development prevents pollution of the environment.

CONTAMINATED LAND - VERIFICATION REPORT

17. No phase of the development shall not be occupied or brought into use until verification by a competent person approved under the provisions of Condition "Contaminated Land - Remediation Strategy" that any remediation scheme required for that phase and approved under the provisions of the above condition has been implemented fully in accordance with the approved details, shall be submitted to and approved by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise: (a) as built drawings of the implemented scheme; (b) photographs of the remediation works in progress; and (c) certificates demonstrating that imported and/or material left in situ is free from contamination. Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under Condition "Contaminated Land - Remediation Strategy".

Reason: To safeguard the health of future residents or occupiers of the site.

USE OF CLEAN UNCONTAMINATED MATERIAL

18. No soils or infill materials shall be imported onto the site until it has been satisfactorily demonstrated that they present no risk to human health and the environment. Documentary evidence to confirm the origin of all imported soils and infill materials, supported by appropriate chemical analysis, test results, shall be submitted to and approved by the Local Planning Authority prior to that import. The import on site of material classified as 'waste; is only acceptable with the prior written approval of the Local Planning Authority.

Reason: To ensure that no contaminated land is brought on site.

METHOD OF PILING

19. No phase of the development hereby approved (including the Site Preparation Works) shall commence until the method of piling foundations for that phase of development for the development has been submitted to and approved in writing by the Local Planning Authority prior to any development commencing. Piling or any other foundation designs using penetrative methods shall not be permitted except for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent the contamination of the underlying aquifer.

ARCHAEOLOGICAL WATCHING BRIEF

20. No development shall take place within the application site until the applicant has secured the implementation of an archaeological watching brief and a programme for the recording of built heritage structures, including the existing gas holders, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

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Reason: To ensure that archaeological remains on the site shall be adequately investigated and recorded during the course of the development and the findings of such investigation and recording reported

HOARDINGS

21. Prior to the commencement of development full details of a scheme for the provision of hoardings around the site during the construction period including details of design, height, materials and lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works and unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the scheme as approved.

Reason: In order to have regard to the visual amenity of the locality and the amenities of local residents, businesses, visitors and construction sites in the area during construction works.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

22. No phase of the development hereby approved shall commence until a Construction Environmental Management Plan, including Site Waste Management Plan, Site Management Plan, Construction Logistics Travel Plan, construction traffic management plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority for the relevant phase. The Construction Management Plan shall include but not be limited to the following: a) Public Safety, Amenity and Site Security; b) Operating Hours, Noise and Vibration Controls; c) Air and Dust Management; d) Storm water and Sediment Control and e) Waste and Materials Re-use. The Site Waste Management Plan will demonstrate compliance with an appropriate Demolition Protocol. The development shall be carried out in accordance with the approved details. Additionally the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried out on the site.

Reason: In order to have regard to the amenities of local residents, businesses, visitors and construction sites in the area during construction works.

CONSTRUCTION DUST MITIGATION

23. No phase of the development shall commence until the appropriate mitigation measures to minimise dust and emissions are incorporated into the phase specific
Construction Environmental Management Plan based on the Mayor's Best Practice Guidance (The control of dust and emissions from construction and demolition). This should include an inventory and timetable of dust generating activities, emission control methods and where appropriate air quality monitoring). This must be submitted to and approved in writing by the LPA prior to any works carried out in the relevant phase. Additionally the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the LPA prior to any works being carried in the relevant phase.

Reason: To protect the environment and amenities of the locality.

CONSTRUCTION HOURS

24. Operations in relation to construction for which noise is greater than 50dBLAeq, 1hour at the nearest residential boundary shall be restricted to the hours of 0800 and 1800 on Mondays to Fridays and between 0800 and 1300 on Saturdays and at no time on Sundays or Statutory holidays without the prior written approval of the Local Planning Authority under Section 61 of the Control of Pollution Act 1974. The following enabling activities shall be permitted to take place within a period one hour before and one hour after normal working hours:

o Arrival and departure of workforce on site;
o Deliveries and unloading;
o Check and examinations of plant and machinery (including test running) and the carrying out of essential repairs / maintenance to plant and machinery;

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o Site inspections and safety checks; and
o Site clean-up

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

CONSTRUCTION - ON-SITE CONTACT

25. At the time of the commencement of works, an onsite contact shall be provided on a 24 hour per day basis for residents to report any disturbances or issues arising from the construction of the site

Reason: To ensure that any disruption to neighbouring residents can be reported immediately.

