



Appeal Decision

Hearing Held on 16 March 2021

Site visit made on 21 March 2021

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: Saturday, 08 May 2021

Appeal Ref: APP/Y5420/W/20/3260114

10 Gourley Street, Tottenham, London, N15 5NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Twin Attitude Limited against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2020/1183, dated 13 March 2020, was refused by notice dated 18 August 2020.
 - The development proposed is roof extension to provide 2 additional floors.
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Decision

1. The appeal is dismissed.

Applications for costs

2. At the Hearing an application for costs was made by the applicant against the Council. This application is the subject of a separate Decision.
3. At the Hearing an application for costs was made by the Council against the applicant. This application is the subject of a separate Decision.

Preliminary Matters

4. The description of development given on the application form differs from that on the notice of decision. I established at the hearing that the description of development given on the notice of decision refusing the planning application, *'Addition of two floors to existing warehouse to provide new storage and office space and other ancillary facilities'* was agreed by the parties. I have therefore had regard to that description of development in this decision.
5. An agreed statement of common ground was supplied by the parties on the eve of the hearing. A further copy was supplied during the hearing and I have had regard to that as part of this decision.
6. During the course of the appeal the London Plan 2021 was adopted as part of the development plan for London. As a consequence, the London Plan 2016 has now been superseded and is no longer part of the development plan. I am required to have regard to the development plan in place at the time of my decision therefore I will be referring to the policies of *'The London Plan 2021, The Spatial Strategy for Greater London, March 2021'*

(LP2021) where they are relevant to this decision. This was agreed by the parties at the hearing.

7. The notice of decision refusing planning permission for the proposed development refers to 'Local Plan 2017'. I have taken this to mean the *'Haringey Local Plan, Strategic Policies 2013-2026 (formerly the Core Strategy), adopted March 2013 and consolidated with alterations since 2017'* (LP) and where relevant I have had regard to its policies.
8. A draft s106 agreement has been submitted as part of the appeal documents. I note that this has not been agreed or signed by the parties. I will deal with the position of the s106 agreement, the need for it and its compliance with the relevant regulations and policy as part of the main issues set out below.

Main Issues

9. The main issues in the consideration of this appeal are:
 - the effect of the proposed development on the coordinated and comprehensive redevelopment of the Gourley Triangle;
 - the effect of the development on the character and appearance of the area, with particular regard to its size, scale, and general design;
 - the effect of the development on parking in the area and the need for parking for disabled people;
 - the contribution of the development to minimising energy demand and its contribution to renewable energy production;
 - the contribution of the development to the improvement of local ecology, biodiversity and urban greening and its effect on the adjacent Site of Importance for Nature Conservation (SINC); and,
 - The requirement for a S106 agreement to address the matters related to local employment and low skills, provision of a contribution towards sustainable transport and establishing a car free development and a reduction in the levels of carbon produced by the development.

Reasons

Masterplan

Coordinated and comprehensive redevelopment of the Gourley Triangle

10. The site lies within an area of mixed commercial and residential uses off Seven Sisters Road, a major transport corridor in the area. Seven Sisters Road itself, Gourley Street, Gourley Place and Durnford Street form what is known as the Gourley Triangle as identified in the Tottenham Area Action Plan.
11. The current uses in this area are densely grouped around narrow streets to the rear of Seven Sisters Road, with railway lines defining the other two sides of the 'triangle'. Outside these concentration of uses is a building supplies superstore with car parking, this part of the 'triangle' has a different character and appearance to the rest of the area.

12. The uses around the appeal site range from residential, along Seven Sisters Road, to mixed commercial, office, retail, and services in the streets to the rear. The mixed quality of the premises, the variation in boundary treatments (from fences to walls, including steel gates and roller shutters), the quality of the existing public realm and the narrowness of some of the streets gives the area to the rear of Seven Sisters Road a timeworn character.
13. The proposed development would introduce a four-storey building in the area which would extend across the whole of the current site. It includes the upward extension of an ancillary building which extends across the end of Gourley Street. It would be used for warehousing and office purposes and contains a provision for cycle parking. Servicing and deliveries would take place from Gourley Street. There is existing parking alongside the building.
14. The Council has developed a detailed suite of policies and proposals for the area through the LP, the Development Management Development Plan Document, adopted in July 2017 (DPD) and the Tottenham Area Action Plan, adopted in July 2017 (AAP). The appeal site is allocated in the Tottenham AAP for redevelopment.

