



**Haringey Council**

<b>Report for:</b>	<b>Cabinet / 15 July 2014</b>	<b>Item Number:</b>	
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<b>Title:</b>	<b>Planning Authority Monitoring Report (AMR) 2012/13 and Supplementary Planning Document/Guidance (SPD/G) Review</b>
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<b>Report Authorised by:</b>	<b>Lyn Garner, Director Regeneration, Planning and Development</b>
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<b>Lead Officer:</b>	<b>Erik Nilsen / Anthony Franklin Strategic Planning and Transport Policy</b>
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<b>Ward(s) affected: All</b>	<b>Report for Key Decision</b>
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## **1 Describe the issue under consideration**

- 1.1 The Planning Authority Monitoring Report (AMR) is used to assess the effectiveness of Haringey's planning policies. It also reports on milestones in the Local Development Scheme (LDS). The AMR is a key feedback tool identifying how planning policies are performing and provides a robust basis to inform any future revisions to policies or their implementation. This AMR covers the year ending 31 March 2013. It is the first AMR to be prepared following adoption of Haringey's Local Plan: Strategic Policies.
- 1.2 In considering the performance of the Council's planning policies, and reflecting changes in the wider policy context and the Development Management Service Improvement Plan, a review of the borough's suite of Supplementary Planning Documents/Guidance (SPD/G) has been undertaken.
- 1.3 Findings of the review suggest that some documents are no longer relevant and may therefore hinder the functions of development management and further act as a barrier for investment in Haringey. Accordingly, the report seeks a decision to revoke or withdraw selected SPD/G documents with immediate effect.
- 1.4 Other remaining SPD/G will be saved until such time they may be appropriately replaced by new adopted policies.

## **2 Cabinet Member introduction**

- 2.1 The Localism Act 2011 requires the local planning authority to prepare performance monitoring reports on an annual (or more frequent) basis. The AMR is an important feedback tool used to justify and inform current and future policy directions.
- 2.2 In conjunction with the AMR, and in light of the adoption of Haringey's Local Plan and new national planning guidance, the SPD/G Review has been undertaken to ensure that the Council's supplementary planning guidance remains relevant. The review illustrates where guidance is no longer needed to ensure an effective and efficient policy framework.

## **3 Recommendations**

- 3.1 The Cabinet note and approve the Planning Authority Monitoring Report (AMR) for publication on the Council's website.
- 3.2 The Cabinet approve the revocation of the following supplementary planning guidance, pursuant to the Planning and Compulsory Purchase Act 2004 and associated regulations:
  - SPG11b – Buildings Suitable for Community Use (2003)
  - Housing Supplementary Planning Document (2008)
  - Wood Green Town Centre Supplementary Planning Document (2008)



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- 3.3 The Cabinet approve that an application is made to the Secretary of State for the revocation of the above mentioned guidance under section 25 of the Planning and Compulsory Purchase Act.
- 3.4 The Cabinet approve the withdrawal of the following guidance, pursuant to the Planning and Compulsory Purchase Act 2004 and associated regulations:
- SPG1ai – Major Applications Protocol (2004);
  - SPG1c – Strategic Views (2006);
  - SPG1d – Telecom Equipment, Including Satellite Dishes (2006);
  - SPG3c – Backlands Development (2006);
  - SPG4 – Access for all, Mobility Standards (2006);
  - SPG5 – Safety by design (2006);
  - SPG6c – Restaurants, Hot Food Premises, Use Class A3 etc (2006);
  - SPG7b – Travel Plans (2006);
  - SPG7c – Transport Assessment (2006);
  - SPG8f – Land Contamination (2006);
  - SPG8h – Environmental Impact Assessment (2006);
  - SPG9 – Sustainability Statement Guidance Notes and Sustainability Checklist (2006);
  - SPG10e – Improvements to Public Transport Infrastructure and Services (2006);
  - SPG11a – Car repair workshops and garages (2006);
  - SPG18 – Town Centre Retail Thresholds (2004);
  - Basement Guidance Note (2012);
  - Tottenham International Development Framework Section 1 (2003);
  - Tottenham International Development Framework Section 2 (2003); and
  - Tottenham International Development Framework Section 3 (2003).
- 3.5 The Cabinet note that the following guidance will be withdrawn by a decision of the Assistant Director of Planning and Building Control.
- Planning note on housing SP2: Housing

## **4 Alternative options considered**

### **Planning Authority Monitoring Report**

- 4.1 The Localism Act 2011 requires local planning authorities to produce monitoring reports. Planning authorities can now decide what is monitored and the format for reporting. Haringey's existing procedure of annual monitoring is considered an effective way for presenting outcomes and achievements of the planning service, within existing resources. As such, no other options were considered. However, the report includes information beyond the monitoring year where it helps to provide a more current picture of performance outcomes.