CCTV AND SECURITY LIGHTING
26. At the reserved matters stage for each phase, a scheme showing full details of the following for that phase shall be submitted to and approved in writing by the Local Planning Authority.

a) CCTV;
b) Security lighting

Reason: In order to ensure that the proposed development achieves the safer places attributes as detailed by Planning Policy Statement 1: Safer Places: The Planning System & Crime Prevention and to prevent crime and create safer, sustainable communities and in order to ensure the location of CCTV protects the privacy of neighbouring residential properties.

EXTERNAL LIGHTING STRATEGY

27. At the reserved matters stage for each phase, an external lighting strategy for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The details of the external lighting for each phase shall be in accordance with the approved strategy.

Reason: In order to ensure that the proposed development achieves the safer places attributes as detailed by Planning Policy Statement 1: Safer Places: The
Planning System & Crime Prevention and to prevent crime and create safer, sustainable communities

SURFACE WATER DRAINAGE

28. At the reserved matters stage for each phase, details of a scheme for the surface water drainage works including the provision of a Sustainable Urban Drainage System shall be submitted to and approved by the Local Planning Authority (in consultation with Thames Water) prior to the commencement of works within that part of the site. The surface water drainage details shall include that petrol/oil interceptors shall be fitted in all car parking/washing/repair facilities and an Impact Study of existing Sewerage infrastructure.

Reason: In order to ensure the satisfactory surface water drainage of the site.

WATER SUPPLY IMPACT STUDY
29. At the reserved matters stage for each phase, a Water Supply Impact Study for that phase of the development, including full details of anticipated water flow rates, and detailed site plans shall be submitted to, and approved in writing by the Local Planning Authority (in consultation with Thames Water).

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand

WASTE STORAGE AND RECYCLING

30. At the reserved matters stage, (excluding the reserved matters for the utility compounds as shown on Plan P006/05) details of the arrangements for storage and collection of refuse for each phase of the

development, including location, design, screening, operation and the provision of facilities for the storage of recyclable materials shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with the details so approved and shall be permanently retained thereafter.

Reason: To ensure good design, to safeguard the amenity of the area and ensure that the development is sustainable and has adequate facilities for the storage of waste and recyclable materials.

BREEAM - DESIGN STAGE ASSESSMENT

31. The development hereby permitted shall be built to a minimum standard of "Very Good" under the Building Research Establishment Environmental Assessment Method (BREEAM). A BREEAM design stage assessment shall be submitted to the Local Planning Authority prior to the commencement of construction on the site except the utility compounds as shown on Plan P006/05. The BREEAM design stage assessment will be carried out by a licensed assessor.

Reason: To ensure that development takes place in an environmentally sensitive way.

BREEAM CERTIFICATE

32. The development hereby permitted shall be built to a minimum standard of "Very Good" under the Building Research Establishment Environmental Assessment Method (BREEAM). Within THREE months of the occupation of the completed development, a copy of the Post Construction Completion Certificate for the relevant building verifying that the "Very Good" BREEAM rating has been achieved shall be submitted to the Local Planning Authority. The Certificate shall be completed by a licensed assessor.

Reason: To ensure that development takes place in an environmentally sensitive way.

TRANSPORTATION - S72 AGREEMENT

33. The developer will we required to dedicate a 3m strip of land by way of a section 72 agreement along Mary Neuner Road to construct the proposed vehicular inset parking as per Drawings No's 0083-B-23 and 0083-B-24 as submitted by the applicant's consultant Savell Bird and Axon.

Reason: Ensure safe and efficient vehicle access.

TRANSPORTATION - PARKING PROVISION

34. The applicant shall provide 23 per cent (276 car spaces) parking provision for the residential component of the development, including 60 disabled spaces.

Reason: To ensure appropriate levels of car parking within the development.

TRANSPORTATION - PARKING PROVISION - ELECTRIC VEHICLES

35. At the reserved matters stage (excluding the reserved matters for the utility compounds as shown on Plan P006/05), details of electric vehicle provision within the parking areas (which shall include a minimum of 20 per cent of all parking spaces and an additional 20 per cent passive provision for electric vehicles in the future) shall be submitted to an approved in writing by the Local Planning Authority.