Requirement for a masterplan

15. As an allocated site Policy DM55 of the DPD requires all development proposals within it to be accompanied by a masterplan. It expects the master plan to demonstrate that the proposal will not prejudice the future development of other parts of the site, adjoining land or frustrate the delivery of the site allocation or the wider outcomes sought. Moreover, the policies expects applicants to have engaged with and sought the views of landowners and occupiers of other parts of the allocation.
16. However, the policy recognises that development proposals might come forward before a masterplan has been prepared. However, in these cases the Council still expects proposals to demonstrate that they will not compromise delivery of the outcomes sought by the site allocation.
17. It is clear from the evidence presented with the appeal, and at the hearing, that the appeal proposal was not accompanied by a masterplan. However, the appellant has provided evidence to show that other planning applications had been submitted to the Council for the appeal premises, since the adoption of the DPD and the AAP, where the Council did not require the submission of a masterplan.
18. This the appellant argued demonstrated an inconsistent approach to the application of the policy. Moreover, the appellant also argued that it was the Council's responsibility to produce a masterplan for the area because if this responsibility was left to landowners and developers there is a risk of competing or conflicting masterplans being produced.
19. I note the appellant's position. However, it is clear from the policies of the development plan that a masterplan is required for all developments in the site allocation area. Furthermore, and in order to reduce the risk of competing or conflicting masterplans being produced, highlighted by the appellant, the policy requires liaison between landowners and occupiers before development proposals are considered by the Council. I consider that

the policy gives applicants sufficient guidance so that they are able to submit policy compliant proposals.

20. The appellant stated at the hearing that they had engaged with neighbouring landowners or occupiers. However, I was provided with no evidence to support this assertion. Moreover, there have been representations submitted, which state that the appellant had not engaged with other landowners and businesses in the area.
21. With regard to the previous proposals to alter the appeal building and the alleged inconsistent application of the policy it is clear that they were smaller in scale than the current application. Moreover, the applications were submitted soon after the adoption of the DPD and the AAP. Therefore, there is consistency with clause C of Policy DM55 which refers to an 'interim period' where a masterplan is to be prepared but has not come forward.
22. From the evidence I heard both the previous applications on the site referred to by the appellant were accompanied by statements that demonstrated that they would not compromise the delivery of the outcomes sought by the site allocation.
23. However, the current appeal proposal was submitted around 3 years after the adoption of the DPD and AAP. It is therefore not unreasonable, given the length of time since these policies were adopted, that the Council should require a masterplan to be submitted with the appeal proposal. I would not therefore regard this proposal as being submitted within any 'cooling period' which was referred to at the hearing.
24. Whilst the appeal proposal was accompanied by a '*Planning and Design and Access Statement*' this document contains little detail about how the proposal would relate to surrounding development, apart from stating that the development would not compromise delivery of the site allocation. No further explanation is given. It appears therefore that this document would be insufficient to demonstrate that the proposal would not compromise the delivery of the outcomes sought by the site allocation.
25. The previous applications related to a single additional floor and the raising of the single storey addition at the rear of the existing building. The completed development would have a pitched (ridge) roof.
26. The appeal proposal would add two additional floors, incorporate the extension to the single-story rear part of the building and, in addition, raise the height of the attached building which extends across the end of Gourley Street from one to four floors. The completed development would have a parapet wall surrounding a low-pitched roof which would not be visible from street level.
27. I consider that in view of the increase in floorspace that this proposal is significantly different in scale to the two previous applications and therefore would have a different impact upon the local area. Therefore, and in this respect, this would have justified the Council in requiring a masterplan for this application in accordance with Policy DM55.
28. In conclusion it is clear to me that given the scale of the appeal proposal, the lack of detail in the proposal about its impact on neighbouring sites and

the lack of any evidence concerning engagement with neighbouring landowners or occupiers, that the appeal proposal is in conflict with Policy DM55 of the DPD.

