

## NOTICE OF MEETING

# STRATEGIC PLANNING COMMITTEE

**Monday, 31st January, 2022, 7.00 pm – George Meehan House, 294 High Road, N22 8JZ (watch the live meeting [here](#), watch the recording [here](#))**

**Members:** Councillors Sarah Williams (Chair), Sheila Peacock (Vice-Chair), Gina Adamou, Dhiren Basu, Luke Cawley-Harrison, Emine Ibrahim, Peter Mitchell, Liz Morris, Reg Rice, Viv Ross, and Yvonne Say.

**Quorum:** 3

### 1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the 'meeting room', you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

### 2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

### 3. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a

pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

**4. URGENT BUSINESS**

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be dealt with under item 8 below).

**5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS**

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution

**6. MINUTES (PAGES 1 - 8)**

To confirm and sign the minutes of the Strategic Planning Committee meeting held on 25 October 2021 as a correct record.

**7. PLANNING SERVICES UPDATE - 2021-22 QUARTER 3 (PAGES 9 - 18)**

To consider a report on the work of the Planning Service for Quarter 3.

**8. NEW ITEMS OF URGENT BUSINESS**

Fiona Rae, Acting Committees Manager  
Tel – 020 8489 3541  
Email: [fiona.rae@haringey.gov.uk](mailto:fiona.rae@haringey.gov.uk)

Fiona Alderman  
Head of Legal & Governance (Monitoring Officer)  
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Friday, 21 January 2022

## **MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON MONDAY, 25TH OCTOBER, 2021, 7.00 - 9.30 PM**

**PRESENT:** Councillor Sarah Williams (Chair), Councillor Sheila Peacock (Vice-Chair), Councillor Gina Adamou, Councillor Dhiren Basu, Councillor Luke Cawley-Harrison, Councillor Emine Ibrahim, Councillor Peter Mitchell, Councillor Liz Morris, Councillor Reg Rice, Councillor Viv Ross, and Councillor Yvonne Say.

### **1. FILMING AT MEETINGS**

The Chair referred to the notice of filming at meetings and this information was noted.

### **2. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **3. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **4. URGENT BUSINESS**

There were no items of urgent business.

### **5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS**

There were no deputations / petitions / presentations / questions.

### **6. PRE-APPLICATION BRIEFING: PRE/2021/0004 - HIGH ROAD WEST, TOTTENHAM, LONDON, N17**

The Committee considered the pre-application briefing for the hybrid planning application seeking outline permission for the demolition of existing buildings and for the creation of a new mixed-use development comprising residential (Use Class C3), commercial, business and service (Use Class E), leisure (Use Class E and Sui Generis) and community uses (Use Class F1/F2) together with the creation of a new public square, park and associated access, parking and public realm works with matters of layout, scale, appearance, landscaping and access within the site reserved for subsequent approval; and full planning permission for Plot A including the demolition of existing buildings and the creation of 60 residential units (Use Class C3) together with landscaping, parking and other associated works.

The applicant team and officers responded to questions from the Committee:

- It was clarified that the proposal would provide space for a possible bridge over the railway, as set out in the masterplan. It was also confirmed that it was intended to provide the library on the ground floor.
- It was noted that the proposals would aim to provide at least 35% affordable units by habitable room, with 500 social rent units, 406 shared ownership units, and the remaining units for market sale. The Committee understood that the current proposal was just under 35% and that, under the London Plan, the Mayor was seeking at least 50% affordable units to be delivered on publicly owned land. It was noted that the council owned the majority of the land south of White Hart Lane but that the proposals did not appear to be seeking this level of affordability. The applicant team explained that the figure of 50% related to surplus public owned land, for example where public bodies were disposing of land that was surplus to requirement. It was noted that the applicant was aiming to deliver at least 35% affordable housing across the masterplan and was achieving 40% in the south of the site; they were exploring different funding options and would provide additional affordable housing if possible.
- The Committee noted that there were multiple density figures set out in the report and enquired what the density of the proposal would be. The applicant team commented that there were different ways to calculate density, with varying levels of detail, which could produce slightly different figures. It was also noted that the density calculations which related to land area would be affected by green spaces, such as Peacock Park, which could explain some of the differences.
- The Committee welcomed the size of the social rent units, including the higher proportion of 3-bed and 4-bed units, and enquired whether additional larger units could be provided. The applicant team explained that the social rent unit proposals were bespoke to the needs of community based on the results of consultation. It was added that the initial phase of delivery would focus on rehousing the existing residents.
- In relation to car parking, it was set out in the report that, if needed, a further 7% car parking could be provided; it was enquired when this would be assessed. The applicant team stated that, following consultation, anyone in the Love Lane estate with existing parking would be given the opportunity to retain their parking but that the rest of the masterplan was more aligned with the London Plan and it would be aimed to provide blue badge parking only. It was added that, if space for car parking was not needed, the applicant would look to repurpose this space.
- The applicant team stated that there were a number of landowners in the wider area. It was explained that the regeneration element of the proposal would be delivered first and that, during this time, it would be possible to work with other landowners.
- The Committee noted that the scheme would be tenure blind but queried whether this was accurate as the council units would be delivered in a specific location, at the southern end. The applicant team confirmed that phase one of the scheme, which would be developed first in the schedule, was purely affordable housing. It was highlighted that there would be no difference in the approach to buildings for affordable and private housing, although the detailed design would be presented later on. It was added that the south of the site would incorporate a mix of different uses.