Reason: In order to ensure adequate provision of electric vehicle infrastructure within the development.

TRANSPORTATION - CYCLE PARKING

36. At the reserved matters stage (excluding the reserved matters for the utility compounds as shown on Plan P006/05) a detailed plan for cycle parking which shall include a) 1 cycle rack per residential unit; b) 50 cycle spaces for the shop/office/community aspects of the development (36, 4 and 10 cycle spaces

correspondingly) and c) secure shelters, shall be submitted to and approved in writing by the local planning authority.

Reason: In order to ensure adequate provision of safe and secure cycle parking.

TRANSPORTATION - TRAVEL PLAN AND CAR CLUB

37. At the reserved matters stage (excluding the reserved matters for the utility compounds as shown on Plan P006/05), Travel Plans and welcome pack, in compliance with Transport for London Guidance, shall be submitted to and approved in writing by the local planning authority, at least 3 months in advance of occupation of each phase of the development (excluding the occupation of the utility compounds as shown on Plan P006/05). The Car Club scheme and number of onsite Car Club car parking spaces to be agreed as part of the Travel Plan.

Reason: In order to encourage the use of sustainable modes of transport for journeys to/from the site.

DETAILS OF FLUES

38. Within each phase full details of the location and appearance of any flues, including height, design, location and sitting shall be submitted and approved in writing by the Council before work commences on that phase.

Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development.

COMMERCIAL PREMISES - ACCESS

39. The commercial premises shall be minimum door widths of 900mm and a maximum threshold of 25mm to allow access to people with disabilities and people pushing double buggies.

Reason: In order to ensure that the premises are accessible to all those people who could be expected to use it, in accordance with policy RIM 2.1 "Access for All" of the Haringey Unitary Development Plan (2006).

SHOPFRONTS

40. Within each phase detailed plans of the design and external appearance of the shopfronts, including detailed design of the fascias, shall be submitted to and approved in writing by the Local Planning Authority at the reserved matters stage.

Reason: In the interest of visual amenity.

SIGNAGE

41. Prior to the commencement of the use, precise details of any signage proposed as part of the development shall be submitted to and approved in writing by the local planning authority.

Reason: to achieve good design throughout the development and to protect the visual amenity of the locality.

HOURS OF OPERATION - A3, A4 and A5 Uses

42. Any restaurant (A3), public house and wine bar (A4) or takeaway (A5) use shall not be operated before 0800 or after 2400 hours on any day of the week.

Reason: In order to ensure that the proposed development does not prejudice the amenities of the future occupiers of the development.

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ENVIRONMENT AGENCY - STRUCTURAL SURVEY

43. The development hereby permitted shall not be commenced until such time as a structural survey of the Moselle Brooke culvert to identify the life of the flood defences compared to the life of the development has been submitted to, and approved in writing by, the local planning authority. If the assessment identifies that the life of the culvert is not commensurate with the life of the development, then a scheme of remedial measures shall be submitted to and approved in writing by the Local Planning Authority before development commences. Development shall proceed only in accordance with the approved remedial measures.

Reason: To ensure that the flood defences have a life commensurate with the life of the development in order to safeguard the development and area from the risk of flooding.

ENVIRONMENT AGENCY - FLOOD RISK ASSESSMENT

44. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Waterman Group (C-37407-10-ES-002 Rev: A05 February 2009) and the following mitigation measures detailed within the FRA:

o Limiting the surface water run-of generated so that it will not exceed a run-off rate of 17.7ls/ha from the site and not increase the risk of flooding off-site.
o Provision of attenuation of surface water on site through the use of SUDS systems including living roofs, permeable paving and a swale and the use of storage tanks.
o Building and structures on site to be set a minimum of 8m back from the outer culvert wall of the Moselle Brook.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the structural integrity of and access to existing flood defences thereby reducing the risk of flooding.