Harm to the purpose the masterplanning requirement is meant to achieve

29. Within its policy framework the Council has specific aims for the area which include in Policy SS4 191 units of residential use and 6600m² of commercial floorspace. It anticipates development in the allocation of renewed employment uses and flexible workspaces around the knowledge economy. Other requirements include providing rear servicing of the development on Seven Sisters Road, provision for taller buildings along Seven Sisters Road, protection, and enhancement of the Site of Importance for Nature Conservation (SINC), improvement of the public realm and provision of a pedestrian crossing of the rail line.
30. Whilst the development would provide additional employment opportunities in the local area it is clear that it would be a substantial development. As a result, and without a detailed analysis of how it would impact on adjacent land uses, risks prejudicing the aims the Council has for the area.
31. For example, the development would block the end of Gourley Street where this meets the railway embankment. This could have implications for how the embankment could be accessed in the future. It also would lead to the site being virtually 100% covered with tall buildings and this could have implications for any improvements in the public realm proposed for the area.
32. Consequently, the appeal proposal would prejudice the development of the allocated site and therefore harm the purposes of the development plan policies for the area. The development is therefore in conflict with Policy DM55 of the DPD, Policy AAP1 of the AAP and Policy SS4 of the AAP.

Conclusion on Main Issue 1.

33. I find that the appeal proposal is in conflict with Policies DM55 of the DPD and AAP1 and SS4 of the AAP, which seeks, amongst other things, a comprehensive and coordinated mix use development in the area, as it fails to provide a masterplan or to demonstrate that it will not compromise the delivery outcomes sought by the site allocation.
34. Furthermore, the appellant has not demonstrated whether, and to what degree, neighbouring landowners/occupiers have been consulted or engaged on the proposal as is required by the policies. Moreover, the development has the potential to prejudice the aims of the Policies in terms of its relationship to the railway embankment to the rear of the site and the lack of opportunity to introduce any public realm improvements together with the development.

Character and appearance of the area

35. The area is characterised by mixed use development which includes housing and employment. The entrance to Gourley Street is flanked by brick buildings which step down from the taller buildings along Seven Sisters Road. To the right off Gourley Street is Gourley Place which is a narrower road with brick commercial premises to the left and the backs of the premises on Seven Sisters Road to the right.

36. The majority of the buildings along Gourley Place and Gourley Street are two storey and constructed of brick. The exceptions are buildings to the left of Gourley Street when facing the railway embankment and a building at the far end of Gourley Place from its junction with Gourley Street which are partly constructed of blockwork and steel cladding. These buildings also front on to Seven Sisters Road.
37. The appeal building is currently two stories in height with a brick ground floor and blue cladding above. It has a low-pitched roof and windows. The appeal proposal would result in a further two floors being added which would be clad in blue metal to match that on the existing building. The pitched roof would be contained behind a metal parapet and the building would appear to have a flat roof from street level.
38. At its rear is a narrow single storey building which crosses the end of Gourley Street, between the street and the railway embankment. This building currently has a link at ground floor level with the main building. The appeal proposal would see this building raised in height to four stories to match the main building across the width of Gourley Street.
39. It was clear at the hearing that the appeal proposal would significantly increase the size, massing, and bulk of the building in this location. The height would be increased, and the pitch roof would be lost behind a parapet wall. The building would present a slab-sided appearance to Gourley Street and Gourley Place. The increase in size to the extension would block views currently available from Seven Sisters Road and Gourley Street of the trees and vegetation along the railway embankment.
40. As a consequence, the proposal would harm the character and appearance of the area as it would create a prominent and discordant element in the street scene when viewed from the junction of Gourley Street and Seven Sisters Road. It would be significantly higher than other buildings at the rear of Seven Sisters Road. It would appear to have a flat roof and the blue profile metal cladding would add to its incongruous and prominent appearance in the locality.
41. Moreover, the increase in height of the building across the end of Gourley Street would block views of the trees and vegetation on the railway embankment. Consequently, there would be little relief from the built development in the area, which would further harm the areas character and appearance.
42. Policies SP11 of the LP and DM1 of the DPD seek to promote high quality design in the Borough. In particular both seek to deliver design through new development that respects local context and relates positively to the local area. Policy DM1 singles out height, form, scale, and massing as being of importance. I find that the appeal proposal would be in conflict with the policies of the development plan as it would fail to respect local character by reason of its height, scale, bulk, massing, and materials in relation to the surrounding area.
43. Moreover, Policy SP11 makes reference to proposals promoting high quality landscaping both on and off site. The appeal proposal would close down opportunities for users of the area to appreciate the landscape which surrounds the building by blocking off views of the vegetation at the end of