- It was commented that 35-36% of the units would be single aspect and it was asked whether this could be improved. The applicant team explained that this was being considered and that there were some areas in the masterplan with more flexibility than others.
- In relation to the design of the proposal, it was commented that there was a gradual increase in building height from the east to the west but that the view from the west, and also the south, would be quite stark. It was requested that these views were provided so that the impact on this area, including public benefit and heritage, could be fully considered. The applicant team noted that a full set of views would be provided as part of the application.
- It was suggested that it would be beneficial to manage waste on site through a combined underground system and enquired whether there would be car charging points. The applicant team noted that the proposal would have to meet the council's standards for waste and that there was an ambition to provide a communal waste solution. It was also aimed to provide electric charging points for cars.
- The Committee queried the acceptable daylight and sunlight levels which were set at 15% and asked how this compared to the average level in other projects. The applicant team noted that the proposal was situated in an urban location. It was explained that the Building Research Establishment (BRE) testing process set the levels against which the proposals would be compared and that the majority of the buildings would be required to meet these levels. It was added that the detail of these assessments would be shared in due course.
- It was noted that there would be strong cycling infrastructure as part of the scheme and that the full details would be set out in the application.
- In relation to wind levels, the applicant team stated that wind tunnel testing was considered to be the most accurate form of testing. It was explained that the scheme had undergone three rounds of testing and that each block would be fully tested to ensure that it was appropriate.
- It was explained that Lendlease's policy was to reach net zero carbon emissions by 2025 and absolute zero by 2040. It was added that they were moving all of their construction sites to be fossil fuel free by 2022 and were converting to 100% renewable electricity. It was also hoped to move a number of targets forward where possible and to use very few offsets.
- The Committee acknowledged that the proposals would have practical design that would involve low maintenance requirements but expressed some concerns that this would lead to underinvestment in the long term. The applicant team noted that the scheme would aim to provide more focused, manageable public spaces. It was explained that there would not be disparate, small, public spaces as these had historically led to maintenance issues.
- Some members of the Committee noted that a number of events took place at the nearby Tottenham Hotspur Stadium and enquired how the impact of this on the area, including the impact on the W3 bus, would be mitigated through the design of the estate. The applicant team explained that work was ongoing to alleviate issues through the masterplan, including work with residents.
- The Assistant Director of Planning, Sustainability, and Building Standards noted that the Tottenham Hotspur Stadium had its own permissions and consents and that there was a specific business and community liaison group to shape and influence some of the issues raised. It was acknowledged that the design and

layout of the current proposal should allow for crowds and other uses of the area but it was highlighted that the Committee should focus its questioning on the application in question.

- Some members of the Committee commented that there was a lot of churn in flats in the area, which could impact the local community spirit and character, and it was enquired how the applicant would mitigate any excessive purchase of units by private companies. The applicant team explained that they were committed to selling locally with a broad amenity-based offering and different types of homes and spaces. It was noted that the agreement between Lendlease and Haringey had a contractual obligation to sell locally in the first instance and that Lendlease undertook their own monitoring relating to buyers.
- The Committee commented that the design of Plot A was not architecturally interesting and it was suggested that this could be improved, possibly with some detailing or additional ideas. It was also noted that projecting balconies were not considered to work well for residents and it was queried whether the proposed heights would sit well with the neighbouring streets. The applicant team commented that these queries had lengthy responses, particularly around the incorporation of the history of the site within the design, and that further details could be shared. It was added that the proposals did include projecting balconies but that these helped with overheating and that the depth of the flats and design of the balconies meant that the units remained quite private.
- It was clarified that there would be no residential units on the ground floor by Moselle Square. It was also explained that the podium gardens would be located at first or second storey level. The provision of amenity space, including doorstep play space, would be prioritised at podium level before being provided on lower rooftops.
- It was noted that the Quality Review Panel (QRP) had expressed some concerns about the wind levels in the proposals. The applicant team explained that the second round of testing had been shared with the QRP but that there had been a further, third round of testing and it was hoped that this would allay any concerns. The Committee noted that the application should provide assurance that the proposals would deliver comfortable spaces in relation to wind levels.
- It was enquired whether the site could be divided so that the part of the site that was council owned would be used for 100% social rent homes and the remaining part of the site would be required to provide 35% affordable homes. The Planning Officer explained that officers were not able to develop a strategy for an application in this way but would scrutinise and test proposals against policy and financial viability. Officers from Regeneration and Economic Development noted that the scheme had been developed over many years, including the procurement of a development partner and delivery in accordance with the development agreement. It was explained that the council had identified that there were requirements for external support and it was considered that this was a strong scheme that could not be delivered using an alternative method. It was added that it would not be practical to deliver elements of the scheme differently at this stage.