### **Supplementary Planning Document/Guidance Review**

- 4.2 Two alternative options were considered:



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- 4.3 Option A: Do not review the supplementary planning guidance documents. This is not considered an appropriate option as there have been changes in national and regional guidance. Further, the National Planning Policy Framework (NPPF) recommends the review of planning documents. It is also considered that the Council's current volume of supplementary planning guidance (48 documents) is excessive, and may impede effective development management and pose a barrier to investment in the borough.
- 4.4 Option B: Revoke or withdraw all supplementary planning documents and guidance. This is not considered an appropriate option as the Council has some excellent supplementary planning guidance documents which provide appropriate locally specific guidance, based on extensive consultation with residents, and these documents continue to provide useful guidance for development management and investment in the borough.
- 4.5 The preferred option is therefore a tailor-made approach which balances multiple requirements: to update and streamline Haringey's planning policy guidance; to provide greater certainty about the types of development that the Council will support; and to ensure the protection of Haringey's interests now and in the future.

## 5 Background information

### Planning Authority Monitoring Report (AMR) for 2012-2013

- 5.1 The AMR monitors the planning policy performance for the 2012-2013 period as set out in the Saved Unitary Development Plan (adopted in 2006 and saved in 2009). Where appropriate, the AMR also identifies the policy objectives and issues emerging for Haringey in 2013-14 and beyond.
- 5.2 Haringey adopted a new Local Plan: Strategic Policies in March 2013. The next AMR for 2013-2014 will start to monitor the performance of this document.
- 5.3 The AMR does not review each policy individually, rather it focuses monitoring on key policy objectives in order to assess overall outcomes in plan delivery.
- 5.4 The AMR broadly consists of 3 parts. Part 1 provides a plan making update and also highlights key changes in the national and regional planning framework. Part 2 sets out performance outcomes across a range of policy topic areas. Part 3 summarises performance with regard to the handling of planning applications, appeals and enforcement decisions. Based on AMR findings, future monitoring considerations are also noted.

### **AMR Part 1 - Plan-making update**

- 5.5 The latest Local Development Scheme, which was approved in March 2014, sets the timetable for production of future Local Plan and other planning documents, including Development Plan Documents (DPDs): Tottenham Area Action Plan, Development Management Policies and Site Allocations DPDs.



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5.6 A key milestone was achieved with the adoption of Haringey's Local Plan: Strategic Policies on 18 March 2013. The plan was tested against the NPPF and found to be consistent with it. Good progress has been made on the preparation of a number of documents which will support delivery of the Local Plan, including:

- Development Management Policies DPD: A first stage public consultation (Regulation 18) document was issued in March 2013;
- Site Allocations DPD: An initial Call for Sites consultation took place in March-May 2013;
- North London Waste Plan DPD: The 7 boroughs that make up the North London sub-region for waste planning, have started work on the plan;
- The Council consulted on a draft charging schedule for Community Infrastructure Levy it prepared in 2012, and an Examination in Public took place in December 2013 (it was found sound subject to minor modifications);
- Sustainable Design and Construction Supplementary Planning Document (SPD) was adopted in March 2013; and
- The Highgate Conservation Area Character Appraisal was consulted on in 2012 and adopted in 2013.

