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To: All Members of the Cabinet

Dear Member,

Cabinet - Tuesday, 24th January, 2017

I attach a copy of the Regulatory Committee minutes which contain their comments in relation to the following Cabinet agenda items for the above-mentioned meeting which were not available at the time of collation of the agenda. This is in line with part three of the Council constitution, section B, and paragraph D which requires the Regulatory committee to make informal recommendations to Cabinet on planning policy matters.

- 8. VIABILITY ASSESSMENTS - SCRUTINY REVIEW AND CABINET RESPONSE TO RECOMMENDATIONS (PAGES 1 - 2)**

- 10. WOOD GREEN AREA ACTION PLAN (PAGES 3 - 6)**

- 11. COMMUNITY INFRASTRUCTURE LEVY [CIL] (PAGES 7 - 8)**

Yours sincerely

Ayshe Simsek,
Principal Committee Co-ordinator

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Regulatory Committee Minutes 17th January 2017**236. HOUSING VIABILITY ASSESSMENTS- RESPONSE TO SCRUTINY REVIEW**

The Committee considered the report on Housing Viability Assessments – response to the Scrutiny Review, as circulated in advance of the meeting. Emma Williamson, AD Planning, gave an introduction to the report, and outlined the recommendations of the Scrutiny review and the service response, as set out in the report.

The Committee discussed the report, and the following points were raised:

- In response to a question from the Committee, it was confirmed that the Council's Planning Obligations SPD, currently being prepared, would align with the Mayor of London's Affordable Housing and Viability SPG.
- The Committee asked whether the Council had in place a mechanism to ensure planning obligations for affordable housing are monitored, and it was confirmed that this was the case; a review was undertaken on an annual basis when returns were being prepared for submission to the London Development database and the housing team also monitor when they agree nominations. It was recognised, however, that there was scope to improve this process, and it was proposed that a new post would be created in order to monitor compliance on major applications for conditions and obligations (including affordable housing), enabling the Council to be more proactive in its approach.
- The Committee noted the recommendation around providing training for the Planning Committee, and sought clarification of the purpose of this training given that this is a specialist and expert area. Officers advised that this would largely be in order to increase Members' confidence in the viability assessment process and to equip them with the tools to analyse the information they were provided with, in order to be able to identify any anomalies. The AD Planning also advised that she would be happy to go through viability assessment data in detail with Members of the Committee where they felt that this would be useful, separate from the Planning Committee meetings.
- The Committee welcomed the report for its accessibility, and asked how public confidence in the housing viability assessment process could be increased. The AD Planning advised that the decision to make it the Council's default position that viability assessments should be published in full prior to the determination of the planning application was intended to increase confidence in the process. It was further noted that the Mayor of London's Affordable Housing and Viability SPG and the London-wide viability protocol had helped, as these facilitated a joined-up approach across London. It was suggested that ways of increasing public confidence in the viability assessment process was something to be covered in the Members' training programme.
- In response to a question from the Committee on how the Council negotiated with developers when they stated that it was not possible to provide social or affordable units as part of a development, the AD Planning advised that negotiations were based on factors including what had been previously agreed at the site and what had been agreed elsewhere, and that a maximum reasonable level of affordable housing provision was usually reached. The Council's viability consultant scrutinised the assessment provided to ensure

that issues such as build costs had not been overestimated, or sales estimates understated, and if the Council was not comfortable with what was being proposed then the profit margin on the development would be reduced. The Committee noted concerns that the figures developers provided to Local Authorities differed from those they provided to their lenders, and it was agreed that this was another aspect that could be covered in the Members' training programme.

- The Committee expressed concerns regarding the lack of provision of social rented housing in particular; it was noted that the Council was in a difficult position as the result of the Government's definition of 'affordable' housing, which enabled developers to offer provision other than social rented units and to still meet their obligations. It was noted that the Council had more control when developments were proposed on land owned by the Council, however, and it was also set out in the Housing Strategy that 3 bed- and above units should be provided at 50% target rent.

RESOLVED

- i) That the Regulatory Committee note the Planning Service's response to the Scrutiny Panel report.
- ii) That the Regulatory Committee recommend to Cabinet that the response be approved.

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238. WOOD GREEN AREA ACTION PLAN

The Committee considered the report on the Wood Green Area Action Plan (AAP), as circulated in advance of the meeting. Cllr Goldberg, Cabinet Member for Economic Development, Social Inclusion and Sustainability gave an introduction to the report, setting out the context for the AAP and the ambitions for the area. The Committee also received a presentation from Gavin Ball, Planning Policy Officer, setting out the wider network of London Town Centres, the strengths, weaknesses, opportunities and threats affecting the area, the preferred option for significant transformation of the area following a consultation undertaken in 2015, the community priorities for the town centre, sustainable growth and neighbourhoods, the vision and objectives for the AAP, the town centre offer, managing growth, Wood Green character areas and views of Alexandra Palace from the east of the borough, area-wide policies, site allocations, housing and job outputs, infrastructure and the timetable for developing the AAP.