ENVIRONMENT AGENCY - SITE INVESTIGATION AND CONTAMINATED LAND

45. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing by the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:
o All previous uses
o Potential contaminants associated with those uses
o A conceptual model of the site indicating sources, pathways and receptors
o Potentially unacceptable risks arising from contamination at the site

2) A site investigation scheme, based on (1) to provided information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: There are controlled water bodies at, and in the vicinity of the proposed development site, which could be polluted by the known soil and shallow (perched) groundwater contamination which exists at the site. The identified Controlled Water bodies are the Moselle Brook, the New River, the reservoirs to the west

and the deeper groundwater system that underlies the site. The deeper groundwater and the New River are used to supply drinking water to the public and therefore must be kept free from pollution. The Moselle Brook which flows through the site in culvert flows into Pymmes Brook to the east. If pollution were to enter the brook it would have a detrimental impact on aquatic life in the brook and also to its aesthetic appeal. As such, site investigation is required to assess the risk that the contamination at the site poses to Controlled Waters.

Note: The information provided to the Environment Agency in the report titled 'Environmental Statement' which was prepared by Waterman Energy, Environment & Design and dated February 2009 (Ref EN6847/R/2.1.1/MN) is sufficient to satisfy Part 1 of this condition. Also, part of the site has previously been investigated and remediated to an acceptable standard with regards to any risk posed to Controlled Waters. This area is referred to as the Spine Road and is detailed in Celtic Technologies report titled 'Haringey Heartlands Spine Road Improvement Corridor - Factual Validation Report' dated October 2008 (Ref R1199/08/3325). The above recommended condition is not applicable to this part of the site.

ENVIRONMENT AGENCY - PILING

46. Pilling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piled foundations are proposed to facilitate development at the site.
The advancement of such foundations through contaminated material, which is known to be present in the soil and shallow (perched) groundwater at the site, has the potential to mobilise contaminants and result in their release into the deeper groundwater system. The deeper groundwater underlying the site is abstracted a short distance from the site and is used to supply drinking water to the public. Therefore, it is very important that a suitable piling design and methodology is used as to not to pollute the deeper groundwater system below the site.

ENVIRONMENT AGENCY - LANDSCAPE MANAGEMENT PLAN

47. Prior to the commencement of development (excluding Site Preparation Works) a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: This condition is necessary to protect the natural features and character of the area and identify opportunities for enhancement of biodiversity.

ENVIRONMENT AGENCY - PLANTING

48. Planting all landscaped areas (except privately owned domestic gardens but including green roofs) shall be of locally native plant species only, of UK genetic origin.

Reason: The use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the region's natural balance of flora. Native insects, birds and other animals cannot survive without the food and shelter that these plants provide. Introduced plants usually offer little to our native wildlife. Local plants are the essence of regional identity and preserve the character of the British landscape. Local plants are adapted to local soils and climate, so have low maintenance requirements. In addition, planting locally native plants helps to prevent the spread of invasive plants in the region.

ENVIRONMENT AGENCY - FOUL AND CONTAMINATED WATER

49. Before the commencement each phase of the development, including demolition, remediation and construction, a scheme to manage surface, foul and contaminated water on the site for that phase will be

submitted to, and approved in writing by, the local planning authority. Each scheme shall be implemented as approved the Environment Agency asks to be consulted before approval.

Reason: To prevent the pollution of local surface and ground-waters and protect potable water supplies in the area.

NETWORK RAIL - DEVELOPMENT

50. Prior to the commencement of any works on site, developers must contact Network Rail to inform them of their intention to commence works. This must
be undertaken a minimum of 6 weeks prior to the proposed date of commencement.

Reason: It is useful for Network Rail to inform drivers, maintenance, signallers and any other railway personnel involved in the operation of the railway of development occurring adjacent to the operational railway.

NETWORK RAIL - DEMOLITION

51. Any demolition of refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, the stability of the adjoining Network Rail structures.

Reason: To ensure that the railway is not damaged during demolition.

NETWORK RAIL - CONSTRUCTION

52. Any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. To avoid scaffold falling onto operational lines, netting around the scaffold may be required. In view of the close proximity of these proposed works to the railway boundary the developer should contact Network Rail's Outside Parties Engineer on opsoutheast@networkrail.co.uk before any works begin. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.
Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Reason: To ensure railway infrastructure is not damaged during construction.

NETWORK RAIL - SITE LAYOUT

53. Any proposed buildings shall be at least 2 metres from the boundary with the operational railway, at least 5 metres from overhead power lines, or 3 metres from viaducts.