The Chair thanked the applicant team for attending.

**7. PLANNING SERVICES UPDATE - 2021-22 QUARTERS 1 AND 2**

The Assistant Director of Planning, Building Standards, and Sustainability introduced the report which provided an update on the work of the Planning Service for Quarters 1 and 2.

The Head of Development Management provided an update in relation to development management as set out in the report. It was noted that applications had increased by approximately 15% but that performance remained high, with 100% for major applications and good rates for other categories. It was highlighted that there had been roughly a 30% increase in other applications and that, although the service was under significant pressure, the average time for decisions had reduced from 87 to 81 days. It was noted that the service had introduced a fast track process for certificates of lawfulness, with decisions made within five working days, which had received positive reviews.

The Committee heard that the council had been subject to a number of overturns of refusals in relation to major applications, with a figure of 10%. The Department for Levelling Up, Housing and Communities had confirmed that the council had avoided designation this year. However, it was noted that the council had recently lost an appeal in relation to 300-306 West Green Road which was not yet included in the statistics in the report. It was noted that this could impact the next assessment and would be a risk for next year. It was added that there would be significant pressure for the service to process major applications to prevent reaching the level for designation. The Head of Development Management explained that the reason for refusal in relation to 300-306 West Green Road was the design, density, and the effect on neighbouring properties; it was added that there had been no cost implications for the council.

Attention was drawn to page 35 of the agenda pack and it was enquired why the figures relating to the total number of applications did not add up to 100%. The Head of Development Management explained that this was due to the fact that some applications were withdrawn or were not determined and not appealed.

In relation to the appeals that had been allowed, the Head of Development Management explained that there were two 'Ashley Houses' and that the appeal labelled as 'Ashley House' related to Ashley Road, Tottenham, and that this was also known as Ashley Park. It was noted that the Goods Yard application had been appealed for non-determination but it was queried whether this had been presented to the Planning Sub Committee. The Head of Development Management confirmed that the reasons for refusal in relation to the Goods Yard application had been brought to the Planning Sub Committee and had been effectively considered as a recommendation to refuse after an appeal had been submitted. It was confirmed that the decision in relation to 423-435 Lordship Lane had been made by officers under delegated powers.

The Head of Development Management explained that only one category was currently close to the threshold for designation and that there would be a right of reply if the council went over this level. It was noted that the council had strong levels of

performance and that this would make a good case; alternatively, the level could be reduced by processing additional major applications if possible.

The Interim Head of Planning Policy, Transport & Infrastructure provided an update in relation to planning policy and infrastructure. It was noted that, following the government white paper on planning reforms, there had been no further updates yet. It was commented that there had been some updates to the National Planning Policy Framework (NPPF) which reflected an increased focus on design and more detail in relation to the environment and climate change. It was added that there was a new London Plan which had been published in March 2021 and now formed part of the development plan for the borough. It was also noted that there had been some significant changes in national policy relating to affordable housing in that 25% of all housing delivered through section 106 obligations were required to be first homes; these were effectively discount market sale units.

It was noted that there had been some significant changes to the planning Use Classes Order in 2020. In addition, the government had announced plans to introduce a new permitted development right to allow a change of use from any Class E (commercial, business, and service use) to Class C3 (residential use). The Interim Head of Planning Policy, Transport & Infrastructure noted that the council had confirmed an Article 4 Direction to restrict changes of use from offices to residential without full planning permission. It was explained that this applied to major town centres and designated growth areas. However, it was clarified that, due to the government introduction of the new permitted development right, the Article 4 Direction would only have effect until July 2022. It was explained that officers were exploring the possibility of confirming a new Article 4 Direction, including monitoring the actions of other boroughs and the responses they were receiving from the Secretary of State. It was noted that the NPPF requirements for Article 4 Directions had been increased but that it should be possible with a more tightly focused proposal with robust evidence.