The following points were raised by the Committee as they asked questions of the officers and Cabinet Member regarding the report and information presented:

- While it was noted that there was no scope for developing large green spaces in the area, the Committee urged that the Council be more ambitious and innovative in its delivery of green spaces and addressing sustainability issues as part of the AAP including innovative building design incorporating green features and SUDS, and felt that the scale of the change proposed provided the opportunity to do so.
- It was felt that Haringey did not have the same 'sense of place' as other London boroughs, and the AAP may provide an opportunity to address this. It was felt that having a single Crossrail 2 station based at Wood Green would help to create more of a sense of identity for the area, as well as creating better links with Alexandra Palace. The Committee asked whether there was any scope for the name of the new station to address this. The importance of ensuring that the area was liveable was also emphasised, and the creation of new spaces where people could congregate and socialise.
- It was felt that there was a negative perception of Wood Green which needed to be addressed in order to encourage businesses to invest in the area. As a Metropolitan Town Centre, the area needed to be competitive and have its own distinct retail offer as well as providing more liveable space.
- On a technical point, the Committee commented that the maps illustrating the AAP were too small, including the online versions, and officers agreed that this would be rectified.
- The Committee questioned whether it was unrealistic to state in the AAP vision that Wood Green would be "north London's most prosperous and liveable town centre" and asked whether it might not be more realistic to set out that Wood Green would be one of north London's most prosperous and liveable town centres instead.
- The Committee expressed some confusion regarding the last part of the final sentence of the 'Housing' section on page 6 of the draft AAP, which stated that

- ‘Existing planning policies will be used to ensure that... affordable stock levels are not reduced’, given that the transformation would surely lead to a significant increase in the amount of affordable housing.
- The Committee noted that on page 48 of the AAP, under ‘Decanting/Replacement of demolished stock’, finding suitable local relocation opportunities was stated not to be a planning matter but there was an expectation that the increase in local housing stock, including affordable housing stock, would improve the area’s ability to meet housing need. The Committee felt that stronger reassurance was required for those residents affected by the proposed demolition of their homes with regard to their ability to be re-housed locally, and there was concern that the document represented an overconfident approach to the relocation of residents, with particular reference to Sky City, located above Shopping City. Officers advised that the Council had begun to engage with the Metropolitan Housing Trust and residents of Sky City, and would be holding events to meet with residents soon. The Council wanted to commit to re-housing the affected residents within Wood Green by providing housing at an appropriate rent level, and it was felt that the wording could be amended to make that clearer.
 - The Committee noted that a failure to attract larger retailers had been identified as a threat to the area, however it was proposed at page 40 of the site allocations document that it was proposed to demolish the existing larger retail units located at 16-54 Wood Green High Road, and the Committee expressed concern that this was inconsistent in approach. Officers advised that the opportunities to attract larger retailers to the area were finite, and that it was proposed that the primary retail area would be located around the new Crossrail 2 station / shopping mall, with larger units located in this area. The larger retail units on the east side of the High Road at present were of poorer quality, and it was therefore proposed for these units to be redeveloped to provide a greater density of smaller units at this location.
 - With regard to the possibility of redeveloping the Morrison’s site, as set out on page 20 of the site allocations document, the Committee felt that more explicit commitment should be provided to residents regarding the continued provision of a supermarket locally, as there was in relation to the sections on the sites of the library and job centre. Officers advised that this had not been set out more specifically as it was not felt that there was a risk that the market would not provide for a large supermarket in the Wood Green area, whereas it had been felt that there was a need to be more explicit in relation to other sites.
 - The Committee expressed concern at the wording in relation to Lordship Lane at page 85 of the AAP, where it said that ‘development should not draw focus away from the primacy of the town centre’, which would raise fears that this area of Wood Green would be neglected. It was felt that it would be more appropriate to say that any development in this area should enhance facilities for local people. Officers advised that the intention of this was to reflect that Lordship Lane was a secondary town centre location, and agreed that the wording of this section of the document should be revised.
 - The Committee noted that the AAP was based on the assumption that Crossrail 2 would be coming to Haringey and that there would be a single Crossrail 2 station located in Wood Green, and asked about the likelihood of this being the case. Officers confirmed that the AAP as drafted was predicated on a positive decision on Crossrail 2 and the decision for there to be a single Wood Green

Crossrail 2 station, and that if this was not the decision that was made, the plan would need to be revised. It was reported that the AAP was being put forward at this point in time, setting out the growth that could be achieved on the basis of Crossrail 2 going forward, in order to encourage the Government to choose this option. In response to a question as to why Option 4, which was dependent on the new station, was being pursued rather than Option 3, officers advised that the Council wanted to be as ambitious as possible in the AAP and that Option 4 was also the best placed to deliver housing growth, which was a key focus.