Reason: This will allow construction and future maintenance to be carried out from the application land, thus avoiding provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

NETWORK RAIL - NOISE AND VIBRATION

54. The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway must be addressed in the context of PPG24 and the local planning authority should use conditions as necessary. Consideration should be given to the need to provide for on-site residential amenity within the development site.

Reason: To mitigate noise and vibration from operational land.

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NETWORK RAIL - FENCING

55. This development will create a trespass and vandalism risk on to the railway. In the interests of promoting public safety, before any part of the development (except the utility compounds as shown on Plan P006/05) is occupied, a 1.8 metre high trespass resistant fence should be erected. The new fencing provided must be independent of existing Network Rail fencing and a sufficient distance should be allowed between the fences to allow for future maintenance and renewal.

Reason: To prevent trespass.

NETWORK RAIL - DRAINAGE

56. No water or effluent should be discharged from the site or operations on the site into the railway undertaker's culverts or drains. Details of the proposed drainage must be submitted to, and approved by the Local Planning Authority, acting in consultation with the railway undertaker, and the works shall be carried out in accordance with the approved details.

Reason: To ensure the operation of the railway.

SECURE BY DESIGN

57. The development hereby authorised shall comply with BS 8220 (1986) Part 1 'Security Of Residential Buildings' and comply with the aims and objectives of the Police requirement of 'Secured By Design' and 'Designing Out Crime' principles.
Reason: In order to ensure that the proposed development achieves the required crime prevention elements as detailed by Circular 5/94 'Planning Out Crime'.

SITE PARKING MANAGEMENT PLAN

58. That details of onsite parking management plan shall be submitted to and approved by the local planning authority prior to the commencement of the use of the undercroft car parking area. Such agreed plan to be implemented and permanently maintained in operation to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

SATELLITE AERIALS

59. Notwithstanding the provisions of Article 4 (1) and Part 25 of Schedule 2 of the General Permitted Development Order 1995, at the reserved matters stage (excluding the reserved matters for the utility compounds as shown on Plan P006/05), details of a scheme for satellite dish/aerials shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property in the relevant phase, and the approved scheme shall be implemented and permanently retained thereafter.

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

OPEN SPACE MANAGEMENT PLAN

60. That details of a management plan for the management and maintenance of the public and communal open spaces including roof top gardens, allotments, and
children's play spaces shall be submitted to and approved by the Local Planning Authority prior to the occupation of the residential units such agreed details to be implemented and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that a satisfactory standard of amenity space and play facilities is maintained for the future occupiers of the proposed development.

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NOISE

61. The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are exposed to levels indoors not more than 35 dB LAeq 16hrs daytime and not more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason: In order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

VENTILATION

62. Reserved matters applications for any phase which residential units, must be accompanied by a PPG24 (or any equivalent that may replace it) Noise Assessment and "cooling strategy" in accordance with BS8233 and Building Regulations to demonstrate that the residential units will comply with the criteria set out in condition 61 of this permission. The noise assessment must include a full acoustic report of how the flats will be insulated to reduce and mitigate external and internal noise/vibration break in and meet the requirements of condition 61 and provide details of how the heating and ventilation system will provide adequate natural ventilation and adequate cooling to prevent overheating (no overheating in bedrooms and living rooms where in these rooms there is a need for windows to be kept shut to achieve compliance with the noise levels set in condition 61. No works shall commence (excluding the Site Preparation Works) until these details have been submitted to and approved by the local planning authority and the development carried out in accordance with those details approved.

Reason: In order to secure a comfortable internal environment for the occupants of the residential properties.

NOISE - PLANT

63. The design and installation of new items of fixed plant shall be such that, when in operation, the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of any residential premises shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997. A noise report shall be produced by a competent person(s) to demonstrate compliance with the above criteria, and shall be submitted to and approved by the local planning authority.

Reason: In order to protect the amenity of nearby residential occupiers.

TRAVEL PLAN

64 That the applicant shall submit 2 travel plans, one for the residential one for the commercial use, the details of which shall be agreed in writing by the Local Planning Authority prior to the occupation of the proposed development. Such agreed details shall be implemented and permanently maintained to the satisfaction of the Local Planning Authority.

Reason: In order to ensure sustainable travel and minimise the impact of the proposed development in the adjoining road network.