Gourley Street to the further detriment of the character and appearance of the area.

44. In addition to the buildings external appearance the Council have argued that the building has a poor-quality internal layout which results in poor access arrangements, inadequate provision of natural light and ventilation. In support of this argument they have cited Policy DM1 in particular as well as SP11. However, having examined these policy it appears to me that they are constructed to protect the living conditions of those occupying dwellings rather than to protect the working conditions of those using offices. I therefore find no conflict between the appeal proposal and these policies of the development plan.

Parking pressures in the area

45. It is apparent that the proposal is an extension to an existing building within a constrained site and proposes no additional car parking spaces. Moreover, the site lies off a Red Route and in a Controlled Parking Zone (CPZ). However, it does lie in an area with a good Public Transport Accessibility Level (PTAL level 6a) being within walking distance of the Seven Sisters Transport Interchange.
46. The existing car parking area on the site appears to have been in existence for some time and no proposals to alter this parking area are included in the appeal proposal. There are no current disabled persons carparking spaces on the site and there are no proposals to provide a disabled person's space in the current scheme.
47. The appellant has stated that the development would generate additional jobs. This would inevitably lead to more people being on the site during working hours and potentially lead to more people seeking to access their work using a car. Currently they would be eligible to apply for a car parking permit from the Council to enable them to park in the CPZ.
48. However, from the evidence at the hearing, the area is subject to severe parking pressure as demonstrated by its location within a CPZ, has a high PTAL rating and there are alternative and accessible means of transport available. As such the Council has accepted that the development could be classed as a development with limited or no on-site parking.
49. In order for the development to be considered in these terms the applicant would need to enter into a legal agreement with the Council so that any new employees, employed on the site would not be able to apply for a parking permit. As part of this agreement the appellant would need to pay a fee in order to amend a parking order. This has been set out in a Community Infrastructure Compliance Schedule supplied by the Council.
50. The appellant does not accept that the restriction on parking on the site is a sustainable transport measure and therefore it is not appropriate for the Council to seek to impose this requirement on the development.
51. Furthermore, the proposed agreement and charge to change the parking order is not accepted by the appellant. Therefore, the appellant has not included this requirement in either the unsigned s106 agreement submitted before the hearing or the signed Unilateral Undertaking submitted after the hearing.

52. It is clear from the site's location and the amount of businesses in the area that car parking within Gourley Street and Gourley Place is limited and will be under severe pressure. It is equally clear that the scale of the proposed extension has the potential to create new jobs where new employees might drive to work and thereby increase that pressure.
53. The Council's requirement for the appellant to enter into a legal agreement to prevent any new employees from obtaining a parking permit is necessary in order to make the development acceptable in planning terms. This is because the proposal has the potential to increase the demand for on-street parking in the area. It has also been demonstrated that the area is under parking pressure and has good access to public transport.
54. It is equally clear that the requirement relates directly to the increase in floorspace at the appeal site and consequently the increase in the number of employees and the potential for them to access the site by car. Finally, the requirement is also fairly and reasonably related in scale and kind to the development in that it would apply to the extended building itself and the new employees.
55. I find therefore that the Council's requirement for a legal agreement to ensure that users of the development are not entitled to a parking permit, unless they hold a disabled persons permit, meets the requirements of the legal tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and paragraph 55 of the National Planning Policy Framework (the Framework).
56. The Council also considers that the proposed development should provide at least 1 disabled parking space. From the evidence I heard at the hearing it was agreed between the parties that this space could be provided on land adjacent to the building and accessed from Gourley Street.
57. Policy DM32 of the DPD supports proposals for new development with limited or no on-site parking where there are alternative accessible means of transport, where the PTAL rating is at least 4, a CPZ is in existence and parking is provided for disabled people.
58. However, in order to give effect to this policy the Council requires a legal agreement in order to ensure that new employees are prevented from applying for parking permits in the area and that the development is 'car capped' at its existing levels. Furthermore, the Council requires the appellant to agree to pay the administration costs of amending the local parking order.
59. In the absence of such an agreement the proposal is in conflict with this Policy and the Planning Obligations Supplementary Planning Document (SPD) which sets out the requirement for a financial contribution to implement the parking controls. However, and in terms of the provision of a parking space for disabled people I am satisfied that there is space to make this provision at the front of the building alongside Gourley Street and that this is capable of being addressed through an appropriately worded condition should I be minded to allow the appeal.