It was highlighted that a new Local Plan was being developed and that engagement had started, in particular the Local Plan Member Working Group had been reconvened. It was explained that the Local Plan would require a strong evidence base and that this was being developed by the Planning Policy Team. It was also noted that the council had published a Housing Delivery Test Action Plan to set out how housing would be delivered in terms of additional quantity and faster timescales.

It was reported that a partial review of the Community Infrastructure Levy (CIL) charging schedule was currently in the final stage of development. It was noted that the charging schedule had been submitted about a month ago and it was expected to be examined in public in early 2022. It was highlighted that this proposed changes in the east of the borough only, with an increase in CIL charges from £15 to £50 per square metre.

It was enquired how the new ward boundaries for 2022 would impact the CIL charges. The Interim Head of Planning Policy, Transport & Infrastructure stated that ward boundaries were incidental to CIL charging to some extent but that there would be a more comprehensive review in future which could look at the consistency in relation to the new ward boundaries. The Assistant Director of Planning, Building Standards, and

Sustainability added that ward boundaries were more relevant to CIL spending than charging. It was noted that communities would be consulted before new CIL spending but that, as there had been spending in March 2020, some additional time would be required to allow the CIL funds to be high enough. It was anticipated that the next round of spending would be in 2022.

In response to a query about the requirement to provide first homes, it was confirmed that first homes were classified as intermediate tenure and would, in effect, replace shared ownership. It was commented that the Greater London Authority (GLA) was not overwhelmingly supportive of first homes and it was unclear whether the industry would be supportive. It was noted that first homes would need to be considered as part of the new Local Plan, including their impact on viability, tenure mix, and the needs of the borough.

The Assistant Director of Planning, Building Standards, and Sustainability provided an update in relation to building control. It was explained that the details were generally comparable to previous years and that the current market share for Building Control was 68%; this was higher than previous years and suggested that the local authority service was performing well. It was added that the service had recently appointed an apprentice and was looking to recruit a second apprentice and that this would improve the sustainability of the staffing resource.

It was commented that a Building Safety Bill had been introduced to Parliament over the summer but had not yet been confirmed. It was noted that members had received a briefing on this issue and would continue to be updated on progress and any implications.

Cllr Cawley-Harrison noted that the council had written to a number of landlords about required works and enquired whether there had been a good level of responses. It was noted that there had been a number of responses and that the Head of Building Control Services would provide a detailed response to this query.

## **RESOLVED**

To note the report.

### **8. NEW ITEMS OF URGENT BUSINESS**

There were no items of urgent business.

### **9. DATES OF FUTURE MEETINGS**

To note the dates of future meetings:

22 February 2022

CHAIR: Councillor Sarah Williams

Signed by Chair .....

Date .....

**Report for:** Strategic Planning Committee – 31 January 2022

**Title:** Planning Services Update – 2021/22 Quarter 3

**Report authorised by:** Rob Krzyszowski, Assistant Director, Planning, Building Standards & Sustainability

**Lead Officer:** Robbie McNaugher, Head of Development Management; Bryce Tudball, Interim Head of Planning Policy, Transport & Infrastructure; Bob McIver, Head of Building Control

**Ward(s) affected:** N/A

**Report for Key/  
Non Key Decision:** For information

**1. Describe the issue under consideration**

A report on the work of the Planning service to December 2021.

**2. Recommendations**

The Strategic Planning Committee is asked:

To note the report.

**3. Reasons for decision**

Not applicable.

**4. Alternative options considered**

This report is for noting and as such no alternative options were considered.

**5. Planning 2021/22 Quarter 3 Update**

**Development Management**

- Applications received during 2021 (1<sup>st</sup> April – 31<sup>st</sup> December): **2,531**
- Applications received during same period 2020: **2,380**
- Number of cases on-hand end of December 2021: **535**
- Appeals decided during 2021 (1<sup>st</sup> April – 31<sup>st</sup> December): **72**
- Appeals dismissed (won) during 20/21 (1<sup>st</sup> April – 31<sup>st</sup> December): **55**
- Cumulative performance (applications in time) 2020/21 (1<sup>st</sup> April – 31<sup>st</sup> December)
  - **Majors: 100%**
  - **Minors: 91%**
  - **Others: 91%**
  - **PS0: 91%**

Appendix One explains the categories of applications.

Performance overview

- 5.1 Performance is at 100% for ‘Majors’ applications. Our performance for ‘Minor’ applications has remained in high at 91% ‘Other’ applications at 91%. Performance remains steady and we expect to continue to be top quartile in all categories, despite the year’s challenges.