DETAILS OF CHILDRENS PLAY AREAS

65. No phase of residential development hereby permitted shall commence until a specification for the Children's Play Areas, has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with National Playing Field Association 'Six Acre Standard' Best Practise Guidance (2001) and, unless otherwise agreed in writing by the Local Planning Authority, should include the following as a minimum:

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i. An activity zone of at least 400sqm in area that caters for children of 4-8 years in age
ii. At least 5 types of play equipment (i.e. balancing, rocking etc.)
iii. Appropriate boundary treatment to provide a continuous and secure boundary
iv. A barrier to limit the speed of a child entering or leaving the facility
v. At least 10 metres between the edge of the play area and the boundary of the nearest property
vi. Planting around the perimeter
vii. Adequate adult seating provision
viii. Signage
ix. Litter bin

Reason: In the interests of health and safety of users of the site and the amenity of local residents.

ENERGY

66. A detailed energy strategy for the whole site shall be submitted with the detailed application for the first phase of residential development. This energy strategy should commit to meeting 2010 Building Regulations through energy efficiency alone. The details shall be approved by the Local Planning Authority and the development carried out in accordance with the approved details.

Reason: In order to ensure an appropriate level of energy efficiency and sustainability is provided by the development.

CODE FOR SUSTAINABLE HOMES

67. Reserved Matters applications in respect of each phase of the development which includes residential properties shall be accompanied by an Independent Sustainability Assessment, in accordance with Building Research Establishment guidelines, demonstrating that the residential properties are to achieve a minimum Level 4 rating under the Code for Sustainable Homes.

Reason: In order to ensure an appropriate level of energy efficiency and sustainability is provided by the development.

RESIDENTS AND BUSINESSES LIAISON GROUP

68. Prior to submission to discharge condition 22, for the duration of the development the Applicant will establish and maintain a
Liaison Group having the purpose of:
(a) informing local residents and businesses of the design and development proposals;
(b) informing local residents and businesses of progress of pre-construction and construction activities;
(c) considering methods of working such as hours and site traffic;
(d) providing local residents and businesses with an initial contact for information relating to the development and for comments or complaints regarding the development with the view of resolving any concerns that might arise;
(e) producing a leaflet prior to commencement of demolition for distribution to local residents and businesses identifying progress of the Development and which shall include an invitation to register an interest in the Liaison Group;
(f) providing advanced notice of exceptional works or deliveries;
(g) providing telephone contacts for residents advice and concerns.

The Liaison Group will meet at least once every month with the first meeting taking place one month prior to Implementation and the meetings shall become bi-monthly after the expiry of a period of four (4) months thereafter or at such longer period as the Liaison Group shall agree.

Reason: In order to ensure satisfactory communication with residents, businesses and local stakeholders throughout the construction of the development.

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THAMES WATER

69. 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 Ground Water. 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.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

AIR QUALITY ASSESSMENT

70. Before development commences (excluding the Site Preparation Works), an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. It should also have regard to the air quality predictions and monitoring results from the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory.
A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied. In determining both the significance of exposure to air pollution and the levels of mitigation required, consideration should be given to the following Air Pollution Exposure Criteria Table.

Reason: In order to monitor and mitigate, where necessary, air quality in the immediate vicinity of the development.

	Applicable Range Nitrogen Dioxide Annual Mean	Applicable Range PM10	Recommendation
APEC – A	> 5% below national objective	Annual Mean: > 5% below national objective 24 hr: > 1-day less than national objective	No air quality grounds for refusal; however mitigation of any emissions should be considered.
APEC – B	Between 5% below or above national objective	Annual Mean: Between 5% above or below national objective 24 hr: Between 1-day above or below national objective.	May not be sufficient air quality grounds for refusal, however appropriate mitigation must be considered e.g., Maximise distance from pollutant source, proven ventilation systems, parking considerations, winter gardens, internal

			layout considered and internal pollutant emissions minimised.
APEC – C	> 5% above national objective	Annual Mean: > 5% above national objective 24 hr: > 1-day more than national objective.	Refusal on air quality grounds should be anticipated, unless the Local Authority has a specific policy enabling such land use and ensure best endeavours to reduce exposure are incorporated. Worker exposure in commercial/industrial land uses should be considered further. Mitigation measures must be presented with air quality assessment, detailing anticipated outcomes of mitigation measures.