Energy demand and provision of renewable energy

60. The Council requires an energy statement and overheating strategy for the development in order to ensure that the development minimises its energy

demand and its reliance on air conditioning systems to cool the building. The appellant has not supplied the statements and strategy the Council has defined as necessary.

61. Policy SI2 of the LP2021 expects, amongst other things, major development proposals to include a detailed energy strategy to demonstrate how its zero-carbon target will be met within the framework of the energy hierarchy. The LP2021 also expects at Policy SI4 major development proposals to demonstrate how they will reduce the potential for internal overheating and reliance on air conditioning systems.
62. The LP at SP4 seeks to reduce energy use in buildings with an expectation that all new non-residential development shall be zero carbon by 2019. Finally, the DPD at DM21 seeks to resist development proposals that fail to demonstrate adequate consideration for sustainable design layout and construction techniques.
63. Both the appellant and the Council accept that the appeal proposal is a major development due to the amount of new floorspace being created. Therefore, and in accordance with the terms of the policies covering this matter statements should have been provided setting out how the energy consumed by the development is to be reduced and how the building would be cooled without the reliance on air conditioning.
64. The appellant has argued that the requirements for the statements are not necessary as the proposal is for a commercial use and the policies are aimed at residential uses. Moreover, the appellant contends that these requirements should have been asked for at the validation stage of the application. Furthermore, if these measures are required at all then it would be appropriate to deal with them through the use of conditions or as part of the S106 agreement.
65. I do not agree. The policy requirements are clear in stating that they apply to development and not just residential development. Whilst there is a case for arguing that the appellant should have been notified about the requirements at the validation stage, it is still clear from the policies what is required with an application of this nature. I therefore do not accept that simply because the Council failed to bring to the appellant's attention the need for these statements at the validation stage that they are not necessary.
66. Finally, whilst certain aspects of the requirements of these policies are capable of being dealt with through a condition and/or s106 agreement the requirements are more effective if they are designed and built into the development at its inception.
67. I find therefore that for the reasons given above the proposal is in conflict with Policies SI2 and SI4 of the LP2021, Policy SP4 of the LP and Policy DM21 of the DPD.

Effect on the Site of Nature Conservation Importance

68. The rear of the site abuts a railway embankment which has been identified as a Site of Importance for Nature Conservation (SINC). This area contains trees and other vegetation and is visible from where Gourley Street meets

Seven Sisters Road. This vegetated area is in contrast to the rest of the Gourley Triangle and its surroundings which is heavily built up.