	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Majors</b>	100%	100%	100%	100%	100%	100%
<b>Minors</b>	88%	98%	98%	94%	95%	91%
<b>Others</b>	90%	98%	98%	96%	97%	91%
<b>PS0</b>	86%	89%	90%	91%	91%	91%
<b>A.O.D.</b>	68%	69%	86%	90%	91%	87%

Cumulative Performance (April-March from 2016/17 onwards, April-Dec 2021/22)

- 5.2 The Government has three measures of application performance which the Council must remain within thresholds for. If we breach these thresholds we will be designated as a poorly performing planning authority and developers will then have the option of applying directly to the Planning Inspectorate for planning permission. This would mean that we don’t get the fee income for that application but we are still required to undertake the consultation. In addition we lose the democratic right to determine the application. These are (assessed over a two-year rolling period):

- Majors applications performance at least 50%
- Minor and Other applications performance at least 70%
- Appeals lost (below 10% in both categories)

- 5.3 So far in 2021 (1<sup>st</sup> April – 31<sup>st</sup> December) we have decided the following:

- **9 ‘Major’** applications (compared to the 15 during the same period last year)
- The average time of decision has decreased from 237 to 205 days but all have been subject to planning performance agreements.

	16/17	17/18	18/19	19/20	20/21	21/22 (to end of Dec)
No. of Major Apps decided	27	32	27	19	16	9

Major applications received over past five years

- **271 ‘Minor’** applications (compared to the 332 ‘Minor’ applications in the same period last year)
- The average decision day increased from 83 to 85 days
- **1,008 ‘Other’** applications (compared to the 850 ‘Other’ applications in the same period last year)
- The average decision day has increased from 62 to 69 days (a result of efforts to clear some backlog applications)

- 5.4 The length of time taken to validate an application is at an average of 4 days, reduced from 9 days.
- 5.5 The end to end times and the overall numbers of applications received, approved, and refused over previous years is set out below. Reducing the end to end times further will continue to be a focus for the coming year:

	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021/2022 (1 April – 31 Dec)
<b>Received</b>	4019	3399	3574	3094	2702	2531
<b>Approved</b>	3255 (81%)	2659 (78%)	2963 (83%)	2576 (83%)	2140 (79%)	2062 (81%)
<b>Refused</b>	506 (13%)	385 (11%)	356 (10%)	314 (10%)	432 (16%)	362 (14%)
<b>Average days</b>	61	54	62	63	65	68

- 5.6 Officer caseloads are at around 54 per officer in Q3 of 2021/22 financial year, slightly up from 48 last year.
- 5.7 The number of on hand applications has slightly increased compared to this time last year. As of the end of December 2021, there were 535 on hand applications (up from 524 on this time last year).
- 5.8 The number of applications over 26 weeks is now at around 124. These cases are largely complex or awaiting section 106 sign off significant efforts have been made to reduce this and will continue.