### **AMR Part 2 - Highlights of plan and policy performance outcomes**

- 5.7 Housing Completions- There were 1,285 new units built in 2012-2013. This exceeded the borough's London Plan annual target of 820 net additional units. However, housing figures were boosted by the development of student bed spaces at Hale Village, with student housing considered as 'non-conventional' housing supply.
- 5.8 There were roughly 600 'conventional' housing units delivered in the reporting year. Affordable housing accounted for over 60% of new conventional housing (376 affordable units completed). This figure exceeded the local target and performance in previous years, but will be challenging to maintain in the context of development viability in the next period. House building in 2013-2014 is likely to reflect the worst of the economic downturn.
- 5.9 The continued provision of affordable rent (including social rent) products for affordable housing will be challenging in the years ahead. Provision of affordable housing is linked to development viability and changing patterns of affordable housing funding options. The Council's emerging Strategic Housing Needs Assessment will provide an up to date evidence base for future policy options in this area.
- 5.10 The monitoring indicates that a higher proportion of 1 and 2 bedroom units are being delivered compared to larger and family sized housing. The planning policy response to this challenge, in part driven by site characteristics and development viability, will need to be more sophisticated and strategic in future.



- 5.11 Haringey's town centre vacancy rates have increased in recent years but overall, they remain lower than national and regional averages. The proportion of non-retail uses in Haringey's town centres is consistent with local targets, which suggests that planning policies are supporting an appropriate balance of uses.
- 5.12 For future AMRs, it is noted that town centres are expected to be subject to changes reflecting new shopping and macroeconomic patterns, as well as the proposed national planning policies that aim to relax planning rules for town centre uses.
- 5.13 The Council is proactively managing the borough's stock of employment land through plans and policies. There was 31,716 sqm employment floorspace permitted for release in 2012-2013. Change of use from B1 floorspace accounted for the vast majority of this, mainly as a result of an approved residential scheme at Lawrence Road. This site is identified in the Saved UDP Policies and considered suitable for a residential led scheme. In addition, the Local Plan: Strategic Policies resulted in the re-designation of 2 employment sites.
- 5.14 Despite recent figures showing improvement, worklessness remains a challenge. The Council's proactive employment programmes are helping to deliver positive outcomes in this regard. Job creation and effective use of employment land stock and floorspace are also considered in the emerging Growth Strategy and Strategic Regeneration Framework for Tottenham.

*Place-making and areas of change*

- 5.15 Haringey Heartlands and Tottenham Hale have been identified in the Local Plan as the borough's key 'growth areas'. A number of 'areas of change' have also been identified, including Wood Green Metropolitan Town Centre, Northumberland Park, Seven Sisters corridor and Tottenham High Road corridor. The AMR highlights progress made by the Council on the regeneration and renewal of these areas, including key projects and investment delivered, as well as key strategies developed. The new Sainsbury's (part of phase 1 of the Tottenham Hotspurs Stadium scheme) recently opened. Meanwhile, a new student and residential scheme at Hale Village has contributed to housing delivery in the borough.
- 5.16 The Council started work on Tottenham Area Action Plan in 2012-2013 and a draft plan was presented to the Cabinet in November 2013 for approval for public consultation.
- 5.17 In the draft Further Alterations to London Plan (FALP), published in January 2014, a new proposed annual housing completions target for Haringey is set at 1,502 units (up from 820 units per year). The FALP also identifies Opportunity Areas as one of the key areas to accommodate growth alongside town centres. Tottenham is part of the Upper Lee Valley Opportunity Area identified in the London Plan and therefore expected to accommodate significant level of growth in the next 20 years. Emerging planning policy documents, such as the Tottenham Area Action Plan, when adopted, will provide a planning framework for managing change and growth.



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### *Design and conservation*

- 5.18 Haringey held its 3<sup>rd</sup> Design Awards in 2012-2013. Awards were given in 6 categories. Haringey Heartlands Secondary School was the overall winner. The next award scheme is expected in 2015-2016.
- 5.19 As part of the pre-application process for major schemes, Haringey encourages applicants to present their proposals to the Haringey Design Panel. The Panel met 8 times and reviewed 16 proposed major schemes in the reporting period.
- 5.20 The Highgate Conservation Area Appraisal was progressed and consulted on in 2012-2013, which culminated in its adoption by the Council in October 2013.