69. The proposal would cut off a visual link between the SINC and the surrounding streets. It would also introduce multi storey buildings on the boundary of the appeal site with the SINC. I have seen no evidence in the form of tree surveys or other surveys with the appeal proposal which would show how the appeal proposal would affect the nature conservation value of the SINC.
70. At the hearing the appellant's case was based, to a large extent on the absence of an objection from Natural England (NE), as a justification for the lack of any evidence of the effect of the development on the SINC. However, as the Council pointed out at the hearing, NE do not routinely comment on planning applications, especially where the site concerned is not of national or international importance. Furthermore, the appellant argued that the previous applications did not require information concerning their impact on the SINC and this proposal was similar in that it was simply extensions to existing buildings.
71. I consider that the appeal proposal is significantly different to the previous applications on the site as it introduces taller buildings to the rear of the site, adjacent to the SINC. Moreover, it would introduce a tall building across the end of Gourley Street and block light reaching the SINC from that direction. Consequently, it has the potential to harm any nature conservation interest within the SINC which lie directly behind the appeal site through the loss of direct sunlight. It is not unreasonable, as part of the planning application process, for the Council to ask for the appropriate surveys so that the decision taker can fully understand the extent of the effect of the development on the SINC. This would allow for any mitigation to be included in the application.
72. Policy G5 of the LP2021, SS4 of the AAP, SP13 of the LP and DM1, DM19, and DM21 of the DPD all seek to protect green areas in London, ensure that major development contributes to urban greening, improve biodiversity in nature conservation areas (including SINCs) and identify any nature conservation assets that might be affected by the proposal.
73. I find that the absence of any information indicating how the development would affect the SINC is in conflict with these policies of the development plan. I note that the applicant stated that they would have expected to have been notified during the course of the application if this information had been necessary. However, it is clear from the policies of the development plan that the site is adjacent to a SINC and that for a major development of the appeal type information should have been included with the proposal to show how it would impact on the SINC. In the absence of such information the proposal is in conflict with the relevant policies of the development plan set out above.

The requirement for a s106 agreement

74. An unsigned draft s106 agreement was submitted as part of the appeal documentation. The requirements of the draft agreement were discussed at the hearing. At the hearing there appeared to be some measure of

agreement between the parties on the need to address employment and skills and carbon offsetting as part of a s106 agreement.

75. As there was no signed agreement in place at the time of the hearing and there had been some movement in the positions of the parties at the hearing I considered it reasonable to give some time after the hearing for the parties to submit a signed agreement. I also explained it was open to the appellant to submit a Unilateral Undertaking if no agreement could be reached.
76. It is clear that no agreement between the parties has been reached over the content of any s106 agreement. The appellant has also submitted a UU to cover some of the matters referred to by the Council. However, the UU does not cover sustainable transport initiatives.
77. The Council require any s106 agreement to cover matters relating to employment and skills provision, sustainable transport initiatives and carbon off-setting. The need for sustainable transport initiatives and its compliance with the regulations and policy relating to this has been covered above in the section of this decision relating to parking. Therefore, there is no need to repeat that here.
78. The UU covers the need to provide for local labour and training initiatives in the proposed development. The LP recognises in Policies SP8 and SP9 that there is a need to improve skills and training to support access to jobs in the borough. The Planning Obligations Supplementary Planning Document (SPD) of March 2018 explains the LP's requirement to improve the skills base in the area and sets out that all major developments will need to contribute to local employment and training.
79. The development itself would provide employment during the construction phase and through its life. I therefore regard the requirement for a s106 agreement to address this matter as complying with the tests set out in the Regulations and the Framework.
80. The UU also covers the issue of carbon offsetting and the need for a sustainability review. In terms of the scale of the development and the relevant policies of the development plan, in particular Policies SI2 and SI4 of the LP2021, SP4 of the LP and DM21 of the DPD I find the requirement for a s106 agreement to cover this matter as complying with the tests set out in the Regulations and the Framework.
81. I have some concerns about the document itself, in particular whether in the areas of employment and skills and carbon off-setting it would produce the outcomes the policies of the development plan and the Council are seeking. For example, it was made clear by the Council at the hearing that the contribution towards carbon offsetting was based on £95 per annum, per tonne and this is not made clear in the UU. With regard to employment and skills there is no definition given in the UU of the '*Approved Employment and Skills Plan*' referred to at paragraph 4.2.3.
82. As I intend to dismiss the appeal for other reasons, I have not pursued these matters further with the main parties. Nonetheless, as it stands and for the reasons given in the previous paragraphs, I am not satisfied that the UU would make adequate provision for carbon offsetting and local labour and training initiatives to support local employment as required by the policies of

the development plan. It does not address sustainable transport initiatives at all. However, I have dealt with this matter earlier in this decision.