#### Pre-application advice

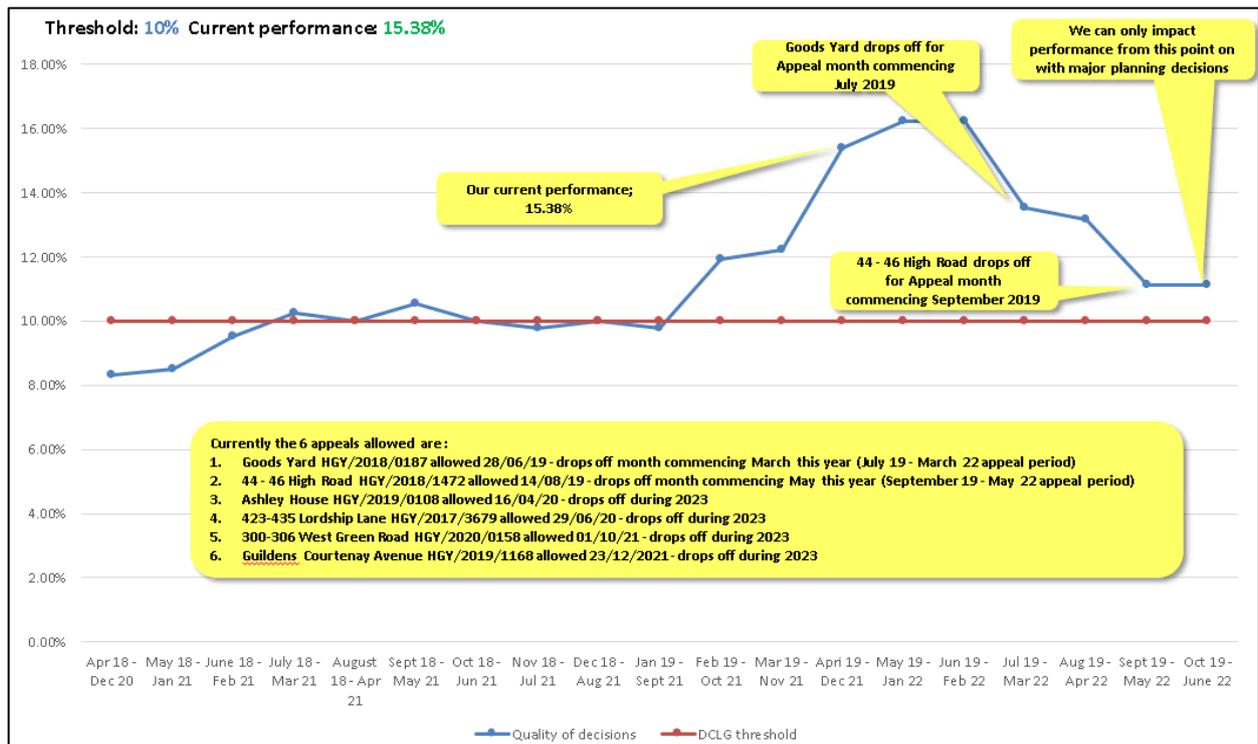
- 5.9 During 2021 (1<sup>st</sup> April – 31<sup>st</sup> December) there have been:
- 120 pre-application meetings (same period last year: 98)
  - generating a total of £164k in income (same period last year: £267k) representing fewer larger sites than previous years
  - 89 householder pre-application meetings (same period last year: 61)
  - generating £30.5k in income compared to (same period last year: £19k)
- 5.10 The use of Planning Performance Agreements (PPAs) during the period 2020/21 (1<sup>st</sup> April – 31<sup>st</sup> December) has generated £705.2k in income, compared to £437k last year within the same period. The team is continuing to encourage the use of PPAs for a wider range of work.
- 5.11 New express householder written advice and fastrack certificate of lawfulness services have been introduced and proved popular with customers whilst increasing income for the service. Since April 2021 to date we have received:
- 15 instances of Fast Track Certificate of Lawfulness applications generating a total of £7,243.50
  - 27 instances of Fast Track Pre-applications generating a total of £6,544.00.

Planning Decisions

- 5.12 The Planning Sub Committee has moved from virtual to ‘hybrid’ meeting and has met 8 times in 2021/22 so far (April, May, June, July, September, October, November (twice), December).
- 5.13 The final government threshold relates to overturns of refusals (officer and committee) on applications on appeal. We are at 1% on minor / other applications.
- 5.14 For major applications the measure used to measure quality of planning decisions is the percentage of the total number of decisions made by the authority on applications that are then subsequently overturned at appeal, once nine months have elapsed following the end of the assessment period.
- 5.15 The nine months specified in the measure enables appeals to pass through the system and be decided for the majority of decisions on planning applications made during the assessment period. The assessment period for this measure is the two years up to and including the most recent quarter for which data on planning application decisions are available at the time of designation, once the nine months to be allowed for beyond the end of the assessment period is taken into account. The average percentage figure for the assessment period as a whole is used.
- 5.16 The threshold for designation on applications for both major and non-major development, above which a local planning authority is eligible for designation, is 10% of an authority’s total number of decisions on applications made during the assessment period being overturned at appeal. This is calculated as an average over the assessment period.
- 5.17 The Department for Levelling Up, Housing and Communities has confirmed that we have avoided designation this period (2018-20) achieving a figure of with a threshold of 10%).
- 5.18 For the current period 2019-21 two recent appeal losses (300-306 West Green Road and Guildens, Courtenay Avenue) have taken us over the threshold. 300-306 West Green Road was refused by Planning Sub-Committee with a recommendation for approval. Guildens was allowed following a legal challenge to the original inspector’s decision to dismiss the appeal in May 2021. No other major appeals are pending. An appeal has been submitted against the refusal of the THFC Goods Yard application but has not yet been validated and the decision will fall within the 2020/22 period.
- 5.19 Haringey’s performance at present is as follows:

Type of application	Number of apps	Number of overturns	% (Threshold 10%)
Majors	39	6	15.38%

5.20 Potential performance figures for the whole 2 year period 2019-21 are likely to exceed the 10% threshold.



**Majors appeal performance over last 5 years**

5.20 The service is doing all it can to defend these appeals and process new major applications promptly. Officers consider it unlikely that the government will seek designation as the other performance measures are very positive, and the Council is proactive in supporting housing delivery through its own Council home building programme and developing its New Local Plan.

Planning Enforcement

- Enforcement complaints received during 2021 (1<sup>st</sup> April – 31<sup>st</sup> December: 589 compared to the 602 Enforcement complaints received during the same period last year.
- Enforcement notices served during 2021 (1<sup>st</sup> April – 31<sup>st</sup> December: 56 compared to the 53 Enforcement notices served during the same period last year.