### *Environmental sustainability*

- 5.21 Planning policies are performing well in protecting the borough's open spaces and designated sites of biodiversity importance. There was no net loss of designated open space in 2012-2013.
- 5.22 A Strategic Flood Risk Assessment (Stage 2) has been prepared and will inform preparation of the Site Allocations and Development Management documents. Work is continuing on surface water management planning in identified areas at risk. There have been 9 Critical Drainage areas identified. The Council is making arrangements to ensure it effectively delivers its future role as Sustainable Drainage System (SuDS) Approval Body.
- 5.23 The latest data on carbon emissions was published in 2013 by the Government Department of Energy and Climate Change and covers the year 2010-2011. During this period, Haringey's carbon emissions decreased by 9.7%.
- 5.24 Household recycling rates in Haringey have shown continued improvement in recent years, with 32% of household waste recycled or composted in 2012-2013, up from 21% in 2006-07.

### *Strategic and community infrastructure, including funding*

- 5.25 The Council's Infrastructure Delivery Plan (IDP) was updated in April 2013. This is a key document which supports the Local Plan. It identifies current and future infrastructure needs and sets the basis for securing developer contributions.
- 5.26 Planning contributions (including S106 agreements) remain an important tool to ensure adequate provision of infrastructure across the borough, particularly for affordable housing. However, due to changes in national legislation, uptake of S106 funding will be more limited in the future, as the focus on provision of strategic infrastructure will shift to Haringey's forthcoming Community Infrastructure Levy (CIL). Affordable housing and site specific infrastructure will still come under S106 negotiations.
- 5.27 Section 106 funds secured in 2012-2013 (£4,238,000) were down from the previous year (£21,897,000), due to the significant amount of funds negotiated through several major planning applications in 2011-2012.



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- 5.28 The Council adopted a 20 year Transport Strategy in 2010. The first 3 year Delivery Plan for 2011-2014 brought more than £12 million of investment in transport infrastructure, cycling and road safety, sustainable transport and public realm projects.
- 5.29 In 2012-2013, the Council continued to work with TfL, GLA and Network Rail for strategic public transport improvements including 3-tracking for West Anglia line and improvements to Tottenham Hale station. Significant progress has been made to return the Tottenham gyratory to a two way traffic system and to enhance the bus interchange at Tottenham Hale station. Further key transport projects that have been emerging, such as Crossrail 2 and improvements to station access, will be reported in future AMRs.

### **AMR Part 3 - Development management performance**

- 5.30 In 2012-13, the Council processed 1,898 planning applications consisting of 19 major applications, 309 minor applications and 1,570 other applications.
- 5.31 Despite improvements on major applications, the Council did not meet targets for processing applications in the reporting year. However, targets have been met and exceeded for 2013-2014, and the Council is continuing to investigate opportunities for further service improvements.
- 5.32 The proportion of planning appeals allowed in Haringey was slightly higher than the national and regional averages. However, Haringey's performance on appeals over the past 5 years is a positive reflection on Council decisions, with performance generally in line with that of authorities across London and England.
- 5.33 The Council issued 116 enforcement notices against breaches of planning control. There were 54 appeals submitted against these notices, and only 2 appeals were allowed.

### **AMR - Summary of key considerations for future monitoring**

- 5.34 Changes in the national and regional policy framework must continue to be monitored, as these may have impacts which require targeted responses to protect Haringey's interests. In particular, the Government's planning reform changes (such as the extension of permitted development rights to allow conversion of offices and shops to housing) as well as outcomes of the draft Further Alterations to the London Plan, where revised housing and job targets are proposed.
- 5.35 Processes will be needed to ensure effective monitoring of new and emerging Local Plan policies. Capture of development information on design standards, in particular, will help with performance assessment of design and environmental policies.
- 5.36 Information on housing and commercial development is drawn from the London Development Database (LDD), which the Council inputs data into. This forms an important (and ongoing) tool and will continue to require a resource so that it can be regularly updated to ensure effective and timely monitoring, especially on development completions.





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- 5.37 Town centres need to be regularly surveyed, including further detailed information on defined primary and secondary frontages.
- 5.38 Outcomes of the Census 2011 (i.e. level of population growth for Haringey) will be taken into consideration in emerging plans and infrastructure delivery plans.