HEALTH AND SAFETY EXECUTIVE - REVOCATION OF HAZARDOUS SUBSTANCES CONSENT

71. No part of the development shall be occupied until The Hazardous Substances Consent for the gasholder station has been revoked or varied in accordance with the Planning Hazardous Substances Act 1990, as amended, such that the Health and Safety Executive (HSE) does not advise that permission should be refused on safety grounds, and written confirmation of the necessary revocation or variation has been issued by the London Borough of Haringey as local planning authority.

Reason: In the interests of health and safety, it is necessary to ensure that the adjoining gas infrastructure will not present a risk to safety.

INFORMATIVES:

INFORMATIVE - DEFINITION OF SITE PREPARATION WORKS

"Site Preparation Works" is defined as "Works of demolition (including the removal of the gas holders and remediation works but excluding the Olympia Trading Estate), surveys, site clearance, works of archaeological or ground investigation or remediation, the erection of fencing or hoardings, the provision of security measures or lighting, the erection of temporary buildings or structures associated with the development, the laying, removal or diversion of services, the provision of construction compounds or piling works) the removal of hard-standing, construction of temporary access, temporary highway works temporary internal estate roads and relocation and erection of the Pressure Reduction Stations"".

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INFORMATIVE - AIR QUALITY ASSESSMENT

The Air Quality Review and Assessment for the London Borough of Haringey has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out - habitable rooms away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint - setting further away from source of poor air quality. 6) Having non openable windows.
The Air Quality Assessment report should have regard to the air quality predictions and monitoring results from the Authority's Review and Assessment available from the Council web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control; 2) Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance, revised version January 2007.

INFORMATIVE - LONDON FIRE AND EMERGENCY PLANNING AUTHORITY

Burning is not the recommended method of disposing of waste materials and you should contact the Local Authority's Environmental Health Department who will advise on any legislation or by-laws that may be applicable before such methods are employed.

However, if burning is to take place, then the following precautions should be taken:

All timber and other flammable materials are to be removed from the building and timber buildings are to be demolished, before burning is commenced, to prevent:
Persons being trapped with burning buildings; and
Premature collapse of the buildings due to heat damage or to the burning
away of supporting structure.

The controlled burning of all materials is to take place at one point. The surrounding area should be clear of all other flammables to prevent fire spread to adjoining properties. The Fire Brigade is to be consulted prior to the commencement should any doubt arise.

The contractor is to ensure the burning of flammable materials is under the direct control of a designated person who shall be provided with suitable emergency fire fighting equipment and instruction on how to call the Brigade, including the location of the nearest exchange telephone.

Should the fire get out of control the Fire Brigade is to be called immediately using the '999' system procedure.

No fire is to be left unattended under any circumstances. All fires are to be extinguished completely before the site is vacated at the end of the day or on completion of the contract.

NB. It should be noted that demolition of masonry on top of a fire is not acceptable as a means of extinguishing the fire.

Where demolition is to include the 'hot cutting' of oil storage tanks or associated plant, further advice on "process safety" issues should be sought from the Health and Safety Executive (HSE).

NB. Where hot cutting has already commenced and advice on process safety has not already been sought from HSE, then operations should cease until such time as that advice is provided.

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Assistant Director, Planning Service Stephen Kelly **Haringey** Council

INFORMATIVE - ENVIORNMENT AGENCY - WATER RESOURCES ACT 1991

Under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Moselle Brook, designated a 'main river'.

Drainage plans should be submitted for each phase of the development showing how discharges will be managed. A schematic drawing showing drainage features including foul and surface drainage runs, interceptors, the location and protective measures employed around areas used for the storage of waste, oils and chemicals will be helpful in approving each scheme.

Dewatering has the potential to affect watercourses and groundwater and is subject to control by the Environment Agency under the Water Resources Act 1991 and the Water Act 2003. The applicant should contact the Environment Agency on 08708 506 506 for further information if dewatering is necessary.

INFORMATIVE - ENVIRONMENT AGENCY - WATER EFFICIENCY

The Thames Region including all London Borough's have been identified as an area of 'serious' water stress'. Therefore water conservation and water efficiency measures need to be core themes in any new development.