5.21 Of the complaints 70% were acknowledged within one working day of receipt. This measure is down from 87% last year, as a result of staff shortages within the Customer Services Team.

5.22 The Planning Enforcement Team continues to seek prosecutions against owners who have failed to comply with existing enforcement notices. In addition to the prosecution proceedings, there has been a concerted effort in securing confiscation sentences under the provisions of the Proceeds of Crime Act (POCA) 2002. There are a number of prosecutions which are still going through the courts (these take a significant length of time).

- 5.23 In September 2021 officers secured a confiscation order of just over £100k against a landlord who had deliberately refused to comply with the requirements of two enforcement notices at two of his properties. The Council will get a share of that amount (approx 1/3) with 10% of the total confiscation order being paid to Barnet Council who provide the Accredited Financial Investigation services as Haringey does not have that capacity with the largest share going to central government.
- 5.24 Planning Enforcement officers have a backlog of site visits as a result of the Covid-19 lockdowns.

### Member Training & Site Visits

- 5.25 Member site visits have taken place visiting the Haringay Warehouse District, several sites in Tottenham Hale, Clarendon in Wood Green and several Haringey Design Award winning sites.

## Planning Policy & Infrastructure

### New Local Plan

5.26 The timetable for preparing the New Local Plan is set out in the table below.

Document	Regulation	Date
<b>New Local Plan First Steps Engagement consultation</b>	Reg 18	November 2020-February 2021
<b>Draft Local Plan consultation</b>	Reg 18	Mid 2022
<b>Proposed Submission Local Plan consultation</b>	Reg 19	2022/23
<b>Submission &amp; Examination</b>	Reg 22-25	2023
<b>Adoption</b>	Reg 26	2023

5.27 Work is continuing with key partners to ensure broad engagement on the New Local Plan. The New Local Plan Member Working Group (NLPMWG) met 4 times between August and November 2021 including discussing draft policy directions for:

- the climate emergency and green infrastructure
- the economy, town centres and high streets
- design and heritage.

5.28 In line with national policy and guidance the New Local Plan must be informed and supported by a relevant and up-to-date evidence base that is adequate and proportionate. The Council has commissioned the following evidence in support of the New Local Plan:

Study	Timeline for completion
Strategic Housing Market Assessment	Completed
Archaeological Priority Area Study	Completed
Gypsy and Traveller Accommodation Needs Assessment	Completed
Employment Land Study	Completed
Retail and Town Centre Needs Study	Completed
Sites of Importance for Nature Conservation Study	Completed
Strategic Flood Risk Assessment (Level 1)	Spring 2022
Whole Plan Viability Study	Spring 2022

### Other planning policy workstreams

5.29 On 27 September 2021 the council submitted the **Haringey Community Infrastructure Levy Draft Charging Schedule (CIL DCS) 2021** for an independent examination. The submitted CIL DCS proposes changes to the adopted CIL rates in the east of the borough only. The headline change proposed is an increase in the residential CIL rate from £15 per square metre (non-indexed) to £50 per square metre. In November 2021 the Examiner submitted a series of questions to the Council and the Council subsequently provided written responses to those questions. In December 2021 the Council

was informed that the Examiner will not be holding a public hearing as part of his examination. The Council is expecting to receive the Examiner's completed report in early 2022 which will assess whether the proposed changes to the Council's adopted Charging Schedule are sound.

- 5.30 In October 2021 the Council was issued with the Inspector's Report for the **North London Waste Plan (NLWP)**. This confirmed that, subject to Main Modifications, the NLWP is legally compliant and sound, and recommended that it can now proceed to adoption by the Boroughs. A separate report will be presented to the Committee in relation to the NLWP in due course.
- 5.31 In November 2021 the Environment Bill gained Royal Assent and became the **Environment Act**. A key provision within the Act is the introduction of a biodiversity net gain (BNG) requirement set to become mandatory in 2023. It will require developers to demonstrate how they will bring about a minimum ten per cent increase in biodiversity in order to obtain planning permission for their projects. In January 2022 the Government launched a consultation on Biodiversity Net Gain Regulations and Implementation setting out its proposals of how BNG will be applied through the planning system and to Nationally Significant Infrastructure Projects.
- 5.32 The **Housing Delivery Test** is an annual measurement of housing delivery introduced by the Government in 2018. The Housing Delivery Test results for 2021 were published on 14 January 2022. Haringey's result was 75%. This is a significant improvement on the 2020 measurement of 60% and consequently the Council is no longer subject to the National Planning Policy Framework's 'Presumption in Favour of Sustainable Development' (PIFSD). This is an important change which means the Council can once again give maximum weight to its own Development Plan in planning decisions. However, the Council is still short of the target delivery threshold and will continue to have to produce another Housing Delivery Test Action Plan as well as include a 20% buffer on the authority's five-year housing land supply.
- 5.33 The **Authority Monitoring Report (AMR) 2019-20** was published in October 2021. The Authority Monitoring Report for 2020-21 is under preparation.
- 5.34 In December 2021 the Government made permanent two time-limited **permitted development rights** relating to outdoor markets and moveable structures, alongside the introduction of limitations and conditions to address any impacts. The rights are to allow markets to be held by, or on behalf of local councils, including provision of movable structures related to this use for an unlimited number of days and to allow movable structures such as marquees and additional seating in the grounds of pubs, cafes restaurants and historic visitor attractions.