### **Supplementary Planning Document/Guidance Review**

- 5.39 Planning policy guidance can form an important part of the Development Plan and assist in delivering high quality development and investment in the borough
- 5.40 In 2012, the Government published the National Planning Policy Framework (NPPF). The NPPF encourages local planning authorities to review planning guidance, either in whole or in part, to respond flexibly to changing circumstances.
- 5.41 Pursuant to the NPPF, planning officers have recently undertaken a review of Haringey's suite of SPD/Gs (some 48 documents) in order to ensure that individual documents:
- Are consistent with national and regional guidance;
  - Do not duplicate national or regional policy;
  - Continue to positively contribute to development management;
  - Remain appropriate as planning guidance; and
  - Still carry appropriate weight as planning guidance.
- 5.42 A methodology for the review (Appendix B) was established so that a consistent and robust approach was applied in the consideration of Haringey's SPD/G documents.
- 5.43 A number of ways forward or 'solutions' for dealing with SPD/G documents were set out. Reasons behind the recommendation for each document are contained in Appendix C. Solutions for dealing with the SPD/Gs fall into the following categories:
- Solution 1: If the SPD/G provides a positive contribution to Haringey's planning policy, is entirely up to date and was properly adopted, there is no need to alter it.
  - Solution 2: If the SPD/G provides a positive contribution to Haringey's planning policy, is entirely up to date and was not properly adopted or does not have sufficient weight in its current form, it will be absorbed into new and emerging policy.
  - Solution 3: If the SPD/G provides a positive contribution to Haringey's planning policy, however parts of the document are no longer necessary, the relevant parts of the document will be re-written into new and emerging policy.
  - Solution 4: If the SPD/G does not provide a positive contribution to Haringey's planning policy, it has been considered by a decision making body, and properly adopted, it will be revoked by a decision of Cabinet.
  - Solution 5: If the SPD/G does not provide a positive contribution to Haringey's planning policy, it has been considered by a decision making body, and was not properly adopted, it will be withdrawn by a decision of Cabinet.



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- Solution 6: If the SPD/G does not provide a positive contribution to Haringey's planning policy, and has not been considered by a decision making body, it will be withdrawn by a decision of the Assistant Director of Planning and Building Control.

5.44 Documents recommended to be revoked or withdrawn with immediate effect have been signposted in Section 2 of this report.

5.45 As with most changes in planning policy and guidance, the process is not without risks, which have been identified and considered, as follows:

- Judicial review: The risk that someone will seek to challenge the decision to revoke or withdraw policies. This is considered a low risk, and can be mitigated by ensuring that statutory process is followed and document.
- Challenge at appeal: The risk that someone will seek to rely on SPD/G which has been revoked or withdrawn. As with the judicial review risk, this risk can be mitigated through a well documented statutory process.
- Failure of Development Plan Documents (DPDs) at examination: The risk that a DPD fails at examination creating a policy void. This can be mitigated by ensuring that DPDs have a strong evidence base and are managed well through consultation and examination stages, and by ensuring that SPD/G documents which rely on DPDs to be adopted will not be revoked or withdrawn prior to the adoption of the relevant DPD.

## **6 Comments of the Chief Finance Officer and financial implication**

6.1 The costs of preparing this report have been contained within existing budgets. The amendments of planning documents and guidance recommended within this report should help the Council in bringing forward appropriate development and support Regeneration ambitions. Changes in the Local Government Funding regime mean that the Council will become more dependent on growth and external funding and the recommendations within this report are supportive of that direction of travel.

## **7 Comments of the Assistant Director of Corporate Governance and legal implications**

7.1 The Assistant Director of Corporate Guidance has been consulted on the preparation of this report and comments as follows:

7.2 The Council is required by virtue of s35 Planning and Compulsory Purchase Act 2004, as amended by s113 Localism Act 2011, to make annual report to the Secretary of State providing such information as is prescribed as to the implementation of the local development scheme; and the extent to which the policies set out in the local development documents are being achieved.



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- 7.3 The report must be in respect of a period which the authority considers appropriate in the interests of transparency, which begins with the end of the period covered by the authority's most recent report, and which is not longer than 12 months or such shorter period as is prescribed. The report must also be in such form as is prescribed; and contain such other matter as is prescribed.
- 7.4 The Council must make these reports available to the public.
- 7.5 There are provisions in the Planning and Compulsory Purchase Act 2004 which deal with the withdrawal or revocation of local development documents.
- 7.6 In respect of the withdrawal of local development documents s22 allows a local planning authority at any time before a local development document is adopted to withdraw the document.
- 7.7 In respect of the revocation of adopted local development documents s25 allows the Secretary of State to revoke a local development document at the request of the local planning authority. The power to prescribe descriptions of adopted local development documents which may be revoked by authorities themselves has not yet been used.
- 7.8 Thereafter, the Town and Country (Local Planning) (England) Regulations 2012 (Regulations 15 and 35) provide a procedure to be followed depending on whether the s22 or s25 power is relied on and activated. In essence this requires formal notification of the withdrawal or revocation thereof.
- 7.9 It is therefore important to identify and establish the status of the documents being dealt with so that the correct procedure can be applied.