Through committing to Code for Sustainable Homes Level 4 in all residential properties, this will achieve the London Plan Policy 4A.16 of the maximum water use target of 105 litres per person per day for residential development.

In terms of commercial development proposals, they will need to demonstrate that the proposal incorporates water conservation measures. We suggest that all such commercial developers design their building sin accordance with the Building Research Establishments Environmental Assessment Method (BREEAM) recommendations'. Water efficiency measures can found on the Envirowise web-site www.envirowise.gov.uk.

This is to ensure compliance with communities and Local Government standards for water efficiency in new buildings.

INFORMATIVE - PROTECTION OF SPECIES

The protection afforded to species under UK and EU legislation is irrespective of the planning system and the applicant should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with appropriate wildlife legislation. Failure to do so may result in fines and potentially, a custodial sentence.

INFORMATIVE - REMOVAL OR VARIATION OF CONDITIONS

The applicant is advised that Section 73 of the Town and Country Planning Act 1990 (Determination of applications to develop land without compliance with conditions previously attached) requires formal permission to be granted by the Local Planning Authority for the removal or variation of a condition following grant of planning permission.

INFORMATIVE - NAMING AND NUMBERING

The new development will require naming/numbering. The applicant should contact the Transportation Group at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

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INFORMATIVE - WASTE

In accordance with Section 34 of the Environmental Protection Act and the Duty of, Care, any waste generated from construction/excavation on site is to be stored in a safe and secure manner in order to prevent its escape or its handling by unauthorised persons. Waste must be removed by a registered carrier and disposed of at an appropriate waste management licensed facility following the waste transfer or consignment note system, whichever is appropriates.

INFORMATIVE - PUBLIC EVENTS

Any events to be held in the public squares or parks will be subject to applicants for appropriate licenses from the local authority.

INFORMATIVE - THAMES WASTE - WASTE COMMENTS

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses 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.

INFORMATIVE - THAMES WASTE - PUBLIC SEWERS AND WATER MAINS

There are public sewers crossing this site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building over / diversion application form, or other information relating to Thames Waters assets be required, the applicant should be advised to contact Thames Water Developer Services on 0845 850 2777. There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 3 metres of them and will require 24 hours access for maintenance purposes.

INFORMATIVES - THAMES WATER - WATER MAIN DIVERSIONS

There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

INFORMATIVE - RESIDENTS AND BUSINESSES LIAISON GROUP

The makeup of the Residents and Businesses Liaison Group that is required to be established under condition 68 is to be agreed in writing with the Council prior to its establishment.

INFORMATIVE - GAS HOLDERS

The applicant is encouraged to explore the potential for reusing reclaimed materials from the gas holders.

INFORMATIVE: In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our development plan comprising the London Plan 2011, the Haringey Local Plan 2013 and the saved policies of the Haringey Unitary Development Plan 2006 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant during the consideration of the application.

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07/04/2014

Emma Williamson
Head of Development Management
Planning Service

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APPEALS TO THE SECRETARY OF STATE
TOWN AND COUNTRY PLANNING ACT 1990

Notes for guidance about appeal procedures in England.

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town & Country Planning Act 1990.

- If you want to appeal then you must do so within six months from the date of the local planning authority's decision against which you are appealing or if the decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice you must appeal within 28 days of the date of this notice. If an enforcement notice is subsequently served then you have 28 days from the date of the enforcement notice or 6 months of this decision whichever period expires earlier, using a form which you can get from:-

  The Planning Inspectorate
  Temple Quay House
  2 The Square
  Temple Quay
  Bristol
  BS1 6PN

  Tel: 0117 372 6372 Fax: 0117 372 8782

  www.planning-inspectorate.gov.uk

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this unless there are special circumstances which excuse the delay in giving notice of appeal.

- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provision of the development order and to any directions given under the order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

- In these circumstances, the owner may serve a purchase notice on the London Borough Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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Compensation

- In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on an appeal or on reference of the application to him.

- These circumstances are set out in Parts IV and V and related provisions of the Town and Country Planning Act 1990.

Appendix 3 – S69a Approval HGY 2015.3777, S69a Approval HGY 2015.3778, S69a Approval HGY 2015.3779, S69a Approval HGY 2015.3780, S69a Approval HGY 2015.3781, S69a Approval HGY 2015.3783, S69a Approval HGY 2016.0049