**Building Control**

Building Control	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22*
Applications	2494	2173	1996	2323	1717	2129
Fees	651k	686k	604k	600k	561k	528k
Site visits	6697	6531	6817	6278	5603	4701
Market share	60%	54%	54%	62%	53%	59%
Dangerous Structures	173	128	190	162	159	147
Demolition Notices	24	18	13	29	20	11

- 5.35 Last year applications were lower than in preceding years due to Covid, however the fee income was still reasonably strong. Inspections were also lower, but even though we were in several lock downs, the number of inspections were still substantial which showed that Haringey Building Control maintained a strong service throughout the pandemic. The year to date has shown a strong recovery, although the number of applications is high due to significant applications from HfH.
- 5.36 Dangerous Structures have as always been ever prevalent, with 147 dangerous structures to date, including 2 significant out of hours call outs where we had to call out our dangerous structure contractor to remove the danger. The proactive work in Crouch End, Muswell Hill and Green Lanes continues and where our approach has been ignored, we will have to consider further action.
- 5.37 Building Control continues to be occupied by the progress of the Building Safety Bill and is helping to form guidelines as to how London Building Control services will work with the Building Safety Regulator. Building Control presented an update on the progress of the Bill to an All Member Briefing on 16 September 2021. The Bill continues its passage through Parliament and we understand that it will shortly be passing through to the Lords, with Royal Assent in this parliamentary year still on target. In addition to the Building Safety Bill, the Department of Levelling Up, Housing and Communities has been busy in issuing new Approved Documents in a number of key areas that are due to come into force in early summer.
- 5.38 In 2020 Building Control managed to move the service to fully working from home whilst still having a significant presence in the borough with the Surveyors carrying out site inspections. There has clearly been a recovery in the first six months of the year (even taking into account the HfH applications) and this is impacting on staff, as a result the service is looking at expanding resources. To this end we have appointed an apprentice, who started with us in November and will be commencing her studying later this month. In addition to this apprentice, we are about to establish a second apprentice post. As well as the apprentices we are ensuring the service is capable of undertaking the additional roles and responsibilities required under the Building Safety Bill. The key stage in this will be ensuring that all the surveyors within Building Control

will be able to register with the Building Safety Regulator (one of the known requirements of the 'new' regime).

## 6. Contribution to strategic outcomes

6.1 The Planning service contributes to all Priorities of the Borough Plan.

## 7. Local Government (Access to Information) Act 1985

Planning Applications are on the Planning Register on the Council's website and the Local Plan documents are also on the Council's website.

### **APPENDIX ONE**

#### **Definitions of Categories of Development**

##### Major Development

- 10+ dwellings / over half a hectare / building(s) exceeds 1000m<sup>2</sup>
- Office / light industrial - 1000+ m<sup>2</sup> / 1+ hectare
- General industrial - 1000+ m<sup>2</sup> / 1+ hectare
- Retail - 1000+ m<sup>2</sup>/ 1+ hectare
- Gypsy/traveller site - 10+ pitches
- Site area exceeds 1 hectare

##### Minor Development

- 1-9 dwellings (unless floorspace exceeds 1000m<sup>2</sup> / under half a hectare)
- Office / light industrial - up to 999 m<sup>2</sup>/ under 1 hectare
- General industrial - up to 999 m<sup>2</sup>/ under 1 Hectare
- Retail - up to 999 m<sup>2</sup>/ under 1 hectare
- Gypsy/traveller site - 0-9 pitches

##### Other Development

- Householder applications
- Change of use (no operational development)
- Adverts
- Listed building extensions / alterations
- Listed building demolition
- Application for relevant demolition of an unlisted building within a Conservation Area
- Certificates of Lawfulness (191 and 192)
- Notifications
- Permissions in Principle (PiP) and Technical Detail Consent (TDC)

##### PS0

Approval of details, discharge of conditions, non-material amendments