## **8 Equalities and Community Cohesion Comments**

- 8.1 No impact. The AMR is a monitoring report which consolidates development and other local data to assess plan and policy performance, and does not include policy proposals. The SPD/G documents provide further implementation guidance on existing national, regional and local policies, which will remain extant irrespective of decisions on individual SPD/Gs.

## **9 Head of Procurement Comments**

- 9.1 Not applicable

## **10 Policy Implication**

- 10.1 Outcome 1: Outstanding for all: Enabling all Haringey children to thrive –The AMR enables the Council to properly monitor the impacts of existing planning policy, and by extension it informs current and future decisions about planning policies including policies for children.



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- 10.2 Outcome 2: Safety and wellbeing for all: A place where everyone feels safe and has a good quality of life –The AMR enables the Council to properly monitor the impacts of existing planning policy, and by extension it informs current and future decisions about planning policies including policies about safety and well being.
- 10.3 Outcome 3: Opportunities for all; A successful place for everyone –The AMR enables the Council to properly monitor the impacts of existing planning policy, and by extension it informs current and future decisions about planning policies including opportunities for all.
- 10.4 Outcome 4: A better Council: Delivering responsive, high quality services – The AMR enables the Council to properly monitor the impacts of existing planning policy, and by extension it informs current and future decisions about planning policies. The SPD/G Review has removed unnecessary and outdated policy in order to enable more effective development management and a better Council.

## **11 Reasons for decision**

### **Authority Monitoring Report**

- 11.1 The publication of the Authority Monitoring Report is a requirement of the Localism Act 2011. Approval of the contents of the AMR for publication will ensure that the Council meets its statutory obligations for planning performance monitoring.

### **Supplementary Planning Document/Guidance Review**

- 11.2 The NPPF is a material consideration for planning decisions. It also sets out requirements and guidance for local authorities to consider when preparing planning documents. Importantly, the NPPF advocates that local planning authorities review their Local Plans in whole or in part to respond flexibly to changing circumstances.
- 11.3 In 2013 Haringey adopted its Local Plan: Strategic Policies, which at public examination was found to be sound under the requirements of the Planning and Compulsory Purchase Act 2004. In addition, the Local Plan was assessed as being consistent with the NPPF. The borough now has an up-to-date strategic plan which provides a robust basis for guiding new development and investment in the borough.
- 11.4 However, many of Haringey's existing Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance documents (SPGs) were prepared prior to the publication of the NPPF and adoption of Haringey's Local Plan.
- 11.5 In light of these circumstances it is appropriate for Haringey to closely examine its suite of SPD/G documents, to ensure they closely align with the local planning policy framework and positively contribute to the development management in the borough.

## **12 Use of Appendices**

- Appendix A: Authority Monitoring Report headline summary



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- Appendix B: SPD/G Review Decision Matrix
- Appendix C: SPD/G Review Recommendations
- Appendix D: Draft Planning Authority Monitoring Report 2012/13

### **13 Local Government (Access to Information) Act 1985**

13.1 The following documents were used in the preparation of this report:

- Haringey Local Plan: Strategic Policies (2013)
- Haringey Unitary Development Plan (2006) with Saved Policies (2009)
- Haringey Infrastructure Delivery Plan Update (2013)
- Haringey Annual Monitoring Report 2011/12
- Haringey Council Performance Indicators
- Smarter Travel Haringey Year Two Evaluation Report (2014)
- Haringey 3<sup>rd</sup> Annual Carbon Report (2013)
- Haringey Carbon Commission 1 Year On Progress Update (2013)
- Frontline Service Satisfaction Research Report for Haringey Council (2013)
- London Plan Annual Monitoring Report 10 (2014)
- North London Waste Authority Annual Monitoring Report 2012/13