83. I therefore find that the draft s106 agreement submitted with the appeal documentation and the UU submitted by the appellant do not adequately address the matters related to local labour and training initiatives, sustainable transport, and a financial contribution to carbon off-setting. In the absence of such an agreement the proposal is in conflict with Policies SI2 and SI4 of the LP2021, Policies SP4, SP7, SP8 and SP9 of the LP and Policies DM21, DM31 and DM32 of the DPD.

Other matters

84. It was brought to my attention at the end of the hearing that the Council has been in touch with the appellant concerning the future of the site, after the application which is the subject of this appeal was refused. Whilst I have noted that this approach was said to have taken place it has no bearing on the matters at issue in this appeal.

Planning Balance

85. The appellant has stated that the business needs to expand, and the appeal proposal provides that opportunity. Additionally, it would provide an increased number of jobs at the site. I give limited weight to the increase in jobs at the site as the amount of new jobs to be created by the development was not specified at either the hearing or in the appeal documentation.
86. The proposed development would address the need for a disabled car parking space on the site. I give this matter limited weight as this would be required in any development of this nature.
87. In sustainability terms the proposal would have photovoltaic panels (PV) installed on its roof and provide for covered cycle parking in a dedicated building. I give neutral weight to these provisions as the Council is seeking sustainability gains in other ways, particularly in relation to sustainable transport and carbon reduction which the appellant has only partly accepted.
88. On the other hand, the proposal has failed to demonstrate, through the provision of a master plan and evidence of liaison with other landowners and occupiers in the area, how it would conform with the policy requirements for the area set out in the development plan. This means that the proposed development could prejudice the objectives the Council has for the area through its development plan. I give this conflict between the appeal proposal and the development plan substantial weight in this appeal.
89. The proposed development has also failed to demonstrate how it would integrate with the area and harmonise with its character and appearance as required by the policies of the development plan. Moreover, the proposed development would harm the character and appearance of the area through its design, materials, site coverage and height. I give this conflict with the policies of the development plan substantial weight in this appeal.
90. The proposed development has not demonstrated how it would deal with the potential increase in employees potentially travelling to work by private cars. In an area which is currently under significant parking pressure and with a

good access to public transport. I give this matter substantial weight in this appeal.

91. There has been no assessment of the energy consumption of the proposed development nor has there been any assessment of how the building shall deal with overheating without the need for air conditioning as required by the development plan. I have referred to the proposal to install solar PV on the roof of the building. However, in the absence of the required assessments, I can give no weight to this provision as the required assessments, together with the measures that might result from them could mean that they would reduce the building's energy consumption even further.
92. There was no assessment with the proposed development of its effect on the SINC to the rear of the site. In the absence of such an assessment it is not clear whether the development would affect the nature conservation interest of the SINC. It is likely that some effect would occur due to the increase in height of the buildings on the boundary with the SINC. The policies of the development plan seek to protect the SINC from proposals that would harm its nature conservation interest. I give substantial weight to the protection of the SINC in this appeal and therefore the conflict with the policies of the development plan.
93. In the absence of a legal agreement to cover matters relating to local labour and training initiatives, sustainable transport initiatives and to provide a financial contribution towards carbon offsetting the appellant submitted a UU. Whilst the UU covers the matters relating to labour and training initiatives and carbon offsetting it does not cover sustainable transport initiatives. Furthermore, there are deficiencies in the UU as submitted by the appellant that would mean it would not be effective in addressing these issues. I therefore give limited weight to the UU in addressing the issues referred to by the Council.
94. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals for development are determined in accordance with the development plan unless material considerations indicate otherwise. Whilst there are material considerations that weigh in favour of the appeal proposal these are of insufficient weight to outweigh the provisions of the development plan which strongly indicate that the proposed development is in conflict with its aims and objectives.

Conclusion

95. For the reasons given above the appeal is dismissed.

Peter Mark Sturgess

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Ms Nana Appiah – Planning Consultant

FOR THE COUNCIL

Mr Christopher Smith – London Borough of Haringey

Mr Robbie McNaugher -London Borough of Haringey

Document submitted at the hearing

Statement of Common Ground