- The Committee asked about the challenges in delivering a retail offer in the context of the changing nature of retail. It was reported that the Council was learning from industry experts on this point regarding the need to rationalise the retail offer, and also the need to provide distinct areas that were different in character, for example leisure and office space, in order to attract businesses to Wood Green.
- The Committee noted that the Mayor of London's new Housing SPG would contain a number of conditions that may affect the content of the AAP and, that the AAP would need to be revisited once this was issued to ensure that it was consistent with this document.
- The Committee expressed a view that it was essential to address the issue of the travellers site, in order to achieve the maximum value from the current Civic Centre site. Officers advised that the Council was obliged to re-house any residents in the event that the travellers site were closed, and that the cost of this needed to be taken into consideration against the value that would be added to the Civic Centre site by doing so. It was confirmed that a cross-departmental group was currently working on the issues around the travellers site at present, including a needs assessment; the outcome of a current legal challenge to the proposed change in the Government definition of travellers was awaited and the impact of this would then be considered.
- The Committee noted that the area around Turnpike Lane had an identity as a destination for specialist shops and services relating to the Asian community and that this was something that should be taken into consideration as part of the plans.

RESOLVED

- i) That the Regulatory Committee consider the findings of the Wood Green AAP and Investment Framework consultation report, as set out in Appendix A.
- ii) That the Regulatory Committee provide comments on the "preferred option" Wood Green Area Action Plan ("AAP") for approval by Cabinet prior to statutory public consultation, as set out in appendix B. The comments of the Committee are recorded in the minute of the item above. The AAP sets out the following vision: *'Wood Green will be north London's most prosperous and liveable town centre. It will combine outstanding places for people to shop, socialise and create, with a wide range of businesses. It will be a focus for opportunity and growth, a productive economic capital for Haringey where people can come together, exchange ideas and create new series and products.'*

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237. COMMUNITY INFRASTRUCTURE LEVY (CIL) UPDATE

The Committee considered the report on the Community Infrastructure Levy (CIL) Update, as circulated in advance of the meeting. Matthew Patterson, Head of Strategic Planning and Policy, gave a presentation on the CIL review, setting out the current collection rates, background to the review and findings in terms of CIL rates, governance for distribution of CIL, the Regulation 123 list and proposed changes to the list, monitoring arrangements, the review of the s106 SPD and draft Charging Schedule and the timetable.

The following points were raised by the Committee during questioning and discussion of the report:

- The Committee asked why there was no proposed increase in CIL rates for the North Tottenham area, given the development of the new stadium in this area. Officers advised that it was not permitted to anticipate an uplift in values, and that at present no uplift in values in this area had been observed. There was therefore no basis on which to propose an increase to CIL rates in North Tottenham.
- In response to a question from the Committee it was confirmed that CIL was payable in full on commencement of development, with CIL on exceptionally large developments payable in instalments as set out by the Mayor of London. It was noted that developers were under a legal obligation to pay CIL at that point, and that fines could be issued where they did not comply.
- The Committee asked how decisions on the distribution of CIL was determined, and it was reported that it was proposed that this would follow the same process as the Capital Programme. The Committee felt that there should be a mechanism by which non-Cabinet Members were able to make suggestions regarding the distribution of CIL, and it was agreed that this was a comment that the Regulatory Committee would put forward to Cabinet.
- Cllr Mallett advised that as Cycling Champion, she would be able to put the Council in contact with local cycling groups as part of any consultation seeking suggestions for areas that would benefit from CIL funding.
- The Committee asked about the process for developing a Neighbourhood Plan and for an update on the current progress of the Crouch End Neighbourhood Plan. Officers advised that the first step was to get approval as a Neighbourhood Forum, after which point work could commence on developing a Neighbourhood Plan. It was reported that the Highgate Neighbourhood Plan was currently at the examination in public stage, and that this would then need to go to the respective Cabinets of both Haringey and Camden, and would finally go to a local referendum. Crouch End had been approved as a Neighbourhood Forum last year, and were now in the early stages of drawing up their Neighbourhood Plan. Officers advised that they were aware of the proposals for a Finsbury Park Neighbourhood Forum, and were awaiting an application in this respect. It was noted that a significant challenge was ensuring that the groups taking these projects forward were representative of the local community.

- The Committee noted that CIL funding was restricted to infrastructure projects related to growth.

RESOLVED

- i) That the Regulatory Committee note the proposal to update the CIL rate in Seven Sisters, St Ann's, West Green, Bruce Grove, Tottenham Green and Tottenham Hale wards,
- ii) That the Regulatory Committee note the updated Regulation 123 list which sets out what infrastructure the Council expects to spend CIL on.
- iii) That the Regulatory Committee note the proposals for Governance of CIL spend through the Capital Board.
- iv) That the Regulatory Committee recommend to Cabinet that this document is approved for Consultation, and comment that a process should be developed to enable non-Cabinet Members of the Council to contribute suggestions for the distribution of CIL.